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**HOUSE BILL 1086**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Representatives Hunter, Alexander, and Darneille; by request of Governor Gregoire

Read first time 01/11/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal matters; amending RCW 15.76.115,  
2 18.04.105, 43.21A.660, 43.21A.667, 43.79.460, 43.79.465, 43.83B.430,  
3 51.44.170, 66.08.235, 82.14.380, and 90.56.500; amending 2010 2nd sp.s.  
4 c 1 ss 106, 107, 108, 109, 114, 115, 116, 117, 118, 201, 202, 203, 204,  
5 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 302, 303, 304, 305,  
6 306, 307, 308, 309, 310, 501, 502, 503, 601, 602, 603, 604, 605, 606,  
7 607, and 801 (uncodified); amending 2010 1st sp.s. c 37 ss 106, 118,  
8 120, 121, 123, 124, 126, 127, 128, 130, 133, 134, 138, 141, 142, 146,  
9 148, 150, 151, 153, 201, 213, 215, 217, 218, 219, 220, 222, 224, 225,  
10 226, 401, 402, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 514,  
11 515, 516, 517, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701,  
12 702, 703, 705, 707, 709, 710, 711, and 801 (uncodified); amending 2010  
13 1st sp.s. c 32 s 3 (uncodified); amending 2010 1st sp.s. c 31 s 1  
14 (uncodified); amending 2009 c 564 ss 711 and 719 (uncodified); adding  
15 new sections to 2009 c 564 (uncodified); repealing 2010 1st sp.s. c 37  
16 s 802 (uncodified); making appropriations; and declaring an emergency.

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

18 **PART I**  
19 **GENERAL GOVERNMENT**

1       **Sec. 101.** 2010 1st sp.s. c 37 s 106 (uncodified) is amended to  
2 read as follows:

3       **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$8,652,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,506,000)</del>
6		<u>\$7,971,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(\$17,158,000)</del>
8		<u>\$16,623,000</u>

9       **Sec. 102.** 2010 2nd sp.s. c 1 s 106 (uncodified) is amended to read  
10 as follows:

11       **FOR THE SUPREME COURT**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$6,912,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$6,844,000)</del>
14		<u>\$6,950,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$13,756,000)</del>
16		<u>\$13,862,000</u>

17       The appropriations in this section are subject to the following  
18 conditions and limitations: It is the intent of the legislature that  
19 the reductions in appropriations in this section shall be achieved, to  
20 the greatest extent possible, by reducing those state government  
21 administrative costs that do not affect direct client services or  
22 direct service delivery or programs. The agency shall, to the greatest  
23 extent possible, reduce spending in those areas that shall have the  
24 least impact on implementing its mission.

25       **Sec. 103.** 2010 2nd sp.s. c 1 s 107 (uncodified) is amended to read  
26 as follows:

27       **FOR THE LAW LIBRARY**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$1,925,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,592,000)</del>
30		<u>\$1,596,000</u>
31	TOTAL APPROPRIATION . . . . .	<del>(\$3,517,000)</del>
32		<u>\$3,521,000</u>

33       The appropriations in this section are subject to the following  
34 conditions and limitations: It is the intent of the legislature that  
35 the reductions in appropriations in this section shall be achieved, to  
36 the greatest extent possible, by reducing those state government

1 administrative costs that do not affect direct client services or  
2 direct service delivery or programs. The agency shall, to the greatest  
3 extent possible, reduce spending in those areas that shall have the  
4 least impact on implementing its mission.

5 **Sec. 104.** 2010 2nd sp.s. c 1 s 108 (uncodified) is amended to read  
6 as follows:

7 **FOR THE COURT OF APPEALS**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$15,632,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$15,517,000)</del>
10		<u>\$15,622,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$31,149,000)</del>
12		<u>\$31,254,000</u>

13 The appropriations in this section are subject to the following  
14 conditions and limitations: It is the intent of the legislature that  
15 the reductions in appropriations in this section shall be achieved, to  
16 the greatest extent possible, by reducing those state government  
17 administrative costs that do not affect direct client services or  
18 direct service delivery or programs. The agency shall, to the greatest  
19 extent possible, reduce spending in those areas that shall have the  
20 least impact on implementing its mission.

21 **Sec. 105.** 2010 2nd sp.s. c 1 s 109 (uncodified) is amended to read  
22 as follows:

23 **FOR THE ADMINISTRATOR FOR THE COURTS**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$52,644,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$49,760,000)</del>
26		<u>\$49,857,000</u>
27	General Fund--Federal Appropriation . . . . .	\$979,000
28	Judicial Information Systems Account--State	
29	Appropriation . . . . .	\$33,406,000
30	Judicial Stabilization Trust Account--State	
31	Appropriation . . . . .	\$6,598,000
32	TOTAL APPROPRIATION . . . . .	<del>(\$143,387,000)</del>
33		<u>\$143,484,000</u>

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

1 (1) \$1,800,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$1,687,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for school districts for petitions  
4 to juvenile court for truant students as provided in RCW 28A.225.030  
5 and 28A.225.035. The office of the administrator for the courts shall  
6 develop an interagency agreement with the superintendent of public  
7 instruction to allocate the funding provided in this subsection.  
8 Allocation of this money to school districts shall be based on the  
9 number of petitions filed. This funding includes amounts school  
10 districts may expend on the cost of serving petitions filed under RCW  
11 28A.225.030 by certified mail or by personal service or for the  
12 performance of service of process for any hearing associated with RCW  
13 28A.225.030.

14 (2)(a) \$8,252,000 of the general fund--state appropriation for  
15 fiscal year 2010 and \$7,734,000 of the general fund--state  
16 appropriation for fiscal year 2011 are provided solely for distribution  
17 to county juvenile court administrators to fund the costs of processing  
18 truancy, children in need of services, and at-risk youth petitions.  
19 The administrator for the courts, in conjunction with the juvenile  
20 court administrators, shall develop an equitable funding distribution  
21 formula. The formula shall neither reward counties with higher than  
22 average per-petition processing costs nor shall it penalize counties  
23 with lower than average per-petition processing costs.

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

35 (3) The distributions made under this subsection and distributions  
36 from the county criminal justice assistance account made pursuant to  
37 section 801 of this act constitute appropriate reimbursement for costs

1 for any new programs or increased level of service for purposes of RCW  
2 43.135.060.

3 (4) \$5,700,000 of the judicial information systems account--state  
4 appropriation is provided solely for modernization and integration of  
5 the judicial information system.

6 (a) Of this amount, \$1,700,000 is for the development of a  
7 comprehensive enterprise-level information technology strategy and  
8 detailed business and operational plans in support of that strategy,  
9 and \$4,000,000 is to continue to modernize and integrate current  
10 systems and enhance case management functionality on an incremental  
11 basis.

12 (b) The amount provided in this subsection may not be expended  
13 without prior approval by the judicial information system committee.  
14 The administrator shall regularly submit project plan updates for  
15 approval to the judicial information system committee.

16 (c) The judicial information system committee shall review project  
17 progress on a regular basis and may require quality assurance plans.  
18 The judicial information systems committee shall provide a report to  
19 the appropriate committees of the legislature no later than November 1,  
20 2011, on the status of the judicial information system modernization  
21 and integration, and the consistency of the project with the state's  
22 architecture, infrastructure and statewide enterprise view of service  
23 delivery.

24 (d) \$100,000 of the judicial information systems account--state  
25 appropriation is provided solely for the administrative office of the  
26 courts, in coordination with the judicial information system committee,  
27 to conduct an independent third-party executive-level review of the  
28 judicial information system. This review shall examine, at a minimum,  
29 the scope of the current project plan, governance structure, and  
30 organizational change management procedures. The review will also  
31 benchmark the system plans against similarly sized projects in other  
32 states or localities, review the large scale program risks, and  
33 estimate life cycle costs, including capital and on-going operational  
34 expenditures.

35 (5) \$3,000,000 of the judicial information systems account--state  
36 appropriation is provided solely for replacing computer equipment at  
37 state courts, and at state judicial agencies. The administrator for  
38 the courts shall prioritize equipment replacement purchasing and shall

1 fund those items that are most essential or critical. By October 1,  
2 2010, the administrative office of the courts shall report to the  
3 appropriate legislative fiscal committees on expenditures for equipment  
4 under this subsection.

5 (6) \$12,000 of the judicial information systems account--state  
6 appropriation is provided solely to implement Engrossed Substitute  
7 House Bill No. 1954 (sealing juvenile records). If the bill is not  
8 enacted by June 30, 2009, the amount provided in this subsection shall  
9 lapse.

10 (7) \$106,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$106,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the twenty-third superior  
13 court judge position in Pierce county. The funds appropriated in this  
14 subsection shall be expended only if the judge is appointed and serving  
15 on the bench.

16 (8) It is the intent of the legislature that the reductions in  
17 appropriations in this section shall be achieved, to the greatest  
18 extent possible, by reducing those state government administrative  
19 costs that do not affect direct client services or direct service  
20 delivery or programs. The agency shall, to the greatest extent  
21 possible, reduce spending in those areas that shall have the least  
22 impact on implementing its mission.

23 (9) \$44,000 of the judicial information systems account--state  
24 appropriation is provided solely to implement chapter 272, Laws of 2010  
25 (SHB 2680; guardianship).

26 (10) \$274,000 of the general fund--state appropriation for fiscal  
27 year 2011 is provided solely for the office of public guardianship to  
28 provide guardianship services for low-income incapacitated persons.

29 (11) \$3,797,000 of the judicial information systems account--state  
30 appropriation is provided solely for continued planning and  
31 implementation of improvements to the court case management system.

32 **Sec. 106.** 2010 1st sp.s. c 37 s 118 (uncodified) is amended to  
33 read as follows:

34 **FOR THE PUBLIC DISCLOSURE COMMISSION**

35	General Fund--State Appropriation (FY 2010) . . . . .	\$2,249,000
36	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,212,000)</del>
37		<u>\$1,967,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$4,461,000~~))  
2 \$4,216,000

3 **Sec. 107.** 2010 2nd sp.s. c 1 s 114 (uncodified) is amended to read  
4 as follows:

5 **FOR THE SECRETARY OF STATE**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$21,105,000
7	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$13,535,000</del> ))
8		<u>\$14,650,000</u>
9	General Fund--Federal Appropriation . . . . .	\$8,082,000
10	Archives and Records Management Account--State	
11	Appropriation . . . . .	\$8,990,000
12	Charitable Organization Education Account--State	
13	Appropriation . . . . .	\$76,000
14	Department of Personnel Service Account--State	
15	Appropriation . . . . .	\$757,000
16	Election Account--State Appropriation . . . . .	\$77,000
17	Local Government Archives Account--State	
18	Appropriation . . . . .	\$11,515,000
19	Election Account--Federal Appropriation . . . . .	\$31,163,000
20	TOTAL APPROPRIATION . . . . .	(( <del>\$95,300,000</del> ))
21		<u>\$96,415,000</u>

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

24 (1) \$4,101,000 of the general fund--state appropriation for fiscal  
25 year 2010 is provided solely to reimburse counties for the state's  
26 share of primary and general election costs and the costs of conducting  
27 mandatory recounts on state measures. Counties shall be reimbursed  
28 only for those odd-year election costs that the secretary of state  
29 validates as eligible for reimbursement.

30 (2)(a) \$1,897,000 of the general fund--state appropriation for  
31 fiscal year 2010 and \$1,845,000 of the general fund--state  
32 appropriation for fiscal year 2011 are provided solely for contracting  
33 with a nonprofit organization to produce gavel-to-gavel television  
34 coverage of state government deliberations and other events of  
35 statewide significance during the 2009-2011 biennium. The funding  
36 level for each year of the contract shall be based on the amount  
37 provided in this subsection. The nonprofit organization shall be

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

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

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

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

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

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

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

26 (3) The appropriations in this section are based upon savings  
27 assumed from the implementation of Senate Bill No. 6122 (election  
28 costs).

29 (4) In implementing budget reductions, the office of the secretary  
30 of state must make its first priority to maintain funding for the  
31 elections division.

32 (5) \$76,000 of the charitable organization education account--state  
33 appropriation for fiscal year 2011 is provided solely to implement  
34 Second Substitute House Bill No. 2576 (corporation and charity fees).  
35 If the bill is not enacted by June 30, 2010, the amount provided in  
36 this subsection shall lapse.

37 (6) \$77,000 of the general fund--state appropriation for fiscal  
38 year 2010 is provided solely for deposit to the election account.





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

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

8 (2) \$722,000 of the general fund--state appropriation for fiscal  
9 year 2010 and (~~\$717,000~~) \$638,000 of the general fund--state  
10 appropriation for fiscal year 2011 are provided solely for staff and  
11 related costs to verify the accuracy of reported school district data  
12 submitted for state funding purposes; conduct school district program  
13 audits of state funded public school programs; establish the specific  
14 amount of state funding adjustments whenever audit exceptions occur and  
15 the amount is not firmly established in the course of regular public  
16 school audits; and to assist the state special education safety net  
17 committee when requested.

18 (3) Within the amounts appropriated in this section, the state  
19 auditor shall continue to complete the annual audit of the state's  
20 comprehensive annual financial report and the annual federal single  
21 audit consistent with the auditing standards generally accepted in the  
22 United States and the standards applicable to financial audits  
23 contained in government auditing standards, issued by the comptroller  
24 general of the United States, and OMB circular A-133, audits of states,  
25 local governments, and nonprofit organizations.

26 (4) The legislature finds that the major changes in personnel  
27 funding in this budget and the long term effects of the ongoing  
28 economic recession combine with structural changes in the nature of  
29 work and employment in many state agencies to require a continuing  
30 review of the workforce examination begun under chapter 534, Laws of  
31 2009 (exempt employment practices). The legislature notes the ongoing  
32 management reforms of the Washington management service being  
33 undertaken by the department of personnel, and anticipates a continuing  
34 legislative committee examination of the architecture and cost of the  
35 state's career and executive workforce. To that end, the office of  
36 state auditor is invited to provide by September 1, 2010, a general  
37 survey of new and best practices for executive and career workforce  
38 management now in use by other states and relevant industries.



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

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

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

17 (5) The executive ethics board must produce a report by the end of  
18 the calendar year for the legislature regarding performance measures on  
19 the efficiency and effectiveness of the board, as well as on  
20 performance measures to measure and monitor the ethics and integrity of  
21 all state agencies.

22 (6) \$53,000 of the legal services revolving account--state  
23 appropriation is provided solely to implement Engrossed Second  
24 Substitute House Bill No. 3026 (school district compliance with state  
25 and federal civil rights laws).

26 **Sec. 113.** 2010 1st sp.s. c 37 s 126 (uncodified) is amended to  
27 read as follows:

28 **FOR THE CASELOAD FORECAST COUNCIL**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$766,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$742,000)</del>
31		<u>\$658,000</u>
32	TOTAL APPROPRIATION . . . . .	<del>(\$1,508,000)</del>
33		<u>\$1,424,000</u>

34 The appropriations in this section are subject to the following  
35 conditions and limitations: \$13,000 of the general fund--state  
36 appropriation for fiscal year 2010 and \$7,000 of the general fund--  
37 state appropriation for fiscal year 2011 are for the implementation of

1 Second Substitute House Bill No. 2106 (improving child welfare outcomes  
2 through the phased implementation of strategic and proven reforms). If  
3 the bill is not enacted by June 30, 2009, the amounts provided in this  
4 subsection shall lapse.

5 **Sec. 114.** 2010 1st sp.s. c 37 s 127 (uncodified) is amended to  
6 read as follows:

7 **FOR THE DEPARTMENT OF COMMERCE**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$49,670,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$40,577,000)</del>
10		<u>\$35,995,000</u>
11	General Fund--Federal Appropriation . . . . .	\$381,918,000
12	General Fund--Private/Local Appropriation . . . . .	\$10,622,000
13	Public Works Assistance Account--State	
14	Appropriation . . . . .	\$2,974,000
15	Tourism Development and Promotion Account--State	
16	Appropriation . . . . .	\$1,003,000
17	Drinking Water Assistance Administrative	
18	Account--State Appropriation . . . . .	\$433,000
19	Lead Paint Account--State Appropriation . . . . .	\$35,000
20	Building Code Council Account--State Appropriation . . . . .	\$688,000
21	Home Security Fund Account--State Appropriation . . . . .	<del>(\$25,486,000)</del>
22		<u>\$24,486,000</u>
23	Affordable Housing for All Account--State	
24	Appropriation . . . . .	\$11,896,000
25	Washington Auto Theft Prevention Authority	
26	Account--State Appropriation . . . . .	\$300,000
27	Independent Youth Housing Account--State	
28	Appropriation . . . . .	\$220,000
29	County Research Services Account--State Appropriation . . . . .	\$469,000
30	Community Preservation and Development Authority	
31	Account--State Appropriation . . . . .	\$350,000
32	Financial Fraud and Identity Theft Crimes Investigation	
33	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
34	Low-Income Weatherization Assistance Account--State	
35	Appropriation . . . . .	\$6,882,000
36	City and Town Research Services Account--State	
37	Appropriation . . . . .	\$2,246,000

1	Manufacturing Innovation and Modernization	
2	Account--State Appropriation . . . . .	\$230,000
3	Community and Economic Development Fee	
4	Account--State Appropriation . . . . .	\$6,922,000
5	Washington Housing Trust Account--State	
6	Appropriation . . . . .	\$15,348,000
7	Prostitution Prevention and Intervention Account--	
8	State Appropriation . . . . .	\$125,000
9	Public Facility Construction Loan Revolving	
10	Account--State Appropriation . . . . .	\$754,000
11	TOTAL APPROPRIATION . . . . .	<del>(\$560,314,000)</del>
12		<u>\$554,732,000</u>

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

15       (1) \$2,378,000 of the general fund--state appropriation for fiscal  
16 year 2010 and (~~(\$2,379,000)~~) \$2,117,000 of the general fund--state  
17 appropriation for fiscal year 2011 are provided solely for a contract  
18 with the Washington technology center for work essential to the mission  
19 of the Washington technology center and conducted in partnership with  
20 universities.

21       (2) Repayments of outstanding loans granted under RCW 43.63A.600,  
22 the mortgage and rental assistance program, shall be remitted to the  
23 department, including any current revolving account balances. The  
24 department shall collect payments on outstanding loans, and deposit  
25 them into the state general fund. Repayments of funds owed under the  
26 program shall be remitted to the department according to the terms  
27 included in the original loan agreements.

28       (3) \$100,000 of the general fund--state appropriation for fiscal  
29 year 2010 and (~~(\$100,000)~~) \$89,000 of the general fund--state  
30 appropriation for fiscal year 2011 are provided solely to implement  
31 section 2(7) of Engrossed Substitute House Bill No. 1959 (land use and  
32 transportation planning for marine container ports).

33       (4) \$102,000 of the building code council account--state  
34 appropriation is provided solely for the implementation of sections 3  
35 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built  
36 environment pollution). If sections 3 and 7 of the bill are not  
37 enacted by June 30, 2009, the amounts provided in this subsection shall  
38 lapse.

1           (5)(a) \$10,500,000 of the general fund--federal appropriation is  
2 provided for training and technical assistance associated with low  
3 income weatherization programs. Subject to federal requirements, the  
4 department shall provide: (i) Up to \$4,000,000 to the state board for  
5 community and technical colleges to provide workforce training related  
6 to weatherization and energy efficiency; (ii) up to \$3,000,000 to the  
7 Bellingham opportunity council to provide workforce training related to  
8 energy efficiency and weatherization; and (iii) up to \$3,500,000 to  
9 community-based organizations and to community action agencies  
10 consistent with the provisions of Engrossed Second Substitute House  
11 Bill No. 2227 (evergreen jobs act). Any funding remaining shall be  
12 expended in project 91000013, weatherization, in the omnibus capital  
13 appropriations act, Substitute House Bill No. 1216 (capital budget).

14           (b) \$6,787,000 of the general fund--federal appropriation is  
15 provided solely for the state energy program, including not less than  
16 \$5,000,000 to provide credit enhancements consistent with the  
17 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy  
18 efficiency in buildings).

19           (c) Of the general fund--federal appropriation the department shall  
20 provide: \$14,500,000 to the Washington State University for the  
21 purpose of making grants for pilot projects providing community-wide  
22 urban, residential, and commercial energy efficiency upgrades  
23 consistent with the provisions of Engrossed Second Substitute Senate  
24 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington  
25 State University to conduct farm energy assessments. In contracting  
26 with the Washington State University for the provision of these  
27 services, the total administration of Washington State University and  
28 the department shall not exceed 3 percent of the amounts provided.

29           (d) \$38,500,000 of the general fund--federal appropriation is  
30 provided for deposit in the energy recovery act account to establish a  
31 revolving loan program, consistent with the provisions of Engrossed  
32 Substitute House Bill No. 2289 (expanding energy freedom program).

33           (e) \$10,646,000 of the general fund--federal appropriation is  
34 provided pursuant to the energy efficiency and conservation block grant  
35 under the American reinvestment and recovery act. The department may  
36 use up to \$3,000,000 of the amount provided in this subsection to  
37 provide technical assistance for energy programs administered by the  
38 agency under the American reinvestment and recovery act.

1 (6) \$14,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for the implementation of Engrossed Second  
3 Substitute Senate Bill No. 5560 (state agency climate leadership). If  
4 the bill is not enacted by June 30, 2009, the amount provided in this  
5 subsection shall lapse.

6 (7) \$22,400,000 of the general fund--federal appropriation is  
7 provided solely for the justice assistance grant program and is  
8 contingent upon the department transferring: \$1,200,000 to the  
9 department of corrections for security threat mitigation, \$2,336,000 to  
10 the department of corrections for offender reentry, \$1,960,000 to the  
11 Washington state patrol for law enforcement activities, \$2,087,000 to  
12 the department of social and health services, division of alcohol and  
13 substance abuse for drug courts, and \$428,000 to the department of  
14 social and health services for sex abuse recognition training. The  
15 remaining funds shall be distributed by the department to local  
16 jurisdictions.

17 (8) \$20,000 of the general fund--state appropriation for fiscal  
18 year 2010 and (~~(\$20,000)~~) \$18,000 of the general fund--state  
19 appropriation for fiscal year 2011 are provided solely for a grant to  
20 KCTS public television to support Spanish language programming and the  
21 V-me Spanish language channel.

22 (9) \$500,000 of the general fund--state appropriation for fiscal  
23 year 2010 and (~~(\$500,000)~~) \$445,000 of the general fund--state  
24 appropriation for fiscal year 2011 are provided solely for a grant to  
25 resolution Washington to building statewide capacity for alternative  
26 dispute resolution centers and dispute resolution programs that  
27 guarantee that citizens have access to low-cost resolution as an  
28 alternative to litigation.

29 (10) \$30,000 of the general fund--state appropriation for fiscal  
30 year 2010 is provided solely for implementation of Engrossed Second  
31 Substitute Senate Bill No. 6015 (commercialization of technology). If  
32 the bill is not enacted by June 30, 2009, the amount provided in this  
33 subsection shall lapse.

34 (11) By June 30, 2011, the department shall request information  
35 that describes what jurisdictions have adopted, or are in the process  
36 of adopting, plans that address RCW 36.70A.020 and helps achieve the  
37 greenhouse gas emission reductions established in RCW 70.235.020. This



1 information request in this subsection applies to jurisdictions that  
2 are required to review and if necessary revise their comprehensive  
3 plans in accordance with RCW 36.70A.130.

4 (12) During the 2009-~~((11))~~ 2011 fiscal biennium, the department  
5 shall allot all of its appropriations subject to allotment by object,  
6 account, and expenditure authority code to conform with the office of  
7 financial management's definition of an option 2 allotment. For those  
8 funds subject to allotment but not appropriation, the agency shall  
9 submit option 2 allotments to the office of financial management.

10 (13) \$50,000 of the general fund--state appropriation for fiscal  
11 year 2010 and (~~(\$50,000)~~) \$45,000 of the general fund--state  
12 appropriation for fiscal year 2011 are provided solely for a grant for  
13 the state's participation in the Pacific Northwest economic region.

14 (14) \$712,000 of the general fund--state appropriation for fiscal  
15 year 2010 and (~~(\$712,000)~~) \$634,000 of the general fund--state  
16 appropriation for fiscal year 2011 are provided solely to the office of  
17 crime victims advocacy. These funds shall be contracted with the 39  
18 county prosecuting attorneys' offices to support victim-witness  
19 services. The funds must be prioritized to ensure a full-time victim-  
20 witness coordinator in each county. The office may retain only the  
21 amount currently allocated for this activity for administrative costs.

22 (15) \$306,000 of the general fund--state appropriation for fiscal  
23 year 2010 and (~~(\$306,000)~~) \$272,000 of the general fund--state  
24 appropriation for fiscal year 2011 are provided solely for a grant to  
25 the retired senior volunteer program.

26 (16) \$65,000 of the general fund--state appropriation for fiscal  
27 year 2010 is provided solely for a contract with a food distribution  
28 program for communities in the southwestern portion of the state and  
29 for workers impacted by timber and salmon fishing closures and  
30 reductions. The department may not charge administrative overhead or  
31 expenses to the funds provided in this subsection.

32 (17) \$371,000 of the general fund--state appropriation for fiscal  
33 year 2010 and (~~(\$371,000)~~) \$330,000 of the general fund--state  
34 appropriation for fiscal year 2011 are provided solely to the northwest  
35 agriculture business center.

36 (18) The department shall administer its growth management act  
37 technical assistance so that smaller cities receive proportionately  
38 more assistance than larger cities or counties.

1 (19) \$212,000 of the general fund--federal appropriation is  
2 provided solely for implementation of Second Substitute House Bill No.  
3 1172 (development rights transfer). If the bill is not enacted by June  
4 30, 2009, the amount provided in this subsection shall lapse.

5 (20) \$69,000 of the general fund--state appropriation for fiscal  
6 year 2010 and (~~(\$66,000)~~) \$59,000 of the general fund--state  
7 appropriation for fiscal year 2011 are provided solely for  
8 implementation of Engrossed Second Substitute House Bill No. 2227  
9 (evergreen jobs act). If the bill is not enacted by June 30, 2009, the  
10 amounts provided in this subsection shall lapse.

11 (21) \$350,000 of the community development and preservation  
12 authority account--state appropriation is provided solely for a grant  
13 to a community development authority established under chapter 43.167  
14 RCW. The community preservation and development's board of directors  
15 may contract with nonprofit community organizations to aid in  
16 mitigating the effects of increased public impact on urban  
17 neighborhoods due to events in stadia that have a capacity of over  
18 50,000 spectators.

19 (22) \$300,000 of the Washington auto theft prevention authority  
20 account--state appropriation is provided solely for a contract with a  
21 community group to build local community capacity and economic  
22 development within the state by strengthening political relationships  
23 between economically distressed communities and governmental  
24 institutions. The community group shall identify opportunities for  
25 collaboration and initiate activities and events that bring community  
26 organizations, local governments, and state agencies together to  
27 address the impacts of poverty, political disenfranchisement, and  
28 economic inequality on communities of color. These funds must be  
29 matched by other nonstate sources on an equal basis.

30 (23) \$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 (24) \$5,000,000 of the home security fund--state appropriation is  
34 provided solely for the operation, repair, and staffing of shelters in  
35 the homeless family shelter program.

36 (25) \$253,000 of the general fund--state appropriation for fiscal  
37 year 2010 and (~~(\$283,000)~~) \$252,000 of the general fund--state

1 appropriation for fiscal year 2011 are provided solely for the  
2 Washington new Americans program.

3 (26) \$438,000 of the general fund--state appropriation for fiscal  
4 year 2010 and (~~(\$438,000)~~) \$399,000 of the general fund--state  
5 appropriation for fiscal year 2011 are provided solely for the  
6 Washington asset building coalitions.

7 (~~(+29)~~) (27) \$3,231,000 of the general fund--state appropriation  
8 for fiscal year 2010 and (~~(\$3,231,000)~~) \$2,876,000 of the general  
9 fund--state appropriation for fiscal year 2011 are provided solely for  
10 associate development organizations.

11 (~~(+30)~~) (28) \$5,400,000 of the community and economic development  
12 fee account is provided as follows: \$1,000,000 is provided solely for  
13 the department of commerce for services for homeless families through  
14 the Washington families fund; \$2,600,000 is provided solely for housing  
15 trust fund operations and maintenance; \$800,000 is provided solely for  
16 housing trust fund portfolio management; \$500,000 is provided solely  
17 for foreclosure counseling and support; and \$500,000 is provided solely  
18 for use as a reserve in the account.

19 (~~(+32)~~ ~~-\$250,000~~) (29) \$223,000 of the general fund--state  
20 appropriation for fiscal year 2011 is provided solely for the  
21 department to administer a competitive grant program to fund economic  
22 development activities designed to further regional cluster growth and  
23 to integrate its sector-based and cluster-based strategies with its  
24 support for the development of innovation partnership zones. Grant  
25 recipients must provide matching funds equal to the size of the grant.  
26 Grants may be awarded to support the formation of sector associations  
27 or cluster associations, the identification of the technology and  
28 commercialization needs of a sector or cluster, facilitating working  
29 relationships between a sector association or cluster association and  
30 an innovation partnership zone, expanding the operations of an  
31 innovation partnership zone, and developing and implementing plans to  
32 meet the technology development and commercialization needs of industry  
33 sectors, industry clusters, and innovation partnership zones. The  
34 projects receiving grants must not duplicate the purpose or efforts of  
35 industry skill panels but priority must be given to applicants that  
36 complement industry skill panels and will use the grant funds to build  
37 linkages and joint projects.

1           (~~(33)~~—\$100,000))   (30) \$89,000 of the general fund--state  
2 appropriation for fiscal year 2011 is provided solely to:

3           (a) Develop a rural manufacturer export outreach program in  
4 conjunction with impact Washington. The program must provide outreach  
5 services to rural manufacturers in Washington to inform them of the  
6 importance of and opportunities in international trade, and to inform  
7 them of the export assistance programs available to assist these  
8 businesses to become exporters; and

9           (b) Develop export loan or loan guarantee programs in conjunction  
10 with the Washington economic development finance authority and the  
11 appropriate federal and private entities.

12           (~~(34)~~—\$1,000,000))   (31) \$890,000 of the general fund--state  
13 appropriation for fiscal year 2011 is provided solely to implement the  
14 provisions of chapter 13, Laws of 2010 (global health program).

15           (~~(35)~~—\$50,000))   (32) \$45,000 of the general fund--state  
16 appropriation for fiscal year 2011 is provided solely for the creation  
17 of the Washington entrepreneurial development and small business  
18 reference service in the department of commerce.

19           (a) The department must:

20           (i) In conjunction with and drawing on information compiled by the  
21 work force training and education coordinating board and the Washington  
22 economic development commission:

23           (A) Establish and maintain an inventory of the public and private  
24 entrepreneurial training and technical assistance services, programs,  
25 and resources available in the state;

26           (B) Disseminate information about available entrepreneurial  
27 development and small business assistance services, programs, and  
28 resources via in-person presentations and electronic and printed  
29 materials and undertake other activities to raise awareness of  
30 entrepreneurial training and small business assistance offerings; and

31           (C) Evaluate the extent to which existing entrepreneurial training  
32 and technical assistance programs in the state are effective and  
33 represent a consistent, integrated approach to meeting the needs of  
34 start-up and existing entrepreneurs;

35           (ii) Assist providers of entrepreneurial development and small  
36 business assistance services in applying for federal and private  
37 funding to support the entrepreneurial development and small business  
38 assistance activities in the state;

1 (iii) Distribute awards for excellence in entrepreneurial training  
2 and small business assistance; and

3 (iv) Report to the governor, the economic development commission,  
4 the work force training and education coordinating board, and the  
5 appropriate legislative committees its recommendations for statutory  
6 changes necessary to enhance operational efficiencies or enhance  
7 coordination related to entrepreneurial development and small business  
8 assistance.

9 (b) In carrying out the duties under this section, the department  
10 must seek the advice of small business owners and advocates, the  
11 Washington economic development commission, the work force training and  
12 education coordinating board, the state board for community and  
13 technical colleges, the employment security department, the Washington  
14 state microenterprise association, associate development organizations,  
15 impact Washington, the Washington quality award council, the Washington  
16 technology center, the small business export finance assistance center,  
17 the Spokane intercollegiate research and technology institute,  
18 representatives of the University of Washington business school and the  
19 Washington State University college of business and economics, the  
20 office of minority and women's business enterprises, the Washington  
21 economic development finance authority, and staff from small business  
22 development centers.

23 (c) The director may appoint an advisory board or convene such  
24 other individuals or groups as he or she deems appropriate to assist in  
25 carrying out the department's duties under this section.

26 ((~~37~~—\$50,000)) (33) \$45,000 of the general fund--state  
27 appropriation for fiscal year 2011 is provided solely for a grant to  
28 HistoryLink.

29 **Sec. 115.** 2010 1st sp.s. c 37 s 128 (uncodified) is amended to  
30 read as follows:

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

32	General Fund--State Appropriation (FY 2010) . . . . .	\$711,000
33	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$772,000</del> ))
34		<u>\$723,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$1,483,000</del> ))
36		<u>\$1,434,000</u>

1 The appropriations in this section are subject to the following  
2 conditions and limitations: The economic and revenue forecast council,  
3 in its quarterly revenue forecasts, shall forecast the total revenue  
4 for the state lottery.

5 **Sec. 116.** 2010 2nd sp.s. c 1 s 116 (uncodified) is amended to read  
6 as follows:

7 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$21,089,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$18,285,000)</del>
10		<u>\$17,996,000</u>
11	General Fund--Federal Appropriation . . . . .	\$27,103,000
12	General Fund--Private/Local Appropriation . . . . .	\$1,270,000
13	State Auditing Services Revolving	
14	Account--State Appropriation . . . . .	\$25,000
15	Economic Development Strategic Reserve Account--	
16	State Appropriation . . . . .	\$278,000
17	TOTAL APPROPRIATION . . . . .	<del>(\$68,050,000)</del>
18		<u>\$67,761,000</u>

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

21 (1) \$188,000 of the general fund--state appropriation for fiscal  
22 year 2010 is provided solely for the implementation of Second  
23 Substitute Senate Bill No. 5945 (Washington health partnership plan).

24 If the bill is not enacted by June 30, 2009, the amount provided in  
25 this subsection shall lapse.

26 (2) The office of financial management shall conduct a study on  
27 alternatives for consolidating or transferring activities and  
28 responsibilities of the state lottery commission, state horse racing  
29 commission, state liquor control board, and the state gambling  
30 commission to achieve cost savings and regulatory efficiencies. In  
31 conducting the study, the office of financial management shall consult  
32 with the legislative fiscal committees. Further, the office of  
33 financial management shall establish an advisory group to include, but  
34 not be limited to, representatives of affected businesses, state  
35 agencies or entities, local governments, and stakeholder groups. The  
36 office of financial management shall submit a final report to the  
37 governor and the legislative fiscal committees by November 15, 2009.

1 (3) \$110,000 of the general fund--state appropriation for fiscal  
2 year 2011 is provided solely to implement Second Substitute Senate Bill  
3 No. 6578 (multiagency permitting teams). If the bill is not enacted by  
4 June 30, 2010, the amount provided in this subsection shall lapse.

5 (4) The office of financial management shall, with the assistance  
6 of the natural resources cabinet as created in executive order 09-07,  
7 reduce the number of facilities being leased by the state by  
8 consolidating, wherever possible, regional offices and storage  
9 facilities of the natural resource agencies. The office of financial  
10 management and the natural resources cabinet shall submit a report on  
11 the progress of this effort and the associated savings to the  
12 appropriate fiscal committees of the legislature no later than December  
13 1, 2010.

14 (5)(a) \$50,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$150,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for the purposes of the office of  
17 financial management:

18 (i) Conducting a technical and financial analysis of the state's  
19 plan for the consolidated state data center and office building; and

20 (ii) Developing a strategic business plan outlining the various  
21 options for use of the site that maximize taxpayer value consistent  
22 with the terms of the finance lease and related agreements.

23 (b) The analysis required in (a)(i) of this subsection must consist  
24 of, at a minimum, an assessment of the following issues:

25 (i) The total capital and operational costs for the proposed data  
26 center and office building;

27 (ii) The occupancy rate for the consolidated state data center, as  
28 compared to total capacity, that will result in revenue exceeding total  
29 capital and operating expenses;

30 (iii) The potential reallocation of resources that could result  
31 from the consolidation of state data centers and office space; and

32 (iv) The potential return on investment for the consolidated state  
33 data center and office building that may be realized without impairing  
34 any existing contractual rights under the terms of the financing lease  
35 and related agreements.

36 (c) This review must build upon the analysis and migration strategy  
37 for the consolidated state data center being prepared for the  
38 department of information services.

1 (d) The strategic plan must be submitted to the governor and the  
2 legislature by December 1, 2010.

3 (6) Appropriations in this section include amounts sufficient to  
4 implement Engrossed Substitute House Bill No. 3178 (technology  
5 efficiencies).

6 **Sec. 117.** 2010 1st sp.s. c 37 s 130 (uncodified) is amended to read  
7 as follows:

8 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

9 Administrative Hearings Revolving

10 Account--State Appropriation . . . . . (~~(\$33,978,000)~~)  
11 \$34,805,000

12 The appropriation in this section is subject to the following  
13 conditions and limitations: \$725,000 of the administrative hearings  
14 revolving account--state appropriation is provided solely to implement  
15 Engrossed Second Substitute House Bill No. 2782 (security lifeline  
16 act). If the bill is not enacted by June 30, 2010, the amount provided  
17 in this subsection shall lapse.

18 **Sec. 118.** 2010 1st sp.s. c 37 s 133 (uncodified) is amended to  
19 read as follows:

20 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

21 General Fund--State Appropriation (FY 2010) . . . . . \$250,000  
22 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$255,000)~~)  
23 \$226,000  
24 TOTAL APPROPRIATION . . . . . (~~(\$505,000)~~)  
25 \$476,000

26 **Sec. 119.** 2010 1st sp.s. c 37 s 134 (uncodified) is amended to  
27 read as follows:

28 **FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

29 General Fund--State Appropriation (FY 2010) . . . . . \$243,000  
30 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$236,000)~~)  
31 \$210,000  
32 TOTAL APPROPRIATION . . . . . (~~(\$479,000)~~)  
33 \$453,000





1 fiscal year 2011 are for the implementation of Second Engrossed  
2 Substitute Senate Bill No. 6143 (excise tax law modifications). If the  
3 bill is not enacted by June 30, 2010, the amounts provided in this  
4 subsection shall lapse.

5 (5) \$163,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely to implement Substitute Senate Bill No.  
7 6846 (enhanced 911 services). If the bill is not enacted by June 30,  
8 2010, the amount provided in this subsection shall lapse.

9 (6) \$1,200,000 of the general fund--state appropriation for fiscal  
10 year 2011 is provided solely for making the necessary preparations for  
11 implementation of the working families tax exemption pursuant to RCW  
12 82.08.0206 in 2012.

13 **Sec. 121.** 2010 1st sp.s. c 37 s 138 (uncodified) is amended to  
14 read as follows:

15 **FOR THE BOARD OF TAX APPEALS**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$1,346,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,318,000)</del>
18		<u>\$1,194,000</u>
19	TOTAL APPROPRIATION . . . . .	<del>(\$2,664,000)</del>
20		<u>\$2,540,000</u>

21 **Sec. 122.** 2010 1st sp.s. c 37 s 141 (uncodified) is amended to  
22 read as follows:

23 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$815,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$3,963,000)</del>
26		<u>\$3,524,000</u>
27	General Fund--Federal Appropriation . . . . .	\$2,956,000
28	Building Code Council Account--State Appropriation . . . . .	<del>(\$593,000)</del>
29		<u>\$875,000</u>
30	General Fund--Private/Local Appropriation . . . . .	\$84,000
31	General Administration Service Account--State	
32	Appropriation . . . . .	\$31,748,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$40,159,000)</del>
34		<u>\$40,002,000</u>

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

1 (1) \$28,000 of the general fund--state appropriation for fiscal  
2 year 2010 and (~~(\$28,000)~~) \$14,000 of the general fund--state  
3 appropriation for fiscal year 2011 are provided solely for the purposes  
4 of section 8 of Engrossed Second Substitute Senate Bill No. 5854 (built  
5 environment pollution). If section 8 of the bill is not enacted by  
6 June 30, 2009, the amounts provided in this subsection shall lapse.

7 (2) (~~(\$3,545,000)~~) \$3,197,000 of the general fund--state  
8 appropriation for fiscal year 2011 is provided solely for the payment  
9 of facilities and services charges, utilities and contracts charges,  
10 public and historic facilities charges, and capital projects surcharges  
11 allocable to the senate, house of representatives, statute law  
12 committee, and joint legislative systems committee. The department  
13 shall allocate charges attributable to these agencies among the  
14 affected revolving funds. The department shall enter into an  
15 interagency agreement with these agencies by July 1, 2010, to establish  
16 performance standards, prioritization of preservation and capital  
17 improvement projects, and quality assurance provisions for the delivery  
18 of services under this subsection. The agencies named in this  
19 subsection shall continue to enjoy all of the same rights of occupancy,  
20 support, and space use on the capitol campus as historically  
21 established.

22 (3) \$84,000 of the general fund--private/local appropriation and  
23 \$593,000 of the building code council account--state appropriation are  
24 provided solely to implement Engrossed Second Substitute House Bill No.  
25 2658 (refocusing the department of commerce, including transferring  
26 programs). If the bill is not enacted by June 30, 2010, the amounts  
27 provided in this subsection shall lapse.

28 **Sec. 123.** 2010 1st sp.s. c 37 s 142 (uncodified) is amended to  
29 read as follows:

30 **FOR THE DEPARTMENT OF INFORMATION SERVICES**

31	General Fund--State Appropriation (FY 2010) . . . . .	\$1,086,000
32	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$1,080,000)</del> )
33		<u>\$1,012,000</u>
34	General Fund--Federal Appropriation . . . . .	\$701,000
35	General Fund--Private/Local Appropriation . . . . .	\$178,000
36	Data Processing Revolving Account--State	
37	Appropriation . . . . .	\$7,601,000

1 TOTAL APPROPRIATION . . . . . ((~~\$10,646,000~~))  
2 \$10,578,000

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

5 (1) \$100,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$100,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for the purposes of Engrossed  
8 Second Substitute House Bill No. 1701 (high-speed internet), including  
9 expenditure for deposit to the community technology opportunity  
10 account. If the bill is not enacted by June 30, 2009, the amounts  
11 provided in this subsection shall lapse.

12 (2) The department shall implement some or all of the following  
13 strategies to achieve savings on information technology expenditures  
14 through: (a) Holistic virtualization strategies; (b) wide-area network  
15 optimization strategies; (c) replacement of traditional telephone  
16 communications systems with alternatives; and (d) migration of external  
17 voice mail systems to internal voice mail systems coordinated by the  
18 department. The department shall report to the office of financial  
19 management and the fiscal committees of the legislature semiannually on  
20 progress made towards the implementation of savings strategies and the  
21 savings realized to date. No later than June 30, 2011, the department  
22 shall submit a final report on its findings and savings realized to the  
23 office of financial management and the fiscal committees of the  
24 legislature.

25 (3) \$178,000 of the general fund--private/local appropriation is  
26 provided solely for the implementation of the opportunity portal under  
27 Second Substitute House Bill No. 2782 (security lifeline act). If the  
28 bill is not enacted by June 30, 2010, the amount provided in this  
29 subsection shall lapse.

30 (4) Appropriations in this section include amounts sufficient to  
31 implement Engrossed Substitute House Bill No. 3178 (technology  
32 efficiencies).

33 **Sec. 124.** 2010 1st sp.s. c 37 s 146 (uncodified) is amended to  
34 read as follows:

35 **FOR THE LIQUOR CONTROL BOARD**

36 Liquor Control Board Construction and Maintenance

37 Account--State Appropriation . . . . . \$8,817,000

1	Liquor Revolving Account--State Appropriation . . . . .	(( <del>\$156,580,000</del> ))
2		<u>\$156,691,000</u>
3	TOTAL APPROPRIATION . . . . .	(( <del>\$165,397,000</del> ))
4		<u>\$165,508,000</u>

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

7 (1) \$1,306,000 of the liquor revolving account--state appropriation  
8 is provided solely for the liquor control board to open five new state  
9 stores.

10 (2) \$40,000 of the liquor revolving account--state appropriation is  
11 provided solely for the liquor control board to open ten new contract  
12 stores.

13 (3) (~~(\$3,059,000)~~) \$2,810,000 of the liquor revolving account--  
14 state appropriation is provided solely for the liquor control board to  
15 increase state and local revenues from new retail strategies including  
16 opening nine state stores on Sunday, opening state liquor stores on  
17 seven holidays, opening six mall locations during the holiday season,  
18 and increasing lottery sales.

19 (4) \$173,000 of the liquor revolving account--state appropriation  
20 is provided solely for the Engrossed House Bill No. 2040 (beer and wine  
21 regulation commission). If the bill is not enacted by June 30, 2009,  
22 the amount provided in this subsection shall lapse.

23 (5) \$130,000 of the liquor revolving account appropriation is  
24 provided to implement chapter 141, Laws of 2010 (SSB 6329).

25 (6) Within the amounts appropriated in this section, the liquor  
26 control board shall monitor the tasting endorsement authorized by  
27 chapter 141, Laws of 2010 (SSB 6329) and report to the appropriate  
28 committees of the legislature by June 30, 2011, on the enforcement of  
29 the endorsement. The report must include the number of compliance  
30 checks conducted by the liquor board during tasting activities, whether  
31 the checks were conducted with the knowledge of the licensee, the  
32 number of compliance checks passed, the number and type of notices of  
33 violation issued, the penalties imposed for the violations, the number  
34 of complaints received about tasting activities, and other information  
35 related to the enforcement of the endorsement. If the bill is not  
36 enacted by June 30, 2010, the requirements of this subsection shall be  
37 null and void.

1 (7) The board shall prepare a plan to transition selected state  
 2 liquor stores to contract stores. The plan must identify stores for  
 3 transition that the board determines will result in the greatest  
 4 efficiency and cost-effectiveness for the state. The plan must provide  
 5 for the conversion of at least twenty state liquor stores to contract  
 6 liquor stores and for that conversion to occur between July 1, 2011,  
 7 and July 1, 2013. The plan must also include an analysis of the  
 8 revenue generating capacity and costs for the stores before and after  
 9 the conversion as well as an analysis of access to liquor by  
 10 intoxicated and underage persons. The board shall submit the plan to  
 11 the appropriate policy and fiscal committees of the legislature by  
 12 November 1, 2010.

13 **Sec. 125.** 2010 1st sp.s. c 37 s 148 (uncodified) is amended to  
 14 read as follows:

15 **FOR THE MILITARY DEPARTMENT**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$9,350,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,874,000)</del>
18		<u>\$7,890,000</u>
19	General Fund--Federal Appropriation . . . . .	\$168,599,000
20	Enhanced 911 Account--State Appropriation . . . . .	\$44,508,000
21	Disaster Response Account--State Appropriation . . . . .	\$28,350,000
22	Disaster Response Account--Federal Appropriation . . . . .	\$114,496,000
23	Military Department Rent and Lease Account--State	
24	Appropriation . . . . .	\$612,000
25	Military Department Active State Service Account--Federal	
26	Appropriation . . . . .	\$592,000
27	Worker and Community Right-to-Know Account--State	
28	Appropriation . . . . .	\$341,000
29	Nisqually Earthquake Account--State Appropriation . . . . .	\$307,000
30	Nisqually Earthquake Account--Federal Appropriation . . . . .	\$1,067,000
31	TOTAL APPROPRIATION . . . . .	<del>(\$377,096,000)</del>
32		<u>\$376,112,000</u>

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

35 (1) \$28,326,000 of the disaster response account--state  
 36 appropriation and \$114,496,000 of the disaster response account--  
 37 federal appropriation may be spent only on disasters declared by the

1 governor and with the approval of the office of financial management.  
2 The military department shall submit a report to the office of  
3 financial management and the legislative fiscal committees on October  
4 1st and February 1st of each year detailing information on the disaster  
5 response account, including: (a) The amount and type of deposits into  
6 the account; (b) the current available fund balance as of the reporting  
7 date; and (c) the projected fund balance at the end of the 2009-2011  
8 biennium based on current revenue and expenditure patterns.

9 (2) \$307,000 of the Nisqually earthquake account--state  
10 appropriation and \$1,067,000 of the Nisqually earthquake account--  
11 federal appropriation are provided solely for response and recovery  
12 costs associated with the February 28, 2001, earthquake. The military  
13 department shall submit a report to the office of financial management  
14 and the legislative fiscal committees on October 1st and February 1st  
15 of each year detailing earthquake recovery costs, including: (a)  
16 Estimates of total costs; (b) incremental changes from the previous  
17 estimate; (c) actual expenditures; (d) estimates of total remaining  
18 costs to be paid; and (e) estimates of future payments by biennium.  
19 This information shall be displayed by fund, by type of assistance, and  
20 by amount paid on behalf of state agencies or local organizations. The  
21 military department shall also submit a report quarterly to the office  
22 of financial management and the legislative fiscal committees detailing  
23 information on the Nisqually earthquake account, including: (a) The  
24 amount and type of deposits into the account; (b) the current available  
25 fund balance as of the reporting date; and (c) the projected fund  
26 balance at the end of the 2009-2011 biennium based on current revenue  
27 and expenditure patterns.

28 (3) \$85,000,000 of the general fund--federal appropriation is  
29 provided solely for homeland security, subject to the following  
30 conditions:

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

34 (b) The department shall submit an annual report to the office of  
35 financial management and the legislative fiscal committees detailing  
36 the governor's domestic security advisory group recommendations;  
37 homeland security revenues and expenditures, including estimates of

1 total federal funding for the state; and incremental changes from the  
2 previous estimate.

3 (4) \$500,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely for the military department to contract  
5 with the Washington information network 2-1-1 to operate a statewide 2-  
6 1-1 system. The department shall provide the entire amount for 2-1-1  
7 and may not use any of the funds for administrative purposes.

8 **Sec. 126.** 2010 1st sp.s. c 37 s 150 (uncodified) is amended to  
9 read as follows:

10 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

11	General Fund--State Appropriation (FY 2010) . . . . .	\$2,667,000
12	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,635,000)</del>
13		<u>\$2,344,000</u>
14	Higher Education Personnel Services Account--State	
15	Appropriation . . . . .	\$250,000
16	Department of Personnel Service Account--State	
17	Appropriation . . . . .	\$3,263,000
18	TOTAL APPROPRIATION . . . . .	<del>(\$8,815,000)</del>
19		<u>\$8,524,000</u>

20 The appropriations in this section are subject to the following  
21 conditions and limitations: \$50,000 of the general fund--state  
22 appropriation for fiscal year 2011 is provided solely for  
23 implementation of Engrossed Substitute Senate Bill No. 6726 (language  
24 access provider bargaining).

25 **Sec. 127.** 2010 1st sp.s. c 37 s 151 (uncodified) is amended to  
26 read as follows:

27 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$1,371,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,382,000)</del>
30		<u>\$1,197,000</u>
31	General Fund--Federal Appropriation . . . . .	\$2,293,000
32	General Fund--Private/Local Appropriation . . . . .	\$14,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$5,060,000)</del>
34		<u>\$4,875,000</u>

35 The appropriations in this section are subject to the following  
36 conditions and limitations: \$44,000 of the general fund--state



1 appropriation for fiscal year 2011 is provided for implementation of  
2 Substitute House Bill No. 2704 (Washington main street program). If  
3 the bill is not enacted by June 30, 2010, the amount provided in this  
4 subsection shall lapse.

5 **Sec. 128.** 2010 2nd sp.s. c 1 s 118 (uncodified) is amended to read  
6 as follows:

7 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$1,642,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,334,000)</del>
10		<u>\$1,331,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$2,976,000)</del>
12		<u>\$2,973,000</u>

13 The appropriations in this section are subject to the following  
14 conditions and limitations: ~~(\$13,000)~~ \$12,000 of the general fund--  
15 state appropriation for fiscal year 2011 is provided solely for  
16 Substitute House Bill No. 2935 (hearings boards/environment and land  
17 use). If the bill is not enacted by June 30, 2010, the amount provided  
18 in this subsection shall lapse.

19 **Sec. 129.** 2010 1st sp.s. c 37 s 153 (uncodified) is amended to  
20 read as follows:

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

22	State Convention and Trade Center Account--State	
23	Appropriation . . . . .	<del>(\$60,127,000)</del>
24		<u>\$35,127,000</u>
25	State Convention and Trade Center Operating	
26	Account--State Appropriation . . . . .	<del>(\$56,694,000)</del>
27		<u>\$31,694,000</u>
28	TOTAL APPROPRIATION . . . . .	<del>(\$116,821,000)</del>
29		<u>\$66,821,000</u>

(End of part)



1 appropriated under sections 204, 206, 208, and 209 of this act as may  
2 be necessary to finance a unified health care plan for the WMIP program  
3 enrollment. The WMIP pilot projects shall not exceed a daily  
4 enrollment of 6,000 persons, nor expand beyond one county, during the  
5 2009-2011 biennium. The amount of funding assigned to the pilot  
6 projects from each program may not exceed the average per capita cost  
7 assumed in this act for individuals covered by that program,  
8 actuarially adjusted for the health condition of persons enrolled in  
9 the pilot project, times the number of clients enrolled in the pilot  
10 project. In implementing the WMIP pilot projects, the department may:  
11 (a) Withhold from calculations of "available resources" as set forth in  
12 RCW 71.24.025 a sum equal to the capitated rate for individuals  
13 enrolled in the pilots; and (b) employ capitation financing and risk-  
14 sharing arrangements in collaboration with health care service  
15 contractors licensed by the office of the insurance commissioner and  
16 qualified to participate in both the medicaid and medicare programs.  
17 The department shall conduct an evaluation of the WMIP, measuring  
18 changes in participant health outcomes, changes in patterns of service  
19 utilization, participant satisfaction, participant access to services,  
20 and the state fiscal impact.

21 (5)(a) The appropriations to the department of social and health  
22 services in this act shall be expended for the programs and in the  
23 amounts specified in this act. However, after May 1, (~~2010~~) 2011,  
24 unless specifically prohibited by this act, the department may transfer  
25 general fund--state appropriations for fiscal year (~~2010~~) 2011 among  
26 programs after approval by the director of financial management.  
27 However, the department shall not transfer state moneys that are  
28 provided solely for a specified purpose except as expressly provided in  
29 (b) of this subsection.

30 (b) To the extent that transfers under (a) of this subsection are  
31 insufficient to fund actual expenditures in excess of fiscal year  
32 (~~2010~~) 2011 caseload forecasts and utilization assumptions in the  
33 medical assistance, long-term care, foster care, adoptions support, and  
34 child support programs, the department may transfer state moneys that  
35 are provided solely for a specified purpose. The department shall not  
36 transfer funds, and the director of financial management shall not  
37 approve the transfer, unless the transfer is consistent with the  
38 objective of conserving, to the maximum extent possible, the

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

9 (6) The legislature finds that medicaid payment rates, as  
10 calculated by the department pursuant to the appropriations in this  
11 act, bear a reasonable relationship to the costs incurred by  
12 efficiently and economically operated facilities for providing quality  
13 services and will be sufficient to enlist enough providers so that care  
14 and services are available to the extent that such care and services  
15 are available to the general population in the geographic area. The  
16 legislature finds that cost reports, payment data from the federal  
17 government, historical utilization, economic data, and clinical input  
18 constitute reliable data upon which to determine the payment rates.

19 **Sec. 202.** 2010 2nd sp.s. c 1 s 201 (uncodified) is amended to read  
20 as follows:

21 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY**  
22 **SERVICES PROGRAM**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$315,002,000
24	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$293,707,000</del> ))
25		<u>\$284,836,000</u>
26	General Fund--Federal Appropriation . . . . .	(( <del>\$497,964,000</del> ))
27		<u>\$492,971,000</u>
28	General Fund--Private/Local Appropriation . . . . .	\$3,320,000
29	Home Security Fund Appropriation . . . . .	(( <del>\$9,983,000</del> ))
30		<u>\$8,224,000</u>
31	Domestic Violence Prevention Account--State	
32	Appropriation . . . . .	(( <del>\$1,154,000</del> ))
33		<u>\$1,077,000</u>
34	Education Legacy Trust Account--State Appropriation . . . . .	(( <del>\$725,000</del> ))
35		<u>\$362,000</u>
36	TOTAL APPROPRIATION . . . . .	(( <del>\$1,121,855,000</del> ))
37		<u>\$1,105,792,000</u>

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

3 (1) \$937,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$696,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely to contract for the operation of  
6 one pediatric interim care facility. The facility shall provide  
7 residential care for up to thirteen children through two years of age.  
8 Seventy-five percent of the children served by the facility must be in  
9 need of special care as a result of substance abuse by their mothers.  
10 The facility shall also provide on-site training to biological,  
11 adoptive, or foster parents. The facility shall provide at least three  
12 months of consultation and support to parents accepting placement of  
13 children from the facility. The facility may recruit new and current  
14 foster and adoptive parents for infants served by the facility. The  
15 department shall not require case management as a condition of the  
16 contract.

17 (2) \$369,000 of the general fund--state appropriation for fiscal  
18 year 2010, (~~(\$366,000)~~) \$343,000 of the general fund--state  
19 appropriation for fiscal year 2011, and (~~(\$316,000)~~) \$306,000 of the  
20 general fund--federal appropriation are provided solely for up to three  
21 nonfacility-based programs for the training, consultation, support, and  
22 recruitment of biological, foster, and adoptive parents of children  
23 through age three in need of special care as a result of substance  
24 abuse by their mothers, except that each program may serve up to three  
25 medically fragile nonsubstance-abuse-affected children. In selecting  
26 nonfacility-based programs, preference shall be given to programs whose  
27 federal or private funding sources have expired or that have  
28 successfully performed under the existing pediatric interim care  
29 program.

30 (3) \$2,500,000 of the general fund--state appropriation for fiscal  
31 year 2010 and (~~(\$88,000)~~) \$46,500 of the general fund--state  
32 appropriation for fiscal year 2011, and (~~(\$2,256,000)~~) \$2,098,000 of  
33 the home security fund--state appropriation are provided solely for  
34 secure crisis residential centers. Within appropriated amounts, the  
35 department shall collaborate with providers to maintain no less than  
36 forty-five beds that are geographically representative of the state.  
37 The department shall examine current secure crisis residential staffing

1 requirements, flexible payment options, center specific waivers, and  
2 other appropriate methods to accomplish this outcome.

3 (4) A maximum of (~~(\$73,209,000)~~) \$69,190,000 of the general fund--  
4 state appropriations and (~~(\$54,596,000)~~) \$54,443,000 of the general  
5 fund--federal appropriations for the 2009-11 biennium shall be expended  
6 for behavioral rehabilitative services and these amounts are provided  
7 solely for this purpose. The department shall work with behavioral  
8 rehabilitative service providers to safely keep youth with emotional,  
9 behavioral, or medical needs at home, with relatives, or with other  
10 permanent placement resources and decrease the length of service  
11 through improved emotional, behavioral, or medical outcomes for  
12 children in behavioral rehabilitative services in order to achieve the  
13 appropriated levels.

14 (a) Contracted providers shall act in good faith and accept the  
15 hardest to serve children, to the greatest extent possible, in order to  
16 improve their emotional, behavioral, or medical conditions.

17 (b) The department and the contracted provider shall mutually agree  
18 and establish an exit date for when the child is to exit the behavioral  
19 rehabilitative service provider. The department and the contracted  
20 provider should mutually agree, to the greatest extent possible, on a  
21 viable placement for the child to go to once the child's treatment  
22 process has been completed. The child shall exit only when the  
23 emotional, behavioral, or medical condition has improved or if the  
24 provider has not shown progress toward the outcomes specified in the  
25 signed contract at the time of exit. This subsection (b) does not  
26 prevent or eliminate the department's responsibility for removing the  
27 child from the provider if the child's emotional, behavioral, or  
28 medical condition worsens or is threatened.

29 (c) The department is encouraged to use performance-based contracts  
30 with incentives directly tied to outcomes described in this section.  
31 The contracts should incentivize contracted providers to accept the  
32 hardest to serve children and incentivize improvement in children's  
33 emotional, mental, and medical well-being within the established exit  
34 date. The department is further encouraged to increase the use of  
35 behavioral rehabilitative service group homes, wrap around services to  
36 facilitate and support placement of youth at home with relatives, or  
37 other permanent resources, and other means to control expenditures.

1 (d) The total foster care per capita amount shall not increase more  
2 than four percent in the 2009-11 biennium and shall not include  
3 behavioral rehabilitative service.

4 (5) Within amounts provided for the foster care and adoption  
5 support programs, the department shall control reimbursement decisions  
6 for foster care and adoption support cases such that the aggregate  
7 average cost per case for foster care and for adoption support does not  
8 exceed the amounts assumed in the projected caseload expenditures.

9 (6) (~~(\$14,187,000)~~) \$11,730,000 of the general fund--state  
10 appropriation for fiscal year 2011 and (~~(\$6,231,000)~~) \$5,839,000 of the  
11 general fund--federal appropriation are provided solely for the  
12 department to provide contracted prevention and early intervention  
13 services. The legislature recognizes the need for flexibility as the  
14 department transitions to performance-based contracts. The following  
15 services are included in the prevention and early intervention block  
16 grant: Crisis family intervention services, family preservation  
17 services, intensive family preservation services, evidence-based  
18 programs, public health nurses, and early family support services. The  
19 legislature intends for the department to maintain and build on  
20 existing evidence-based and research-based programs with the goal of  
21 utilizing contracted prevention and intervention services to keep  
22 children safe at home and to safely reunify families. Priority shall  
23 be given to proven intervention models, including evidence-based  
24 prevention and early intervention programs identified by the Washington  
25 state institute for public policy and the department. The department  
26 shall include information on the number, type, and outcomes of the  
27 evidence-based programs being implemented in its reports on child  
28 welfare reform efforts and shall provide the legislature and governor  
29 a report regarding the allocation of resources in this subsection by  
30 September 30, 2010. The department shall expend federal funds under  
31 this subsection in compliance with federal regulations.

32 (7) \$36,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$34,000 of the general fund--state appropriation for fiscal  
34 year 2011, and \$29,000 of the general fund--federal appropriation are  
35 provided solely for the implementation of chapter 465, Laws of 2007  
36 (child welfare).

37 (8) \$125,000 of the general fund--state appropriation for fiscal  
38 year 2010 and (~~(\$118,000)~~) \$62,000 of the general fund--state

1 appropriation for fiscal year 2011 are provided solely for continuum of  
2 care services. \$100,000 of this amount is for Casey family partners  
3 and \$25,000 of this amount is for volunteers of America crosswalk in  
4 fiscal year 2010. (~~(\$95,000 of this amount is for Casey family~~  
5 ~~partners and \$23,000 of this amount is for volunteers of America~~  
6 ~~crosswalk in fiscal year 2011.)~~)

7 (9) \$1,904,000 of the general fund--state appropriation for fiscal  
8 year 2010, (~~(\$1,717,000)~~) \$519,000 of the general fund--state  
9 appropriation for fiscal year 2011, and (~~(\$335,000)~~) \$357,000 of the  
10 general fund--federal appropriation are provided solely to contract  
11 with medical professionals for comprehensive safety assessments of  
12 high-risk families and for foster care assessments. (~~The safety~~  
13 ~~assessments will use validated assessment tools to guide intervention~~  
14 ~~decisions through the identification of additional safety and risk~~  
15 ~~factors. The department will maintain the availability of~~  
16 ~~comprehensive foster care assessments and follow up services for~~  
17 ~~children in out-of-home care who do not have permanent plans,~~  
18 ~~comprehensive safety assessments for families receiving in-home child~~  
19 ~~protective services or family voluntary services, and comprehensive~~  
20 ~~safety assessments for families with an infant age birth to fifteen~~  
21 ~~days where the infant was, at birth, diagnosed as substance exposed and~~  
22 ~~the department received an intake referral related to the infant due to~~  
23 ~~the substance exposure. The department must consolidate contracts,~~  
24 ~~streamline administration, and explore efficiencies to achieve~~  
25 ~~savings.)~~)

26 (10) \$7,679,000 of the general fund--state appropriation for fiscal  
27 year 2010, \$6,226,000 of the general fund--state appropriation for  
28 fiscal year 2011, and (~~(\$4,658,000)~~) \$4,821,000 of the general fund--  
29 federal appropriation are provided solely for court-ordered supervised  
30 visits between parents and dependent children and for sibling visits.  
31 The department shall work collaboratively with the juvenile dependency  
32 courts and revise the supervised visit reimbursement procedures to stay  
33 within appropriations without impeding reunification outcomes between  
34 parents and dependent children. The department shall report to the  
35 legislative fiscal committees on September 30, 2010, and December 30,  
36 2010, the number of children in foster care who receive supervised  
37 visits, their frequency, length of time of each visit, and whether  
38 reunification is attained.



1 (11) \$145,000 of the general fund--state appropriation for fiscal  
2 year 2010, (~~(\$817,000)~~) \$435,000 of the general fund--state  
3 appropriation for fiscal year 2011, and (~~(\$724,000)~~) \$668,000 of the  
4 home security fund--state appropriation is provided solely for street  
5 youth program services.

6 (12) \$1,522,000 of the general fund--state appropriation for fiscal  
7 year 2010, \$1,256,000 of the general fund--state appropriation for  
8 fiscal year 2011, and \$1,372,000 of the general fund--federal  
9 appropriation are provided solely for the department to recruit foster  
10 parents. The recruitment efforts shall include collaborating with  
11 community-based organizations and current or former foster parents to  
12 recruit foster parents.

13 (13) \$493,000 of the general fund--state appropriation for fiscal  
14 year 2010, (~~(\$284,000)~~) \$465,000 of the general fund--state  
15 appropriation for fiscal year 2011, \$466,000 of the general fund--  
16 private/local appropriation, and (~~(\$725,000)~~) \$362,000 of the education  
17 legacy trust account--state appropriation are provided solely for  
18 children's administration to contract with an educational advocacy  
19 provider with expertise in foster care educational outreach. Funding  
20 is provided solely for contracted education coordinators to assist  
21 foster children in succeeding in K-12 and higher education systems.  
22 Funding shall be prioritized to regions with high numbers of foster  
23 care youth and/or regions where backlogs of youth that have formerly  
24 requested educational outreach services exist. The department shall  
25 utilize private matching funds to maintain educational advocacy  
26 services.

27 (14) (~~(\$1,677,000)~~) \$1,273,000 of the home security fund account--  
28 state appropriation is provided solely for HOPE beds.

29 (15) (~~(\$5,193,000)~~) \$4,052,000 of the home security fund account--  
30 state appropriation is provided solely for the crisis residential  
31 centers.

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



1 Substitute House Bill No. 1961 (increasing adoptions act). If the bill  
2 is not enacted by June 30, 2009, the amounts provided in this  
3 subsection shall lapse.

4 ~~((+20))~~ (19) \$98,000 of the general fund--state appropriation for  
5 fiscal year 2010 and ~~((+\$92,000))~~ \$49,000 of the general fund--state  
6 appropriation for fiscal year 2011 are provided solely for the  
7 department to contract with an agency that is working in partnership  
8 with, and has been evaluated by, the University of Washington school of  
9 social work to implement promising practice constellation hub models of  
10 foster care support.

11 ~~((+21))~~ (20) The legislature intends for the department to reduce  
12 the time a child remains in the child welfare system. The department  
13 shall establish a measurable goal and report progress toward meeting  
14 that goal to the legislature by January 15 of each fiscal year of the  
15 2009- 11 fiscal biennium. To the extent that actual caseloads exceed  
16 those assumed in this section, it is the intent of the legislature to  
17 address those issues in a manner similar to all other caseload  
18 programs.

19 ~~((+22))~~ (21) \$715,000 of the general fund--state appropriation for  
20 fiscal year 2010 and ~~((+\$671,000))~~ \$358,000 of the general fund--state  
21 appropriation for fiscal year 2011 are provided solely for services  
22 provided through children's advocacy centers.

23 ~~((+23))~~ (22) \$10,000 of the general fund--state appropriation for  
24 fiscal year 2011 and \$3,000 of the general fund--federal appropriation  
25 are provided solely for implementation of chapter 224, Laws of 2010  
26 (confinement alternatives). If the bill is not enacted by June 30,  
27 2010, the amounts provided in this subsection shall lapse.

28 ~~((+24))~~ (23) \$1,867,000 of the general fund--state appropriation  
29 for fiscal year 2010, \$1,677,000 of the general fund--state  
30 appropriation for fiscal year 2011, and \$4,379,000 of the general  
31 fund--federal appropriation are provided solely for the department to  
32 contract for medicaid treatment child care (MTCC) services. Children's  
33 administration case workers, local public health nurses and case  
34 workers from the temporary assistance for needy families program shall  
35 refer children to MTCC services, as long as the children meet the  
36 eligibility requirements as outlined in the Washington state plan for  
37 the MTCC services.

1       ~~((25) The department shall contract for at least one pilot project~~  
2 ~~with adolescent services providers to deliver a continuum of short-term~~  
3 ~~crisis stabilization services. The pilot project shall include~~  
4 ~~adolescent services provided through secure crisis residential centers,~~  
5 ~~crisis residential centers, and hope beds. The department shall work~~  
6 ~~with adolescent service providers to maintain availability of~~  
7 ~~adolescent services and maintain the delivery of services in a~~  
8 ~~geographically representative manner. The department shall examine~~  
9 ~~current staffing requirements, flexible payment options, center-~~  
10 ~~specific licensing waivers, and other appropriate methods to achieve~~  
11 ~~savings and streamline the delivery of services. The legislature~~  
12 ~~intends for the pilot project to provide flexibility to the department~~  
13 ~~to improve outcomes and to achieve more efficient utilization of~~  
14 ~~existing resources, while meeting the statutory goals of the adolescent~~  
15 ~~services programs. The department shall provide an update to the~~  
16 ~~appropriate legislative committees and governor on the status of the~~  
17 ~~pilot project implementation by December 1, 2010.~~

18       ~~(+26))~~ (24) To ensure expenditures remain within available funds  
19 appropriated in this section as required by RCW 74.13A.005 and  
20 74.13A.020, the secretary shall not set the amount of any adoption  
21 assistance payment or payments, made pursuant to RCW 26.33.320 and  
22 74.13A.005 through 74.13A.080, to more than ninety percent of the  
23 foster care maintenance payment for that child had he or she remained  
24 in a foster family home during the same period. This subsection does  
25 not apply to adoption assistance agreements in existence on the  
26 effective date of this section.

27       ~~((+27))~~ (25) Receipts from fees per chapter 289, Laws of 2010, as  
28 deposited into the prostitution prevention and intervention account for  
29 services provided to sexually exploited children as defined in RCW  
30 13.32A.030 in secure and semi-secure crisis residential centers with  
31 access to staff trained to meet their specific needs shall be used to  
32 expand capacity for secure crisis residential centers and not supplant  
33 existing funding.

34       ~~((+28))~~ (26) The appropriations in this section reflect reductions  
35 to the foster care maintenance payment rates during fiscal year 2011.

36       **Sec. 203.** 2010 2nd sp.s. c 1 s 202 (uncodified) is amended to read  
37 as follows:

1 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
2 **REHABILITATION PROGRAM**

3	General Fund--State Appropriation (FY 2010) . . . . .	\$103,437,000
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$96,167,000)</del>
5		<u>\$88,230,000</u>
6	General Fund--Federal Appropriation . . . . .	<del>(\$1,715,000)</del>
7		<u>\$733,000</u>
8	General Fund--Private/Local Appropriation . . . . .	<del>(\$1,899,000)</del>
9		<u>\$1,931,000</u>
10	Washington Auto Theft Prevention Authority Account--	
11	State Appropriation . . . . .	\$3,896,000
12	Juvenile Accountability Incentive Account--Federal	
13	Appropriation . . . . .	\$2,805,000
14	State Efficiency and Restructuring Account--State	
15	Appropriation . . . . .	\$4,958,000
16	TOTAL APPROPRIATION . . . . .	<del>(\$214,877,000)</del>
17		<u>\$205,990,000</u>

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

20 (1) \$353,000 of the general fund--state appropriation for fiscal  
21 year 2010 and ~~(\$353,000)~~ \$331,000 of the general fund--state  
22 appropriation for fiscal year 2011 are provided solely for deposit in  
23 the county criminal justice assistance account for costs to the  
24 criminal justice system associated with the implementation of chapter  
25 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
26 this subsection are intended to provide funding for county adult court  
27 costs associated with the implementation of chapter 338, Laws of 1997  
28 and shall be distributed in accordance with RCW 82.14.310.

29 (2) \$3,408,000 of the general fund--state appropriation for fiscal  
30 year 2010 and ~~(\$2,898,000)~~ \$2,716,000 of the general fund--state  
31 appropriation for fiscal year 2011 are provided solely for the  
32 implementation of chapter 338, Laws of 1997 (juvenile code revisions).  
33 The amounts provided in this subsection are intended to provide funding  
34 for county impacts associated with the implementation of chapter 338,  
35 Laws of 1997 and shall be distributed to counties as prescribed in the  
36 current consolidated juvenile services (CJS) formula.

37 (3) \$3,716,000 of the general fund--state appropriation for fiscal  
38 year 2010 and ~~(\$3,716,000)~~ \$3,482,000 of the general fund--state

1 appropriation for fiscal year 2011 are provided solely to implement  
2 community juvenile accountability grants pursuant to chapter 338, Laws  
3 of 1997 (juvenile code revisions). Funds provided in this subsection  
4 may be used solely for community juvenile accountability grants,  
5 administration of the grants, and evaluations of programs funded by the  
6 grants.

7 (4) \$1,427,000 of the general fund--state appropriation for fiscal  
8 year 2010 and (~~(\$1,206,000)~~) \$1,130,000 of the general fund--state  
9 appropriation for fiscal year 2011 are provided solely to implement  
10 alcohol and substance abuse treatment programs for locally committed  
11 offenders. The juvenile rehabilitation administration shall award  
12 these moneys on a competitive basis to counties that submitted a plan  
13 for the provision of services approved by the division of alcohol and  
14 substance abuse. The juvenile rehabilitation administration shall  
15 develop criteria for evaluation of plans submitted and a timeline for  
16 awarding funding and shall assist counties in creating and submitting  
17 plans for evaluation.

18 (5) \$3,066,000 of the general fund--state appropriation for fiscal  
19 year 2010 and (~~(\$3,066,000)~~) \$2,873,000 of the general fund--state  
20 appropriation for fiscal year 2011 are provided solely for grants to  
21 county juvenile courts for the following programs identified by the  
22 Washington state institute for public policy (institute) in its October  
23 2006 report: "Evidence-Based Public Policy Options to Reduce Future  
24 Prison Construction, Criminal Justice Costs and Crime Rates":  
25 Functional family therapy, multi-systemic therapy, aggression  
26 replacement training and interagency coordination programs, or other  
27 programs with a positive benefit-cost finding in the institute's  
28 report. County juvenile courts shall apply to the juvenile  
29 rehabilitation administration for funding for program-specific  
30 participation and the administration shall provide grants to the courts  
31 consistent with the per-participant treatment costs identified by the  
32 institute.

33 (6) \$1,287,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$1,287,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for expansion of the following  
36 treatments and therapies in juvenile rehabilitation administration  
37 programs identified by the Washington state institute for public policy  
38 in its October 2006 report: "Evidence-Based Public Policy Options to

1 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
2 Rates": Multidimensional treatment foster care, family integrated  
3 transitions, and aggression replacement training. The administration  
4 may concentrate delivery of these treatments and therapies at a limited  
5 number of programs to deliver the treatments in a cost-effective  
6 manner.

7 (7)(a) For the fiscal year ending June 30, 2011, the juvenile  
8 rehabilitation administration shall administer a block grant, rather  
9 than categorical funding, of consolidated juvenile service funds,  
10 community juvenile accountability act grants, the chemical dependency  
11 disposition alternative funds, the mental health disposition  
12 alternative, and the sentencing disposition alternative for the purpose  
13 of serving youth adjudicated in the juvenile justice system. In making  
14 the block grant, the juvenile rehabilitation administration shall  
15 follow the following formula and will prioritize evidence-based  
16 programs and disposition alternatives and take into account juvenile  
17 courts program-eligible youth in conjunction with the number of youth  
18 served in each approved evidence-based program or disposition  
19 alternative: (i) Thirty-seven and one-half percent for the at-risk  
20 population of youth ten to seventeen years old; (ii) fifteen percent  
21 for moderate and high-risk youth; (iii) twenty-five percent for  
22 evidence-based program participation; (iv) seventeen and one-half  
23 percent for minority populations; (v) three percent for the chemical  
24 dependency disposition alternative; and (vi) two percent for the mental  
25 health and sentencing dispositional alternatives. Funding for the  
26 special sex offender disposition alternative (SSODA) shall not be  
27 included in the block grant, but allocated on the average daily  
28 population in juvenile courts. Funding for the evidence-based  
29 expansion grants shall be excluded from the block grant formula. Funds  
30 may be used for promising practices when approved by the juvenile  
31 rehabilitation administration and juvenile courts, through the  
32 community juvenile accountability act committee, based on the criteria  
33 established in consultation with Washington state institute for public  
34 policy and the juvenile courts.

35 (b) It is the intent of the legislature that the juvenile  
36 rehabilitation administration phase the implementation of the formula  
37 provided in subsection (1) of this section by including a stop-loss  
38 formula of three percent in fiscal year 2011, five percent in fiscal

1 year 2012, and five percent in fiscal year 2013. It is further the  
2 intent of the legislature that the evidence-based expansion grants be  
3 incorporated into the block grant formula by fiscal year 2013 and SSODA  
4 remain separate unless changes would result in increasing the cost  
5 benefit savings to the state as identified in (c) of this subsection.

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



1 alternative funds should be included in the block grant or left  
2 separate.

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

12 (e) By December 1, 2010, the Washington state institute for public  
13 policy shall report to the office of financial management and  
14 appropriate committees of the legislature on the administration of the  
15 block grant authorized in this subsection. The report shall include  
16 the criteria used for allocating the funding as a block grant and the  
17 participation targets and actual participation in the programs subject  
18 to the block grant.

19 (8) \$3,700,000 of the Washington auto theft prevention authority  
20 account--state appropriation is provided solely for competitive grants  
21 to community-based organizations to provide at-risk youth intervention  
22 services, including but not limited to, case management, employment  
23 services, educational services, and street outreach intervention  
24 programs. Projects funded should focus on preventing, intervening, and  
25 suppressing behavioral problems and violence while linking at-risk  
26 youth to pro-social activities. The department may not expend more  
27 than \$1,850,000 per fiscal year. The costs of administration must not  
28 exceed four percent of appropriated funding for each grant recipient.  
29 Each entity receiving funds must report to the juvenile rehabilitation  
30 administration on the number and types of youth served, the services  
31 provided, and the impact of those services upon the youth and the  
32 community.

33 (9) The appropriations in this section assume savings associated  
34 with the transfer of youthful offenders age eighteen or older whose  
35 sentences extend beyond age twenty-one to the department of corrections  
36 to complete their sentences. Prior to transferring an offender to the  
37 department of corrections, the juvenile rehabilitation administration

1 shall evaluate the offender to determine the offender's physical and  
2 emotional suitability for transfer.

3 **Sec. 204.** 2010 2nd sp.s. c 1 s 203 (uncodified) is amended to read  
4 as follows:

5 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**  
6 **PROGRAM**

7 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

8	General Fund--State Appropriation (FY 2010) . . . . .	\$273,648,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$278,530,000)</del>
10		<u>\$266,714,000</u>
11	General Fund--Federal Appropriation . . . . .	<del>(\$519,456,000)</del>
12		<u>\$513,327,000</u>
13	General Fund--Private/Local Appropriation . . . . .	\$16,674,000
14	Hospital Safety Net Assessment Fund--State	
15	Appropriation . . . . .	\$3,476,000
16	TOTAL APPROPRIATION . . . . .	<del>(\$1,091,784,000)</del>
17		<u>\$1,073,839,000</u>

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

20 (a) \$113,689,000 of the general fund--state appropriation for  
21 fiscal year 2010 and ~~(\$113,689,000)~~ \$106,541,000 of the general  
22 fund--state appropriation for fiscal year 2011 are provided solely for  
23 persons and services not covered by the medicaid program. This is a  
24 reduction of \$11,606,000 each fiscal year from the nonmedicaid funding  
25 that was allocated for expenditure by regional support networks during  
26 fiscal year 2009 prior to supplemental budget reductions. This  
27 \$11,606,000 reduction shall be distributed among regional support  
28 networks proportional to each network's share of the total state  
29 population. To the extent possible, levels of regional support network  
30 spending shall be maintained in the following priority order: (i)  
31 Crisis and commitment services; (ii) community inpatient services; and  
32 (iii) residential care services, including personal care and emergency  
33 housing assistance.

34 (b) \$10,400,000 of the general fund--state appropriation for fiscal  
35 year 2010, ~~(\$9,100,000)~~ \$8,528,000 of the general fund--state  
36 appropriation for fiscal year 2011, and \$1,300,000 of the general  
37 fund--federal appropriation are provided solely for the department and

1 regional support networks to contract for implementation of high-  
2 intensity program for active community treatment (PACT) teams. The  
3 department shall work with regional support networks and the center for  
4 medicare and medicaid services to integrate eligible components of the  
5 PACT service delivery model into medicaid capitation rates no later  
6 than January 2011, while maintaining consistency with all essential  
7 elements of the PACT evidence-based practice model.

8 (c) \$6,500,000 of the general fund--state appropriation for fiscal  
9 year 2010 and (~~(\$6,500,000)~~) \$6,091,000 of the general fund--state  
10 appropriation for fiscal year 2011 are provided solely for the western  
11 Washington regional support networks to provide either community- or  
12 hospital campus-based services for persons who require the level of  
13 care provided by the program for adaptive living skills (PALS) at  
14 western state hospital.

15 (d) The number of nonforensic beds allocated for use by regional  
16 support networks at eastern state hospital shall be 192 per day. The  
17 number of nonforensic beds allocated for use by regional support  
18 networks at western state hospital shall be 617 per day during the  
19 first quarter of fiscal year 2010, (~~and~~) 587 per day through the  
20 second quarter of fiscal year 2011, and 557 per day thereafter. Beds  
21 in the program for adaptive living skills (PALS) are not included in  
22 the preceding bed allocations. The department shall separately charge  
23 regional support networks for persons served in the PALS program.

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

30 (f) \$4,582,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$4,582,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for mental health services for  
33 mentally ill offenders while confined in a county or city jail and for  
34 facilitating access to programs that offer mental health services upon  
35 release from confinement.

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

1 (h) \$750,000 of the general fund--state appropriation for fiscal  
2 year 2010 and (~~(\$750,000)~~) \$703,000 of the general fund--state  
3 appropriation for fiscal year 2011 are provided solely to continue  
4 performance-based incentive contracts to provide appropriate community  
5 support services for individuals with severe mental illness who were  
6 discharged from the state hospitals as part of the expanding community  
7 services initiative. These funds will be used to enhance community  
8 residential and support services provided by regional support networks  
9 through other state and federal funding.

10 (i) \$1,500,000 of the general fund--state appropriation for fiscal  
11 year 2010 and (~~(\$1,500,000)~~) \$1,125,000 of the general fund--state  
12 appropriation for fiscal year 2011 are provided solely for the Spokane  
13 regional support network to implement services to reduce utilization  
14 and the census at eastern state hospital. Such services shall include:

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

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

21 (iii) Mental health services provided in nursing facilities to  
22 individuals with dementia, and consultation to facility staff treating  
23 those individuals; and

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

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

29 (j) The department shall return to the Spokane regional support  
30 network fifty percent of the amounts assessed against the network  
31 during the last six months of calendar year 2009 for state hospital  
32 utilization in excess of its contractual limit. The regional support  
33 network shall use these funds for operation during its initial months  
34 of a new sixteen-bed evaluation and treatment facility that will enable  
35 the network to reduce its use of the state hospital, and for diversion  
36 and community support services for persons with dementia who would  
37 likely otherwise require care at the state hospital.

1 (k) The department is directed to identify and implement program  
2 efficiencies and benefit changes in its delivery of medicaid managed-  
3 care services that are sufficient to operate within the state and  
4 federal appropriations in this section. Such actions may include but  
5 are not limited to methods such as adjusting the care access standards;  
6 improved utilization management of ongoing, recurring, and high-  
7 intensity services; and increased uniformity in provider payment rates.  
8 The department shall ensure that the capitation rate adjustments  
9 necessary to accomplish these efficiencies and changes are distributed  
10 uniformly and equitably across all regional support networks statewide.  
11 The department is directed to report to the relevant legislative fiscal  
12 and policy committees at least thirty days prior to implementing rate  
13 adjustments reflecting these changes.

14 (l) In developing the new medicaid managed care rates under which  
15 the public mental health managed care system will operate during the  
16 five years beginning in fiscal year 2011, the department should seek to  
17 estimate the reasonable and necessary cost of efficiently and  
18 effectively providing a comparable set of medically necessary mental  
19 health benefits to persons of different acuity levels regardless of  
20 where in the state they live. Actual prior period spending in a  
21 regional administrative area shall not be a key determinant of future  
22 payment rates. The department shall report to the office of financial  
23 management and to the relevant fiscal and policy committees of the  
24 legislature on its proposed new waiver and mental health managed care  
25 rate-setting approach by October 1, 2009, and again at least sixty days  
26 prior to implementation of new capitation rates.

27 (m) In implementing the new public mental health managed care  
28 payment rates for fiscal year 2011, the department shall to the maximum  
29 extent possible within each regional support network's allowable rate  
30 range establish rates so that there is no increase or decrease in the  
31 total state and federal funding that the regional support network would  
32 receive if it were to continue to be paid at its October 2009 through  
33 June 2010 rates. The department shall additionally revise the draft  
34 rates issued January 28, 2010, to more accurately reflect the lower  
35 practitioner productivity inherent in the delivery of services in  
36 extremely rural regions in which a majority of the population reside in  
37 frontier counties, as defined and designated by the national center for  
38 frontier communities.

1 (n) \$1,529,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$1,529,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely to reimburse Pierce and Spokane  
4 counties for the cost of conducting 180-day commitment hearings at the  
5 state psychiatric hospitals.

6 (o) The legislature intends and expects that regional support  
7 networks and contracted community mental health agencies shall make all  
8 possible efforts to, at a minimum, maintain current compensation levels  
9 of direct care staff. Such efforts shall include, but not be limited  
10 to, identifying local funding that can preserve client services and  
11 staff compensation, achieving administrative reductions at the regional  
12 support network level, and engaging stakeholders on cost-savings ideas  
13 that maintain client services and staff compensation. For purposes of  
14 this section, "direct care staff" means persons employed by community  
15 mental health agencies whose primary responsibility is providing direct  
16 treatment and support to people with mental illness, or whose primary  
17 responsibility is providing direct support to such staff in areas such  
18 as client scheduling, client intake, client reception, client records-  
19 keeping, and facilities maintenance.

20 (p) Regional support networks may use local funds to earn  
21 additional federal medicaid match, provided the locally matched rate  
22 does not exceed the upper-bound of their federally allowable rate  
23 range, and provided that the enhanced funding is used only to provide  
24 medicaid state plan or waiver services to medicaid clients.  
25 Additionally, regional support networks may use a portion of the state  
26 funds allocated in accordance with (a) of this subsection to earn  
27 additional medicaid match, but only to the extent that the application  
28 of such funds to medicaid services does not diminish the level of  
29 crisis and commitment, community inpatient, residential care, and  
30 outpatient services presently available to persons not eligible for  
31 medicaid.

32 (2) INSTITUTIONAL SERVICES

33	General Fund--State Appropriation (FY 2010) . . . . .	\$119,423,000
34	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$118,010,000</del> ))
35		<u>\$111,575,000</u>
36	General Fund--Federal Appropriation . . . . .	(( <del>\$153,425,000</del> ))
37		<u>\$153,263,000</u>
38	General Fund--Private/Local Appropriation . . . . .	(( <del>\$64,614,000</del> ))

1 \$64,370,000  
 2 TOTAL APPROPRIATION . . . . . ((~~\$455,472,000~~))  
 3 \$448,631,000

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

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

9 (b) \$231,000 of the general fund--state appropriation for fiscal  
 10 year 2008 and \$231,000 of the general fund--state appropriation for  
 11 fiscal year 2009 are provided solely for a community partnership  
 12 between western state hospital and the city of Lakewood to support  
 13 community policing efforts in the Lakewood community surrounding  
 14 western state hospital. The amounts provided in this subsection (2)(b)  
 15 are for the salaries, benefits, supplies, and equipment for one full-  
 16 time investigator, one full-time police officer, and one full-time  
 17 community service officer at the city of Lakewood.

18 (c) \$45,000 of the general fund--state appropriation for fiscal  
 19 year 2010 and \$45,000 of the general fund--state appropriation for  
 20 fiscal year 2011 are provided solely for payment to the city of  
 21 Lakewood for police services provided by the city at western state  
 22 hospital and adjacent areas.

23 (d) ((~~\$200,000~~)) \$187,000 of the general fund--state appropriation  
 24 for fiscal year 2011 is provided solely for support of the psychiatric  
 25 security review panel established pursuant to Senate Bill No. 6610. If  
 26 Senate Bill No. 6610 is not enacted by June 30, 2010, the amount  
 27 provided in this subsection shall lapse.

28 (3) SPECIAL PROJECTS  
 29 General Fund--State Appropriation (FY 2010) . . . . . \$1,819,000  
 30 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$2,092,000~~))  
 31 \$1,961,000  
 32 General Fund--Federal Appropriation . . . . . ((~~\$2,142,000~~))  
 33 \$1,472,000  
 34 TOTAL APPROPRIATION . . . . . ((~~\$6,053,000~~))  
 35 \$6,318,000

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

1 (a) \$1,511,000 of the general fund--state appropriation for fiscal  
2 year 2010 and (~~(\$1,511,000)~~) \$1,416,000 of the general fund--state  
3 appropriation for fiscal year 2011 are provided solely for children's  
4 evidence based mental health services. Funding is sufficient to  
5 continue serving children at the same levels as fiscal year 2009.

6 (b) (~~(\$100,000)~~) \$94,000 of the general fund--state appropriation  
7 for fiscal year 2011 is provided solely for consultation, training, and  
8 technical assistance to regional support networks on strategies for  
9 effective service delivery in very sparsely populated counties.

10 (c) (~~(\$60,000)~~) \$56,000 of the general fund--state appropriation  
11 for fiscal year 2011 is provided solely for the department to contract  
12 with the Washington state institute for public policy for completion of  
13 the research reviews to be conducted in accordance with chapter 263,  
14 Laws of 2010.

15 (d) (~~(\$60,000)~~) \$56,000 of the general fund--state appropriation  
16 for fiscal year 2011 is provided solely for the department to contract  
17 with the Washington state institute for public policy for completion of  
18 the research reviews to be conducted in accordance with section 1,  
19 chapter 280, Laws of 2010.

20 (e) (~~(\$60,000)~~) \$56,000 of the general fund--state appropriation  
21 for fiscal year 2011 is provided solely for implementation of sections  
22 2 and 3, chapter 280, Laws of 2010. The department shall use these  
23 funds to contract with the Washington state institute for public policy  
24 for completion of an assessment of (i) the extent to which the number  
25 of persons involuntarily committed for 3, 14, and 90 days is likely to  
26 increase as a result of the revised commitment standards; (ii) the  
27 availability of community treatment capacity to accommodate that  
28 increase; (iii) strategies for cost-effectively leveraging state,  
29 local, and private resources to increase community involuntary  
30 treatment capacity; and (iv) the extent to which increases in  
31 involuntary commitments are likely to be offset by reduced utilization  
32 of correctional facilities, publicly-funded medical care, and state  
33 psychiatric hospitalizations.

34 (4) PROGRAM SUPPORT

35	General Fund--State Appropriation (FY 2010) . . . . .	\$4,078,000
36	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$3,958,000)</del> )
37		<u>\$4,002,000</u>
38	General Fund--Federal Appropriation . . . . .	( <del>(\$7,207,000)</del> )



1 \$6,920,000  
 2 TOTAL APPROPRIATION . . . . . (~~(\$15,243,000)~~)  
 3 \$15,000,000

4 The department is authorized and encouraged to continue its  
 5 contract with the Washington state institute for public policy to  
 6 provide a longitudinal analysis of long-term mental health outcomes as  
 7 directed in chapter 334, Laws of 2001 (mental health performance  
 8 audit); to build upon the evaluation of the impacts of chapter 214,  
 9 Laws of 1999 (mentally ill offenders); and to assess program outcomes  
 10 and cost effectiveness of the children's mental health pilot projects  
 11 as required by chapter 372, Laws of 2006.

12 **Sec. 205.** 2010 2nd sp.s. c 1 s 204 (uncodified) is amended to read  
 13 as follows:

14 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**  
 15 **DISABILITIES PROGRAM**

16 (1) COMMUNITY SERVICES  
 17 General Fund--State Appropriation (FY 2010) . . . . . \$307,348,000  
 18 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$337,658,000)~~)  
 19 \$321,468,000  
 20 General Fund--Federal Appropriation . . . . . (~~(\$902,043,000)~~)  
 21 \$862,056,000  
 22 TOTAL APPROPRIATION . . . . . (~~(\$1,547,049,000)~~)  
 23 \$1,490,872,000

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

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

30 (b)(i) Amounts appropriated in this section reflect a reduction to  
 31 funds appropriated for in-home care. The department shall reduce the  
 32 number of in-home hours authorized. The reduction shall be scaled  
 33 based on the acuity level of care recipients. The largest hour  
 34 reductions shall be to lower acuity patients and the smallest hour  
 35 reductions shall be to higher acuity patients. In doing so, the  
 36 department shall comply with all maintenance of effort requirements  
 37 contained in the American reinvestment and recovery act.

1 (ii) \$508,000 of the general fund--state appropriation for fiscal  
2 year 2011 and \$822,000 of the general fund--federal appropriation are  
3 provided solely for the department to partially restore the reductions  
4 to in-home care that are taken in (b)(i) of this subsection. The  
5 department will use the same formula to restore personal care hours  
6 that it used to reduce personal care hours.

7 ~~(c) ((Amounts appropriated in this section are sufficient to  
8 develop and implement the use of a consistent, statewide outcome-based  
9 vendor contract for employment and day services by April 1, 2011. The  
10 rates paid to vendors under this contract shall also be made  
11 consistent. In its description of activities the agency shall include  
12 activity listings and dollars appropriated for: Employment services,  
13 day services, child development services and county administration of  
14 services to the developmentally disabled. The department shall begin  
15 reporting to the office of financial management on these activities  
16 beginning in fiscal year 2010.~~

17 ~~(d))~~ \$302,000 of the general fund--state appropriation for fiscal  
18 year 2010, \$831,000 of the general fund--state appropriation for fiscal  
19 year 2011, and \$1,592,000 of the general fund--federal appropriation  
20 are provided solely for health care benefits pursuant to a collective  
21 bargaining agreement negotiated with the exclusive bargaining  
22 representative of individual providers established under RCW  
23 74.39A.270.

24 ~~((e))~~ (d)(i) \$682,000 of the general fund--state appropriation  
25 for fiscal year 2010, \$1,651,000 of the general fund--state  
26 appropriation for fiscal year 2011, and \$1,678,000 of the general  
27 fund--federal appropriation are provided solely for the state's  
28 contribution to the training partnership, as provided in RCW  
29 74.39A.360, pursuant to a collective bargaining agreement negotiated  
30 with the exclusive bargaining representative of individual providers  
31 established under RCW 74.39A.270.

32 (ii) The federal portion of the amounts in this subsection (g) is  
33 contingent upon federal approval of participation in contributions to  
34 the trust and shall remain unallotted and placed in reserve status  
35 until the office of financial management and the department of social  
36 and health services receive federal approval.

37 (iii) Expenditures for the purposes specified in this subsection  
38 (g) shall not exceed the amounts provided in this subsection.

1       ~~((f))~~ (e) Within the amounts appropriated in this subsection (1),  
2 the department shall implement all necessary rules to facilitate the  
3 transfer to a department home and community-based services (HCBS)  
4 waiver of all eligible individuals who (i) currently receive services  
5 under the existing state-only employment and day program or the  
6 existing state-only residential program, and (ii) otherwise meet the  
7 waiver eligibility requirements. The amounts appropriated are  
8 sufficient to ensure that all individuals currently receiving services  
9 under the state-only employment and day and state-only residential  
10 programs who are not transferred to a department HCBS waiver will  
11 continue to receive services.

12       ~~((g))~~ (f) In addition to other reductions, the appropriations in  
13 this subsection reflect reductions targeted specifically to state  
14 government administrative costs. These administrative reductions shall  
15 be achieved, to the greatest extent possible, by reducing those  
16 administrative costs that do not affect direct client services or  
17 direct service delivery or programs.

18       ~~((h))~~ (g) The department shall not pay a home care agency  
19 licensed under chapter 70.127 RCW for personal care services provided  
20 by a family member, pursuant to Substitute House Bill No. 2361  
21 (modifying state payments for in-home care).

22       ~~((i))~~ (h) Within the appropriations of this section, the  
23 department shall reduce all seventeen payment levels of the seventeen-  
24 level payment system from the fiscal year 2009 levels for boarding  
25 homes, boarding homes contracted as assisted living, and adult family  
26 homes. Excluded from the reductions are exceptional care rate add-ons.  
27 The long-term care program may develop add-ons to pay exceptional care  
28 rates to adult family homes and boarding homes with specialty contracts  
29 to provide support for the following specifically eligible clients:

30       (i) Persons with AIDS or HIV-related diseases who might otherwise  
31 require nursing home or hospital care;

32       (ii) Persons with Alzheimer's disease and related dementia who  
33 might otherwise require nursing home care; and

34       (iii) Persons with co-occurring mental illness and long-term care  
35 needs who are eligible for expanded community services and who might  
36 otherwise require state and local psychiatric hospital care.

37       Within amounts appropriated, exceptional add-on rates for AIDS/HIV,

1 dementia specialty care, and expanded community services may be  
2 standardized within each program.

3 ~~((+j))~~ (i) The amounts appropriated in this subsection reflect a  
4 reduction in funds available for employment and day services. In  
5 administering this reduction the department shall negotiate with  
6 counties and their vendors so that this reduction, to the greatest  
7 extent possible, is achieved by reducing vendor rates and allowable  
8 contract administrative charges (overhead) and not through reductions  
9 to direct client services or direct service delivery or programs.

10 ~~((+k))~~ (j) As part of the needs assessment instrument, the  
11 department may collect data on family income for minor children with  
12 developmental disabilities and all individuals who are receiving state-  
13 only funded services. The department may ensure that this information  
14 is collected as part of the client assessment process.

15 ~~((+l))~~ (k) \$116,000 of the general fund--state appropriation for  
16 fiscal year 2010, ~~((+\$2,689,000))~~ \$1,257,000 of the general fund--state  
17 appropriation for fiscal year 2011, and \$1,772,000 of the general  
18 fund--federal appropriation are provided solely for employment services  
19 and required waiver services. Priority consideration for this new  
20 funding shall be young adults with developmental disabilities living  
21 with their family who need employment opportunities and assistance  
22 after high school graduation. Services shall be provided for both  
23 waiver and nonwaiver clients. ~~((Fifty percent of the general fund  
24 appropriation shall be utilized for graduates served on a home and  
25 community based services waiver and fifty percent of the general fund  
26 appropriation shall be used for nonwaiver clients.~~

27 ~~((+m))~~ (l) \$81,000 of the general fund--state appropriation for  
28 fiscal year 2010, \$599,000 of the general fund--state appropriation for  
29 fiscal year 2011, and \$1,111,000 of the general fund--federal  
30 appropriation are provided solely for the department to provide  
31 employment and day services for eligible students who are currently on  
32 a waiver and will graduate from high school during fiscal years 2010  
33 and 2011.

34 ~~((+n))~~ (m) The automatic award of additional hours of personal  
35 care for people with special meal preparation or incontinence needs is  
36 eliminated. Authorization of service hours will be based upon the  
37 individual's assessed needs.

38 (2) INSTITUTIONAL SERVICES

1	General Fund--State Appropriation (FY 2010) . . . . .	\$61,422,000
2	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$64,404,000)</del>
3		<u>\$66,904,000</u>
4	General Fund--Federal Appropriation . . . . .	<del>(\$207,986,000)</del>
5		<u>\$201,162,000</u>
6	General Fund--Private/Local Appropriation . . . . .	<del>(\$22,441,000)</del>
7		<u>\$22,657,000</u>
8	TOTAL APPROPRIATION . . . . .	<del>(\$356,253,000)</del>
9		<u>\$352,145,000</u>

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

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

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

20 (c) \$721,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$721,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for the department to fulfill its  
23 contracts with the school districts under chapter 28A.190 RCW to  
24 provide transportation, building space, and other support services as  
25 are reasonably necessary to support the educational programs of  
26 students living in residential habilitation centers.

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

33 (3) PROGRAM SUPPORT

34	General Fund--State Appropriation (FY 2010) . . . . .	\$1,407,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,369,000)</del>
36		<u>\$1,341,000</u>
37	General Fund--Federal Appropriation . . . . .	<del>(\$1,301,000)</del>
38		<u>\$1,277,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$4,077,000~~))  
2 \$4,025,000

3 The appropriations in this subsection are subject to the following  
4 conditions and limitations: In addition to other reductions, the  
5 appropriations in this subsection reflect reductions targeted  
6 specifically to state government administrative costs. These  
7 administrative reductions shall be achieved, to the greatest extent  
8 possible, by reducing those administrative costs that do not affect  
9 direct client services or direct service delivery or programs.

10 (4) SPECIAL PROJECTS  
11 General Fund--Federal Appropriation . . . . . ((~~\$9,631,000~~))  
12 \$10,157,000

13 The appropriations in this subsection are subject to the following  
14 conditions and limitations: The appropriations in this subsection are  
15 available solely for the infant toddler early intervention program.

16 **Sec. 206.** 2010 2nd sp.s. c 1 s 205 (uncodified) is amended to read  
17 as follows:

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

20 General Fund--State Appropriation (FY 2010) . . . . . \$616,837,000  
21 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$639,163,000~~))  
22 \$643,245,000  
23 General Fund--Federal Appropriation . . . . . ((~~\$1,954,300,000~~))  
24 \$1,901,344,000  
25 General Fund--Private/Local Appropriation . . . . . ((~~\$18,013,000~~))  
26 \$19,213,000  
27 Traumatic Brain Injury Account--State Appropriation . . . . . \$4,136,000  
28 TOTAL APPROPRIATION . . . . . ((~~\$3,232,449,000~~))  
29 \$3,184,775,000

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

32 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
33 average nursing facility payment rate shall not exceed \$169.85 for  
34 fiscal year 2010 and shall not exceed ((~~\$166.24~~)) \$164.00 for fiscal  
35 year 2011, including the rate add-on described in subsection (12) of  
36 this section. There will be no adjustments for economic trends and

1 conditions in fiscal years 2010 and 2011. The economic trends and  
2 conditions factor or factors defined in the biennial appropriations act  
3 shall not be compounded with the economic trends and conditions factor  
4 or factors defined in any other biennial appropriations acts before  
5 applying it to the component rate allocations established in accordance  
6 with chapter 74.46 RCW. When no economic trends and conditions factor  
7 for either fiscal year is defined in a biennial appropriations act, no  
8 economic trends and conditions factor or factors defined in any earlier  
9 biennial appropriations act shall be applied solely or compounded to  
10 the component rate allocations established in accordance with chapter  
11 74.46 RCW.

12 (2) After examining actual nursing facility cost information, the  
13 legislature finds that the medicaid nursing facility rates calculated  
14 pursuant to Substitute House Bill No. 3202 or Substitute Senate Bill  
15 No. 6872 (nursing facility medicaid payments) provide sufficient  
16 reimbursement to efficient and economically operating nursing  
17 facilities and bears a reasonable relationship to costs.

18 (3) In accordance with chapter 74.46 RCW, the department shall  
19 issue no additional certificates of capital authorization for fiscal  
20 year 2010 and no new certificates of capital authorization for fiscal  
21 year 2011 and shall grant no rate add-ons to payment rates for capital  
22 improvements not requiring a certificate of need and a certificate of  
23 capital authorization for fiscal year 2011.

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

30 (5) Within the appropriations of this section, the department shall  
31 reduce all seventeen payment levels of the seventeen-level payment  
32 system from the fiscal year 2009 levels for boarding homes, boarding  
33 homes contracted as assisted living, and adult family homes. Excluded  
34 from the reductions are exceptional care rate add-ons. The long-term  
35 care program may develop add-ons to pay exceptional care rates to adult  
36 family homes and boarding homes with specialty contracts to provide  
37 support for the following specifically eligible clients:

1 (a) Persons with AIDS or HIV-related diseases who might otherwise  
2 require nursing home or hospital care;

3 (b) Persons with Alzheimer's disease and related dementia who might  
4 otherwise require nursing home care; and

5 (c) Persons with co-occurring mental illness and long-term care  
6 needs who are eligible for expanded community services and who might  
7 otherwise require state and local psychiatric hospital care.

8 Within amounts appropriated, exceptional add-on rates for AIDS/HIV,  
9 dementia specialty care, and expanded community services may be  
10 standardized within each program.

11 (6)(a) Amounts appropriated in this section reflect a reduction to  
12 funds appropriated for in-home care. The department shall reduce the  
13 number of in-home hours authorized. The reduction shall be scaled  
14 based on the acuity level of care recipients. The largest hour  
15 reductions shall be to lower acuity patients and the smallest hour  
16 reductions shall be to higher acuity patients. In doing so, the  
17 department shall comply with all maintenance of effort requirements  
18 contained in the American reinvestment and recovery act.

19 (b) \$3,070,000 of the general fund--state appropriation for fiscal  
20 year 2011 and \$4,980,000 of the general fund--federal appropriation are  
21 provided solely for the department to partially restore the reduction  
22 to in-home care that are taken in (a) of this subsection. The  
23 department will use the same formula to restore personal care hours  
24 that it used to reduce personal care hours.

25 (7) \$536,000 of the general fund--state appropriation for fiscal  
26 year 2010, \$1,477,000 of the general fund--state appropriation for  
27 fiscal year 2011, and \$2,830,000 of the general fund--federal  
28 appropriation are provided solely for health care benefits pursuant to  
29 a collective bargaining agreement negotiated with the exclusive  
30 bargaining representative of individual providers established under RCW  
31 74.39A.270.

32 (8)(a) \$1,212,000 of the general fund--state appropriation for  
33 fiscal year 2010, \$2,934,000 of the general fund--state appropriation  
34 for fiscal year 2011, and \$2,982,000 of the general fund--federal  
35 appropriation are provided solely for the state's contribution to the  
36 training partnership, as provided in RCW 74.39A.360, pursuant to a  
37 collective bargaining agreement negotiated with the exclusive



1 bargaining representative of individual providers established under RCW  
2 74.39A.270.

3 (b) \$330,000 of the general fund--state appropriation for fiscal  
4 year 2010, \$660,000 of the general fund-state appropriation for fiscal  
5 year 2011, and \$810,000 of the general fund--federal appropriation are  
6 provided solely for transfer from the department to the training  
7 partnership, as provided in RCW 74.39A.360, for infrastructure and  
8 instructional costs associated with training of individual providers,  
9 pursuant to a collective bargaining agreement negotiated with the  
10 exclusive bargaining representative of individual providers established  
11 under RCW 74.39A.270.

12 (c) The federal portion of the amounts in this subsection is  
13 contingent upon federal approval of participation in contributions to  
14 the trust and shall remain unallotted and placed in reserve status  
15 until the office of financial management and the department of social  
16 and health services receive federal approval.

17 (d) Expenditures for the purposes specified in this subsection  
18 shall not exceed the amounts provided in this subsection.

19 (9) Within the amounts appropriated in this section, the department  
20 may expand the new freedom waiver program to accommodate new waiver  
21 recipients throughout the state. As possible, and in compliance with  
22 current state and federal laws, the department shall allow current  
23 waiver recipients to transfer to the new freedom waiver.

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

28 (11) \$3,955,000 of the general fund--state appropriation for fiscal  
29 year 2010, (~~(\$4,239,000)~~) \$3,972,000 of the general fund--state  
30 appropriation for fiscal year 2011, and \$10,190,000 of the general  
31 fund--federal appropriation are provided solely for the continued  
32 operation of community residential and support services for persons who  
33 are older adults or who have co-occurring medical and behavioral  
34 disorders and who have been discharged or diverted from a state  
35 psychiatric hospital. These funds shall be used to serve individuals  
36 whose treatment needs constitute substantial barriers to community  
37 placement, who no longer require active psychiatric treatment at an  
38 inpatient hospital level of care, and who no longer meet the criteria

1 for inpatient involuntary commitment. Coordination of these services  
2 will be done in partnership between the mental health program and the  
3 aging and disability services administration.

4 (12) Within the funds provided, the department shall continue to  
5 provide an add-on per medicaid resident day per facility not to exceed  
6 \$1.57. The add-on shall be used to increase wages, benefits, and/or  
7 staffing levels for certified nurse aides; or to increase wages and/or  
8 benefits for dietary aides, housekeepers, laundry aides, or any other  
9 category of worker whose statewide average dollars-per-hour wage was  
10 less than \$15 in calendar year 2008, according to cost report data.  
11 The add-on may also be used to address resulting wage compression for  
12 related job classes immediately affected by wage increases to low-wage  
13 workers. The department shall continue reporting requirements and a  
14 settlement process to ensure that the funds are spent according to this  
15 subsection. The department shall adopt rules to implement the terms of  
16 this subsection.

17 (13) \$1,840,000 of the general fund--state appropriation for fiscal  
18 year 2010 and (~~(\$1,877,000)~~) \$1,759,000 of the general fund--state  
19 appropriation for fiscal year 2011 are provided solely for operation of  
20 the volunteer services program. Funding shall be prioritized towards  
21 serving populations traditionally served by long-term care services to  
22 include senior citizens and persons with disabilities.

23 (14) In accordance with chapter 74.39 RCW, the department may  
24 implement two medicaid waiver programs for persons who do not qualify  
25 for such services as categorically needy, subject to federal approval  
26 and the following conditions and limitations:

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

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

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

36 (d) If it is necessary to establish a waiting list for either  
37 waiver because the budgeted number of enrollment opportunities has been

1 reached, the department shall track how the long-term care needs of  
2 applicants assigned to the waiting list are met.

3 (15) The department shall establish waiting lists to the extent  
4 necessary to assure that annual expenditures on the community options  
5 program entry systems (COPEs) program do not exceed appropriated  
6 levels. In establishing and managing any such waiting list, the  
7 department shall assure priority access to persons with the greatest  
8 unmet needs, as determined by department assessment processes.

9 (16) The department shall contract for housing with service models,  
10 such as cluster care, to create efficiencies in service delivery and  
11 responsiveness to unscheduled personal care needs by clustering hours  
12 for clients that live in close proximity to each other.

13 (17) The department shall not pay a home care agency licensed under  
14 chapter 70.127 RCW for personal care services provided by a family  
15 member, pursuant to Substitute House Bill No. 2361 (modifying state  
16 payments for in-home care).

17 (18) \$209,000 of the general fund--state appropriation for fiscal  
18 year 2010, (~~(\$781,000)~~) \$732,000 of the general fund--state  
19 appropriation for fiscal year 2011, and \$1,293,000 of the general  
20 fund--federal appropriation are provided solely to implement Engrossed  
21 House Bill No. 2194 (extraordinary medical placement for offenders).  
22 The department shall work in partnership with the department of  
23 corrections to identify services and find placements for offenders who  
24 are released through the extraordinary medical placement program. The  
25 department shall collaborate with the department of corrections to  
26 identify and track cost savings to the department of corrections,  
27 including medical cost savings and to identify and track expenditures  
28 incurred by the aging and disability services program for community  
29 services and by the medical assistance program for medical expenses.  
30 A joint report regarding the identified savings and expenditures shall  
31 be provided to the office of financial management and the appropriate  
32 fiscal committees of the legislature by November 30, 2010. If this  
33 bill is not enacted by June 30, 2009, the amounts provided in this  
34 subsection shall lapse.

35 (19) In accordance with RCW 18.51.050, 18.20.050, and 43.135.055,  
36 the department is authorized to increase nursing facility and boarding  
37 home fees in fiscal year 2011 as necessary to meet the actual costs of  
38 conducting the licensure, inspection, and regulatory programs.

1 (a) \$1,035,000 of the general fund--private/local appropriation  
2 assumes that the current annual renewal license fee for nursing  
3 facilities shall be increased to \$327 per bed beginning in fiscal year  
4 2011.

5 (b) \$1,806,000 of the general fund--local appropriation assumes  
6 that the current annual renewal license fee for boarding homes shall be  
7 increased to \$106 per bed beginning in fiscal year 2011.

8 (20) \$2,566,000 of the traumatic brain injury account--state  
9 appropriation is provided solely to continue services for persons with  
10 traumatic brain injury (TBI) as defined in RCW 74.31.020 through  
11 74.31.050. The TBI advisory council shall provide a report to the  
12 legislature by December 1, 2010, on the effectiveness of the functions  
13 overseen by the council and shall provide recommendations on the  
14 development of critical services for individuals with traumatic brain  
15 injury.

16 (21) The automatic award of additional hours of personal care for  
17 people with special meal preparation or incontinence needs is  
18 eliminated. Authorization of service hours will be based upon the  
19 individual's assessed needs.

20 (22) For calendar year 2009, the department shall calculate split  
21 settlements covering two periods January 1, 2009, through June 30,  
22 2009, and July 1, 2009, through December 31, 2009. For the second  
23 period beginning July 1, 2009, the department may partially or totally  
24 waive settlements only in specific cases where a nursing home can  
25 demonstrate significant decreases in costs from the first period.

26 (23) \$72,000 of the traumatic brain injury account appropriation  
27 and \$116,000 of the general fund--federal appropriation are provided  
28 solely for a direct care rate add-on to any nursing facility  
29 specializing in the care of residents with traumatic brain injuries  
30 where more than 50 percent of residents are classified with this  
31 condition based upon the federal minimum data set assessment.

32 (24) \$69,000 of the general fund--state appropriation for fiscal  
33 year 2010, (~~(\$1,289,000)~~) \$1,208,000 of the general fund--state  
34 appropriation for fiscal year 2011, and \$2,050,000 of the general fund--  
35 federal appropriation are provided solely for the department to  
36 maintain enrollment in the adult day health services program. New  
37 enrollments are authorized for up to 1,575 clients or to the extent  
38 that appropriated funds are available to cover additional clients.

1 (25) (~~(\$1,000,000)~~) \$937,000 of the general fund--state  
2 appropriation for fiscal year 2011 is provided solely for the  
3 department to contract for the provision of an individual provider  
4 referral registry.

5 (26) (~~(\$100,000)~~) \$94,000 of the general fund--state appropriation  
6 for fiscal year 2011 and \$100,000 of the general fund--federal  
7 appropriation are provided solely for the department to contract with  
8 a consultant to evaluate and make recommendations on a pay-for-  
9 performance payment subsidy system. The department shall organize one  
10 workgroup meeting with the consultant where nursing home stakeholders  
11 may provide input on pay-for-performance ideas. The consultant shall  
12 review pay-for- performance strategies used in other states to sustain  
13 and enhance quality-improvement efforts in nursing facilities. The  
14 evaluation shall include a review of the centers for medicare and  
15 medicaid services demonstration project to explore the feasibility of  
16 pay-for- performance systems in medicare certified nursing facilities.  
17 The consultant shall develop a report to include:

18 (a) Best practices used in other states for pay-for-performance  
19 strategies incorporated into medicaid nursing home payment systems;

20 (b) The relevance of existing research to Washington state;

21 (c) A summary and review of suggestions for pay-for-performance  
22 strategies provided by nursing home stakeholders in Washington state;  
23 and

24 (d) An evaluation of the effectiveness of a variety of performance  
25 measures.

26 (27) \$4,100,000 of the general fund--state appropriation for fiscal  
27 year 2010, \$4,174,000 of the general fund--state appropriation for  
28 fiscal year 2011, and \$8,124,000 of the general fund--federal  
29 appropriation are provided for the operation of the management services  
30 division of the aging and disability services administration. This  
31 includes but is not limited to the budget, contracts, accounting,  
32 decision support, information technology, and rate development  
33 activities for programs administered by the aging and disability  
34 services administration. Nothing in this subsection is intended to  
35 exempt the management services division of the aging and disability  
36 services administration from reductions directed by the secretary.  
37 However, funds provided in this subsection shall not be transferred  
38 elsewhere within the department nor used for any other purpose.

1       **Sec. 207.** 2010 2nd sp.s. c 1 s 206 (uncodified) is amended to read  
2 as follows:

3       **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**  
4       **PROGRAM**

5	General Fund--State Appropriation (FY 2010) . . . . .	\$564,242,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$565,617,000 ))</del>
7		<u>\$549,897,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(( \$1,220,752,000 ))</del>
9		<u>\$1,249,126,000</u>
10	General Fund--Private/Local Appropriation . . . . .	\$31,816,000
11	Administrative Contingency Account--State	
12	Appropriation . . . . .	\$24,336,000
13	TOTAL APPROPRIATION . . . . .	<del>(( \$2,406,763,000 ))</del>
14		<u>\$2,419,417,000</u>

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

17       (1) \$303,393,000 of the general fund--state appropriation for  
18 fiscal year 2010, ~~(( \$285,057,000 ))~~ \$283,212,000 of the general fund--  
19 state appropriation for fiscal year 2011, ~~(( \$24,336,000 ))~~ \$23,461,000  
20 of the administrative contingency account--state appropriation, and  
21 ~~(( \$778,606,000 ))~~ \$810,913,000 of the general fund--federal  
22 appropriation are provided solely for all components of the WorkFirst  
23 program. The department shall use moneys from the administrative  
24 contingency account for WorkFirst job placement services provided by  
25 the employment security department. Within the amounts provided for  
26 the WorkFirst program, the department may provide assistance using  
27 state-only funds for families eligible for temporary assistance for  
28 needy families. In addition, within the amounts provided for WorkFirst  
29 the department shall:

- 30       (a) Establish a career services work transition program;
- 31       (b) Continue to implement WorkFirst program improvements that are  
32 designed to achieve progress against outcome measures specified in RCW  
33 74.08A.410. Outcome data regarding job retention and wage progression  
34 shall be reported quarterly to appropriate fiscal and policy committees  
35 of the legislature for families who leave assistance, measured after 12  
36 months, 24 months, and 36 months. The department shall also report the  
37 percentage of families who have returned to temporary assistance for  
38 needy families after 12 months, 24 months, and 36 months;

1 (c) Submit a report electronically by October 1, 2009, to the  
2 fiscal committees of the legislature containing a spending plan for the  
3 WorkFirst program. The plan shall identify how spending levels in the  
4 2009-2011 biennium will be adjusted to stay within available federal  
5 grant levels and the appropriated state-fund levels;

6 (d) Provide quarterly fiscal reports to the office of financial  
7 management and the legislative fiscal committees detailing information  
8 on the amount expended from general fund--state and general fund--  
9 federal by activity.

10 (2) The department (~~(and the office of financial management)~~) shall  
11 electronically report quarterly the expenditures, maintenance of effort  
12 allotments, expenditure amounts, and caseloads for the WorkFirst  
13 program to the legislative fiscal committees.

14 (3) \$16,783,000 of the general fund--state appropriation for fiscal  
15 year 2011 and (~~(\$62,000,000)~~) \$19,027,000 of the general fund--federal  
16 appropriation are provided solely for all components of the WorkFirst  
17 program in order to maintain services to January 2011. The legislature  
18 intends to work with the governor to design and implement fiscal and  
19 programmatic modifications to provide for the sustainability of the  
20 program. The funding in this subsection assumes that no other  
21 expenditure reductions will be made prior to January 2011 other than  
22 those assumed in the appropriation levels in this act.

23 (4) \$94,322,000 of the general fund--state appropriation for fiscal  
24 year 2010 and (~~(\$84,904,000)~~) \$79,209,000 of the general fund--state  
25 appropriation for fiscal year 2011, net of recoveries, are provided  
26 solely for cash assistance and other services to recipients in the cash  
27 program pursuant to chapter 8, Laws of 2010 1st sp. sess. (security  
28 lifeline act), including persons in the unemployable, expedited, and  
29 aged, blind, and disabled components of the program. It is the intent  
30 of the legislature that the lifeline incapacity determination and  
31 progressive evaluation process regulations be carefully designed to  
32 accurately identify those persons who have been or will be  
33 incapacitated for at least ninety days. The incapacity determination  
34 and progressive evaluation process regulations in effect on January 1,  
35 2010, cannot be amended until at least September 30, 2010; except that  
36 provisions related to the use of administrative review teams may be  
37 amended, and obsolete terminology and functional assessment language  
38 may be updated on or after July 1, 2010, in a manner that only

1 minimally impacts the outcome of incapacity evaluations. After  
2 September 30, 2010, the incapacity determination and progressive  
3 evaluation process regulations may be amended only if the reports under  
4 (a) and (b) of this subsection have been submitted, and find that  
5 expenditures will exceed the appropriated level by three percent or  
6 more.

7 (a) The department and the caseload forecast council shall, by  
8 September 21, 2010, submit a report to the legislature based upon the  
9 most recent caseload forecast and actual expenditure data available, as  
10 to whether expenditures for the lifeline-unemployable grants in fiscal  
11 year 2011 will exceed \$69,648,000 for fiscal year 2011 in the 2010  
12 supplemental operating budget by three percent or more. If  
13 expenditures will exceed the appropriated amount for lifeline-  
14 unemployable grants by three percent or more, the department may adopt  
15 regulations modifying incapacity determination and progressive  
16 evaluation process regulations after September 30, 2010.

17 (b) On or before September 21, 2010, the department shall submit a  
18 report to the relevant policy and fiscal committees of the legislature  
19 that includes the following information regarding any regulations  
20 proposed for adoption that would modify the lifeline incapacity  
21 determination and progressive evaluation process:

22 (i) A copy of the proposed changes and a concise description of the  
23 changes;

24 (ii) A description of the persons who would likely be affected by  
25 adoption of the regulations, including their impairments, age,  
26 education, and work history;

27 (iii) An estimate of the number of persons who, on a monthly basis  
28 through June 2013, would be denied lifeline benefits if the regulations  
29 were adopted, expressed as a number, as a percentage of total  
30 applicants, and as a percentage of the number of persons granted  
31 lifeline benefits in each month;

32 (iv) An estimate of the number of persons who, on a monthly basis  
33 through June 2013, would have their lifeline benefits terminated  
34 following an eligibility review if the regulations were adopted,  
35 expressed as a number, as a percentage of the number of persons who  
36 have had an eligibility review in each month, and as a percentage of  
37 the total number of persons currently receiving lifeline-unemployable  
38 benefits in each month; and



1 (v) Intended improvements in employment or treatment outcomes among  
2 persons receiving lifeline benefits that could be attributable to the  
3 changes in the regulations.

4 (c) Within these amounts:

5 (i) The department shall aggressively pursue opportunities to  
6 transfer lifeline clients to general assistance expedited coverage and  
7 to facilitate client applications for federal supplemental security  
8 income when the client's incapacities indicate that he or she would be  
9 likely to meet the federal disability criteria for supplemental  
10 security income. The department shall initiate and file the federal  
11 supplemental security income interim agreement as quickly as possible  
12 in order to maximize the recovery of federal funds;

13 (ii) The department shall review the lifeline caseload to identify  
14 recipients that would benefit from assistance in becoming naturalized  
15 citizens, and thus be eligible to receive federal supplemental security  
16 income benefits. Those cases shall be given high priority for  
17 naturalization funding through the department;

18 (iii) The department shall actively coordinate with local workforce  
19 development councils to expedite access to worker retraining programs  
20 for lifeline clients in those regions of the state with the greatest  
21 number of such clients;

22 (iv) By July 1, 2009, the department shall enter into an  
23 interagency agreement with the department of veterans' affairs to  
24 establish a process for referral of veterans who may be eligible for  
25 veteran's services. This agreement must include outstationing  
26 department of veterans' affairs staff in selected community service  
27 office locations in King and Pierce counties to facilitate applications  
28 for veterans' services; and

29 (v) In addition to any earlier evaluation that may have been  
30 conducted, the department shall intensively evaluate those clients who  
31 have been receiving lifeline benefits for twelve months or more as of  
32 July 1, 2009, or thereafter, if the available medical and incapacity  
33 related evidence indicates that the client is unlikely to meet the  
34 disability standard for federal supplemental security income benefits.  
35 The evaluation shall identify services necessary to eliminate or  
36 minimize barriers to employment, including mental health treatment,  
37 substance abuse treatment and vocational rehabilitation services. The

1 department shall expedite referrals to chemical dependency treatment,  
2 mental health and vocational rehabilitation services for these clients.

3 (vi) The appropriations in this subsection reflect a change in the  
4 earned income disregard policy for lifeline clients. It is the intent  
5 of the legislature that the department shall adopt the temporary  
6 assistance for needy families earned income policy for the lifeline  
7 program.

8 (5) \$750,000 of the general fund--state appropriation for fiscal  
9 year 2010 and (~~(\$750,000 of the general fund--state appropriation for~~  
10 ~~fiscal year 2011 are provided solely for naturalization services)~~).

11 (6)(a) \$3,550,000 of the general fund--state appropriation for  
12 fiscal year 2010 is provided solely for refugee employment services, of  
13 which \$2,650,000 is provided solely for the department to pass through  
14 to statewide refugee assistance organizations for limited English  
15 proficiency pathway services; and (~~(\$3,550,000)~~) \$550,000 of the  
16 general fund--state appropriation for fiscal year 2011 is provided  
17 solely for refugee employment services(~~(, of which \$2,650,000 is~~  
18 ~~provided solely for the department to pass through to statewide refugee~~  
19 ~~assistance organizations for limited English proficiency pathway~~  
20 ~~services.~~

21 ~~(b) The legislature intends that the appropriation in this~~  
22 ~~subsection for the 2009-11 fiscal biennium will maintain funding for~~  
23 ~~refugee programs at a level at least equal to expenditures on these~~  
24 ~~programs in the 2007-09 fiscal biennium.~~

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

31 ~~(8))~~ (7) \$855,000 of the general fund--state appropriation for  
32 fiscal year 2011, \$719,000 of the general fund--federal appropriation,  
33 and \$2,907,000 of the general fund--private/local appropriation are  
34 provided solely for the implementation of the opportunity portal, the  
35 food stamp employment and training program, and the disability lifeline  
36 program under Second Substitute House Bill No. 2782 (security lifeline  
37 act). If the bill is not enacted by June 30, 2010, the amounts  
38 provided in this subsection shall lapse.



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

5 (4) \$2,247,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for the implementation of the lifeline  
7 program under Second Substitute House Bill No. 2782 (security lifeline  
8 act). If the bill is not enacted by June 30, 2010, the amount provided  
9 in this subsection shall lapse.

10 (5) \$3,500,000 of the general fund--federal appropriation (from the  
11 substance abuse prevention and treatment federal block grant) is  
12 provided solely for the continued funding of existing county drug and  
13 alcohol use prevention programs.

14 **Sec. 209.** 2010 2nd sp.s. c 1 s 208 (uncodified) is amended to read  
15 as follows:

16 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**  
17 **PROGRAM**

18	General Fund--State Appropriation (FY 2010) . . . . .	\$1,697,203,000
19	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,752,373,000</del> ))
20		<u>\$1,813,740,000</u>
21	General Fund--Federal Appropriation . . . . .	(( <del>\$6,047,652,000</del> ))
22		<u>\$5,908,684,000</u>
23	General Fund--Private/Local Appropriation . . . . .	(( <del>\$37,249,000</del> ))
24		<u>\$32,001,000</u>
25	Emergency Medical Services and Trauma Care Systems	
26	Trust Account--State Appropriation . . . . .	\$15,075,000
27	Tobacco Prevention and Control Account--	
28	State Appropriation . . . . .	(( <del>\$4,464,000</del> ))
29		<u>\$4,014,000</u>
30	Hospital Safety Net Assessment Fund--State	
31	Appropriation . . . . .	(( <del>\$260,036,000</del> ))
32		<u>\$264,581,000</u>
33	TOTAL APPROPRIATION . . . . .	(( <del>\$9,814,052,000</del> ))
34		<u>\$9,735,298,000</u>

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

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

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

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

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

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

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

4 (6) (~~(\$1,110,000)~~) \$1,108,000 of the general fund--federal  
5 appropriation and (~~(\$1,105,000)~~) \$1,108,000 of the general fund--state  
6 appropriation for fiscal year 2011 are provided solely for grants to  
7 rural hospitals. The department shall distribute the funds under a  
8 formula that provides a relatively larger share of the available  
9 funding to hospitals that (a) serve a disproportionate share of low-  
10 income and medically indigent patients, and (b) have relatively smaller  
11 net financial margins, to the extent allowed by the federal medicaid  
12 program.

13 (7) (~~(\$9,818,000)~~) \$9,842,000 of the general fund--state  
14 appropriation for fiscal year 2011, and (~~(\$9,865,000)~~) \$9,842,000 of  
15 the general fund--federal appropriation are provided solely for grants  
16 to nonrural hospitals. The department shall distribute the funds under  
17 a formula that provides a relatively larger share of the available  
18 funding to hospitals that (a) serve a disproportionate share of low-  
19 income and medically indigent patients, and (b) have relatively smaller  
20 net financial margins, to the extent allowed by the federal medicaid  
21 program.

22 (8) The department shall continue the inpatient hospital certified  
23 public expenditures program for the 2009-11 biennium. The program  
24 shall apply to all public hospitals, including those owned or operated  
25 by the state, except those classified as critical access hospitals or  
26 state psychiatric institutions. The department shall submit reports to  
27 the governor and legislature by November 1, 2009, and by November 1,  
28 2010, that evaluate whether savings continue to exceed costs for this  
29 program. If the certified public expenditures (CPE) program in its  
30 current form is no longer cost-effective to maintain, the department  
31 shall submit a report to the governor and legislature detailing  
32 cost-effective alternative uses of local, state, and federal resources  
33 as a replacement for this program. During fiscal year 2010 and fiscal  
34 year 2011, hospitals in the program shall be paid and shall retain one  
35 hundred percent of the federal portion of the allowable hospital cost  
36 for each medicaid inpatient fee-for-service claim payable by medical  
37 assistance and one hundred percent of the federal portion of the  
38 maximum disproportionate share hospital payment allowable under federal

1 regulations. Inpatient medicaid payments shall be established using an  
2 allowable methodology that approximates the cost of claims submitted by  
3 the hospitals. Payments made to each hospital in the program in each  
4 fiscal year of the biennium shall be compared to a baseline amount.  
5 The baseline amount will be determined by the total of (a) the  
6 inpatient claim payment amounts that would have been paid during the  
7 fiscal year had the hospital not been in the CPE program based on the  
8 reimbursement rates developed, implemented, and consistent with  
9 policies approved in the 2009-11 biennial operating appropriations act  
10 (chapter 564, Laws of 2009) and in effect on July 1, 2009, (b) one half  
11 of the indigent assistance disproportionate share hospital payment  
12 amounts paid to and retained by each hospital during fiscal year 2005,  
13 and (c) all of the other disproportionate share hospital payment  
14 amounts paid to and retained by each hospital during fiscal year 2005  
15 to the extent the same disproportionate share hospital programs exist  
16 in the 2009-11 biennium. If payments during the fiscal year exceed the  
17 hospital's baseline amount, no additional payments will be made to the  
18 hospital except the federal portion of allowable disproportionate share  
19 hospital payments for which the hospital can certify allowable match.  
20 If payments during the fiscal year are less than the baseline amount,  
21 the hospital will be paid a state grant equal to the difference between  
22 payments during the fiscal year and the applicable baseline amount.  
23 Payment of the state grant shall be made in the applicable fiscal year  
24 and distributed in monthly payments. The grants will be recalculated  
25 and redistributed as the baseline is updated during the fiscal year.  
26 The grant payments are subject to an interim settlement within eleven  
27 months after the end of the fiscal year. A final settlement shall be  
28 performed. To the extent that either settlement determines that a  
29 hospital has received funds in excess of what it would have received as  
30 described in this subsection, the hospital must repay the excess  
31 amounts to the state when requested. \$20,403,000 of the general fund--  
32 state appropriation for fiscal year 2010, of which \$6,570,000 is  
33 appropriated in section 204(1) of this act, and (~~(\$29,480,000)~~)  
34 \$12,735,000 of the general fund--state appropriation for fiscal year  
35 2011, of which \$6,570,000 is appropriated in section 204(1) of this  
36 act, are provided solely for state grants for the participating  
37 hospitals. CPE hospitals will receive the inpatient and outpatient  
38 reimbursement rate restorations in section 9 and rate increases in

1 section 10(1)(b) of Engrossed Second Substitute House Bill No. 2956  
2 (hospital safety net assessment) funded through the hospital safety net  
3 assessment fund rather than through the baseline mechanism specified in  
4 this subsection.

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

8 (10) \$93,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$93,000 of the general fund--federal appropriation are  
10 provided solely for the department to pursue a federal Medicaid waiver  
11 pursuant to Second Substitute Senate Bill No. 5945 (Washington health  
12 partnership plan). If the bill is not enacted by June 30, 2009, the  
13 amounts provided in this subsection shall lapse.

14 (11) The department shall require managed health care systems that  
15 have contracts with the department to serve medical assistance clients  
16 to limit any reimbursements or payments the systems make to providers  
17 not employed by or under contract with the systems to no more than the  
18 medical assistance rates paid by the department to providers for  
19 comparable services rendered to clients in the fee-for-service delivery  
20 system.

21 (12) A maximum of \$241,141,000 in total funds from the general  
22 fund--state, general fund--federal, and tobacco and prevention control  
23 account--state appropriations may be expended in the fiscal biennium  
24 for the medical program pursuant to chapter 8, Laws of 2010 1st sp.  
25 sess. (security lifeline act), and these amounts are provided solely  
26 for this program. Of these amounts, \$10,749,000 of the general fund--  
27 state appropriation for fiscal year 2010 and \$10,892,000 of the general  
28 fund--federal appropriation are provided solely for payments to  
29 hospitals for providing outpatient services to low income patients who  
30 are recipients of lifeline benefits. Pursuant to RCW 74.09.035, the  
31 department shall not expend for the lifeline medical care services  
32 program any amounts in excess of the amounts provided in this  
33 subsection.

34 (13) Mental health services shall be included in the services  
35 provided through the managed care system for lifeline clients under  
36 chapter 8, Laws of 2010 1st sp. sess. In transitioning lifeline  
37 clients to managed care, the department shall attempt to deliver care  
38 to lifeline clients through medical homes in community and migrant



1 health centers. The department, in collaboration with the carrier,  
2 shall seek to improve the transition rate of lifeline clients to the  
3 federal supplemental security income program. The department shall  
4 renegotiate the contract with the managed care plan that provides  
5 services for lifeline clients to maximize state retention of future  
6 hospital savings as a result of improved care coordination. The  
7 department, in collaboration with stakeholders, shall propose a new  
8 name for the lifeline program.

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

14 (15) The department shall report to the governor and the fiscal  
15 committees of the legislature by June 1, 2010, on its progress toward  
16 achieving a twenty percentage point increase in the generic  
17 prescription drug utilization rate.

18 (16) State funds shall not be used by hospitals for advertising  
19 purposes.

20 (17) (~~(\$24,356,000)~~) \$11,793,000 of the general fund--private/local  
21 appropriation and (~~(\$35,707,000)~~) \$18,270,000 of the general fund--  
22 federal appropriation are provided solely for the implementation of  
23 professional services supplemental payment programs. The department  
24 shall seek a medicaid state plan amendment to create a professional  
25 services supplemental payment program for University of Washington  
26 medicine professional providers no later than July 1, 2009. The  
27 department shall apply federal rules for identifying the shortfall  
28 between current fee-for-service medicaid payments to participating  
29 providers and the applicable federal upper payment limit.  
30 Participating providers shall be solely responsible for providing the  
31 local funds required to obtain federal matching funds. Any incremental  
32 costs incurred by the department in the development, implementation,  
33 and maintenance of this program will be the responsibility of the  
34 participating providers. Participating providers will retain the full  
35 amount of supplemental payments provided under this program, net of any  
36 potential costs for any related audits or litigation brought against  
37 the state. The department shall report to the governor and the  
38 legislative fiscal committees on the prospects for expansion of the

1 program to other qualifying providers as soon as feasibility is  
2 determined but no later than December 31, 2009. The report will  
3 outline estimated impacts on the participating providers, the  
4 procedures necessary to comply with federal guidelines, and the  
5 administrative resource requirements necessary to implement the  
6 program. The department will create a process for expansion of the  
7 program to other qualifying providers as soon as it is determined  
8 feasible by both the department and providers but no later than June  
9 30, 2010.

10 (18) \$9,075,000 of the general fund--state appropriation for fiscal  
11 year 2010, \$8,588,000 of the general fund--state appropriation for  
12 fiscal year 2011, and \$39,747,000 of the general fund--federal  
13 appropriation are provided solely for development and implementation of  
14 a replacement system for the existing medicaid management information  
15 system. The amounts provided in this subsection are conditioned on the  
16 department satisfying the requirements of section 902 of this act.

17 (19) \$506,000 of the general fund--state appropriation for fiscal  
18 year 2011 and \$657,000 of the general fund--federal appropriation are  
19 provided solely for the implementation of Second Substitute House Bill  
20 No. 1373 (children's mental health). If the bill is not enacted by  
21 June 30, 2009, the amounts provided in this subsection shall lapse.

22 (20) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the department shall  
23 pursue insurance claims on behalf of medicaid children served through  
24 its in-home medically intensive child program under WAC 388-551-3000.  
25 The department shall report to the Legislature by December 31, 2009, on  
26 the results of its efforts to recover such claims.

27 (21) The department may, on a case-by-case basis and in the best  
28 interests of the child, set payment rates for medically intensive home  
29 care services to promote access to home care as an alternative to  
30 hospitalization. Expenditures related to these increased payments  
31 shall not exceed the amount the department would otherwise pay for  
32 hospitalization for the child receiving medically intensive home care  
33 services.

34 (22) \$425,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$790,000 of the general fund--federal appropriation are  
36 provided solely to continue children's health coverage outreach and  
37 education efforts under RCW 74.09.470. These efforts shall rely on  
38 existing relationships and systems developed with local public health

1 agencies, health care providers, public schools, the women, infants,  
2 and children program, the early childhood education and assistance  
3 program, child care providers, newborn visiting nurses, and other  
4 community-based organizations. The department shall seek public-  
5 private partnerships and federal funds that are or may become available  
6 to provide on-going support for outreach and education efforts under  
7 the federal children's health insurance program reauthorization act of  
8 2009.

9 (23) The department, in conjunction with the office of financial  
10 management, shall implement a prorated inpatient payment policy.

11 (24) The department will pursue a competitive procurement process  
12 for antihemophilic products, emphasizing evidence-based medicine and  
13 protection of patient access without significant disruption in  
14 treatment.

15 (25) The department will pursue several strategies towards reducing  
16 pharmacy expenditures including but not limited to increasing generic  
17 prescription drug utilization by 20 percentage points and promoting  
18 increased utilization of the existing mail-order pharmacy program.

19 (26) The department shall reduce reimbursement for over-the-counter  
20 medications while maintaining reimbursement for those over-the-counter  
21 medications that can replace more costly prescription medications.

22 (27) The department shall seek public-private partnerships and  
23 federal funds that are or may become available to implement health  
24 information technology projects under the federal American recovery and  
25 reinvestment act of 2009.

26 (28) The department shall target funding for maternity support  
27 services towards pregnant women with factors that lead to higher rates  
28 of poor birth outcomes, including hypertension, a preterm or low birth  
29 weight birth in the most recent previous birth, a cognitive deficit or  
30 developmental disability, substance abuse, severe mental illness,  
31 unhealthy weight or failure to gain weight, tobacco use, or African  
32 American or Native American race.

33 (29) (~~(\$260,036,000)~~) \$190,544,000 of the hospital safety net  
34 assessment fund--state appropriation and (~~(\$255,448,000)~~) \$247,335,000  
35 of the general fund--federal appropriation are provided solely for the  
36 implementation of Engrossed Second Substitute House Bill No. 2956  
37 (hospital safety net assessment). If the bill is not enacted by June  
38 30, 2010, the amounts provided in this subsection shall lapse.

1 (30) \$79,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$53,000 of the general fund--federal appropriation are  
3 provided solely to implement Substitute House Bill No. 1845 (medical  
4 support obligations).

5 (31) \$63,000 of the general fund--state appropriation for fiscal  
6 year 2010, \$583,000 of the general fund--state appropriation for fiscal  
7 year 2011, and \$864,000 of the general fund--federal appropriation are  
8 provided solely to implement Engrossed House Bill No. 2194  
9 (extraordinary medical placement for offenders). The department shall  
10 work in partnership with the department of corrections to identify  
11 services and find placements for offenders who are released through the  
12 extraordinary medical placement program. The department shall  
13 collaborate with the department of corrections to identify and track  
14 cost savings to the department of corrections, including medical cost  
15 savings, and to identify and track expenditures incurred by the aging  
16 and disability services program for community services and by the  
17 medical assistance program for medical expenses. A joint report  
18 regarding the identified savings and expenditures shall be provided to  
19 the office of financial management and the appropriate fiscal  
20 committees of the legislature by November 30, 2010. If this bill is  
21 not enacted by June 30, 2009, the amounts provided in this subsection  
22 shall lapse.

23 (32) \$73,000 of the general fund--state appropriation for fiscal  
24 year 2011 and \$50,000 of the general fund--federal appropriation is  
25 provided solely for supplemental services that will be provided to  
26 offenders in lieu of a prison sentence pursuant to chapter 224, Laws of  
27 2010 (Substitute Senate Bill No. 6639).

28 ~~(33) ((Sufficient amounts are provided in this section to provide  
29 full benefit dual eligible beneficiaries with medicare part D  
30 prescription drug copayment coverage in accordance with RCW 74.09.520.~~

31 ~~(+34))~~ In addition to other reductions, the appropriations in this  
32 section reflect reductions targeted specifically to state government  
33 administrative costs. These administrative reductions shall be  
34 achieved, to the greatest extent possible, by reducing those  
35 administrative costs that do not affect providers, direct client  
36 services, or direct service delivery or programs.

37 ~~((+35))~~ (34) \$331,000 of the general fund--state appropriation for  
38 fiscal year 2010, \$331,000 of the general fund--state appropriation for

1 fiscal year 2011, and \$1,228,000 of the general fund--federal  
2 appropriation are provided solely for the department to support the  
3 activities of the Washington poison center. The department shall seek  
4 federal authority to receive matching funds from the federal government  
5 through the children's health insurance program.

6 ~~((+36))~~ (35) \$528,000 of the general fund--state appropriation and  
7 \$2,955,000 of the general fund--federal appropriation are provided  
8 solely for the implementation of the lifeline program under chapter 8,  
9 Laws of 2010 1st sp. sess. (security lifeline act).

10 ~~((+37))~~ (36) Reductions in dental services are to be achieved by  
11 focusing on the fastest growing areas of dental care. Reductions in  
12 preventative care, particularly for children, will be avoided to the  
13 extent possible.

14 ~~((+38))~~ (37) \$1,307,000 of the general fund--state appropriation  
15 for fiscal year 2011 and \$1,770,000 of the general fund--federal  
16 appropriation are provided solely to continue to provide dental  
17 services in calendar year 2011 for qualifying adults with developmental  
18 disabilities. Services shall include preventive, routine, and emergent  
19 dental care, and support for continued operation of the dental  
20 education in care of persons with disabilities (DECOD) program at the  
21 University of Washington.

22 ~~((+39))~~ (38) The department shall develop the capability to  
23 implement apple health for kids express lane eligibility enrollments  
24 for children receiving basic food assistance by June 30, 2011.

25 ~~((+40))~~ (39)(a) The department, in coordination with the health  
26 care authority, shall actively continue to negotiate a medicaid section  
27 1115 waiver with the federal centers for medicare and medicaid services  
28 that would provide federal matching funds for services provided to  
29 persons enrolled in the basic health plan under chapter 70.47 RCW and  
30 the medical care services program under RCW 74.09.035.

31 (b) If the waiver in (a) of this subsection is granted, the  
32 department and the health care authority may implement the waiver if it  
33 allows the program to remain within appropriated levels, after  
34 providing notice of its terms and conditions to the relevant policy and  
35 fiscal committees of the legislature in writing thirty days prior to  
36 the planned implementation date of the waiver.

37 ~~((+41))~~ (40) \$704,000 of the general fund--state appropriation for  
38 fiscal year 2010, \$812,000 of the general fund--state appropriation for

1 fiscal year 2011, and \$1,516,000 of the general fund--federal  
2 appropriation are provided solely for maintaining employer-sponsored  
3 insurance program staff, coordination of benefits unit staff, the  
4 payment integrity audit team, and family planning nursing.

5 ((+42)) (41) Every effort shall be made to maintain current  
6 employment levels and achieve administrative savings through vacancies  
7 and employee attrition. Efficiencies shall be implemented as soon as  
8 possible in order to minimize actual reduction in force. The  
9 department shall implement a management strategy that minimizes  
10 disruption of service and negative impacts on employees.

11 **Sec. 210.** 2010 2nd sp.s. c 1 s 209 (uncodified) is amended to read  
12 as follows:

13 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**  
14 **REHABILITATION PROGRAM**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$10,327,000
16	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$10,045,000</del> ))
17		<u>\$9,438,000</u>
18	General Fund--Federal Appropriation . . . . .	\$107,848,000
19	Telecommunications Devices for the Hearing and	
20	Speech Impaired--State Appropriation . . . . .	(( <del>\$5,976,000</del> ))
21		<u>\$6,056,000</u>
22	TOTAL APPROPRIATION . . . . .	(( <del>\$134,196,000</del> ))
23		<u>\$133,669,000</u>

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

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

32 (2) \$80,000 of the telecommunications devices for the hearing and  
33 speech impaired account--state appropriation is provided solely for the  
34 office of deaf and hard of hearing to enter into an interagency  
35 agreement with the department of services for the blind to support  
36 contracts for services that provide employment support and help with  
37 life activities for deaf-blind individuals in King county.

1       **Sec. 211.** 2010 2nd sp.s. c 1 s 210 (uncodified) is amended to read  
2 as follows:

3       **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**  
4       **PROGRAM**

5	General Fund--State Appropriation (FY 2010) . . . . .	\$48,827,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$47,051,000)</del>
7		<u>\$49,362,000</u>
8	TOTAL APPROPRIATION . . . . .	<del>(\$95,878,000)</del>
9		<u>\$98,189,000</u>

10       **Sec. 212.** 2010 2nd sp.s. c 1 s 211 (uncodified) is amended to read  
11 as follows:

12       **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**  
13       **SUPPORTING SERVICES PROGRAM**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$33,579,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$29,166,000)</del>
16		<u>\$25,008,000</u>
17	General Fund--Federal Appropriation . . . . .	<del>(\$50,981,000)</del>
18		<u>\$49,594,000</u>
19	General Fund--Private/Local Appropriation . . . . .	\$1,121,000
20	Institutional Impact Account--State Appropriation . . . . .	\$22,000
21	TOTAL APPROPRIATION . . . . .	<del>(\$114,869,000)</del>
22		<u>\$109,324,000</u>

23       The appropriations in this section are subject to the following  
24 conditions and limitations: In addition to other reductions, the  
25 appropriations in this section reflect reductions targeted specifically  
26 to state government administrative costs. These administrative  
27 reductions shall be achieved, to the greatest extent possible, by  
28 reducing those administrative costs that do not affect direct client  
29 services or direct service delivery or programs.

30       (1) \$333,000 of the general fund--state appropriation for fiscal  
31 year 2010 and ~~(\$300,000)~~ \$281,000 of the general fund--state  
32 appropriation for fiscal year 2011 are provided solely for the  
33 Washington state mentors program to continue its public-private  
34 partnerships to provide technical assistance and training to mentoring  
35 programs that serve at-risk youth.

36       (2) \$445,000 of the general fund--state appropriation for fiscal  
37 year 2010 and ~~(\$445,000)~~ \$417,000 of the general fund--state

1 appropriation for fiscal year 2011 are provided solely for funding of  
2 the teamchild project through the governor's juvenile justice advisory  
3 committee.

4 (3) \$178,000 of the general fund--state appropriation for fiscal  
5 year 2010 and (~~(\$178,000)~~) \$167,000 of the general fund--state  
6 appropriation for fiscal year 2011 are provided solely for the juvenile  
7 detention alternatives initiative.

8 (4) Amounts appropriated in this section reflect a reduction to the  
9 family policy council. The family policy council shall reevaluate  
10 staffing levels and administrative costs to ensure to the extent  
11 possible a maximum ratio of grant moneys provided and administrative  
12 costs.

13 (5) Amounts appropriated in this section reflect a reduction to the  
14 council on children and families. The council on children and families  
15 shall reevaluate staffing levels and administrative costs to ensure to  
16 the extent possible a maximum ratio of grant moneys provided and  
17 administrative costs.

18 **Sec. 213.** 2010 1st sp.s. c 37 s 213 (uncodified) is amended to  
19 read as follows:

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

22	General Fund--State Appropriation (FY 2010) . . . . .	\$61,985,000
23	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$61,461,000)</del> )
24		<u>\$66,210,000</u>
25	General Fund--Federal Appropriation . . . . .	( <del>(\$56,572,000)</del> )
26		<u>\$56,038,000</u>
27	TOTAL APPROPRIATION . . . . .	( <del>(\$180,018,000)</del> )
28		<u>\$184,233,000</u>

29 **Sec. 214.** 2010 2nd sp.s. c 1 s 212 (uncodified) is amended to read  
30 as follows:

31 **FOR THE STATE HEALTH CARE AUTHORITY**

32	General Fund--State Appropriation (FY 2010) . . . . .	\$208,258,000
33	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$129,087,000)</del> )
34		<u>\$97,636,000</u>
35	General Fund--Federal Appropriation . . . . .	( <del>(\$34,727,000)</del> )
36		<u>\$15,812,000</u>



1	State Health Care Authority Administration Account--	
2	State Appropriation . . . . .	\$34,880,000
3	Medical Aid Account--State Appropriation . . . . .	\$527,000
4	TOTAL APPROPRIATION . . . . .	<del>(\$407,479,000)</del>
5		<u>\$357,113,000</u>

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

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) The administrator shall take at least the following actions to  
24 assure that persons participating in the basic health plan are eligible  
25 for the level of assistance they receive: (a) Require submission of  
26 (i) income tax returns, and recent pay history, from all applicants, or  
27 (ii) other verifiable evidence of earned and unearned income from those  
28 persons not required to file income tax returns; (b) check employment  
29 security payroll records at least once every twelve months on all  
30 enrollees; (c) require enrollees whose income as indicated by payroll  
31 records exceeds that upon which their subsidy is based to document  
32 their current income as a condition of continued eligibility; (d)  
33 require enrollees for whom employment security payroll records cannot  
34 be obtained to document their current income at least once every six  
35 months; (e) not reduce gross family income for self-employed persons by  
36 noncash-flow expenses such as, but not limited to, depreciation,  
37 amortization, and home office deductions, as defined by the United

1 States internal revenue service; and (f) pursue repayment and civil  
2 penalties from persons who have received excessive subsidies, as  
3 provided in RCW 70.47.060(9).

4 (4)(a) In order to maximize the funding appropriated for the basic  
5 health plan, the health care authority is directed to make  
6 modifications that will reduce the total number of subsidized enrollees  
7 to approximately 65,000 by January 1, 2010. In addition to the reduced  
8 enrollment, other modifications may include changes in enrollee premium  
9 obligations, changes in benefits, enrollee cost-sharing, and  
10 termination of the enrollment of individuals concurrently enrolled in  
11 a medical assistance program as provided in Substitute House Bill No.  
12 2341.

13 (b) The health care authority shall coordinate with the department  
14 of social and health services to negotiate a medicaid section 1115  
15 waiver with the federal centers for medicare and medicaid services that  
16 would provide matching funds for services provided to persons enrolled  
17 in the basic health plan under chapter 70.47 RCW.

18 (c) If the waiver in (b) of this subsection is granted, the health  
19 care authority may implement the waiver if it allows the program to  
20 remain within appropriated levels, after providing notice of its terms  
21 and conditions to the relevant policy and fiscal committees of the  
22 legislature in writing thirty days prior to the planned implementation  
23 date of the waiver.

24 (5) \$250,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$250,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for the implementation of  
27 Substitute Senate Bill No. 5360 (community collaboratives). If the  
28 bill is not enacted by June 30, 2009, the amounts provided in this  
29 section shall lapse.

30 (6) The authority shall seek public-private partnerships and  
31 federal funds that are or may become available to implement health  
32 information technology projects under the federal American recovery and  
33 reinvestment act of 2009.

34 (7) \$20,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$63,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for the implementation of chapter  
37 220, Laws of 2010 (accountable care organizations).



1 sheriffs and police chiefs solely to verify the address and residency  
2 of registered sex offenders and kidnapping offenders under RCW  
3 9A.44.130. The Washington association of sheriffs and police chiefs  
4 shall:

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

- 8 (i) For level I offenders, every twelve months;
- 9 (ii) For level II offenders, every six months; and
- 10 (iii) For level III offenders, every three months.

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

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

18 (c) Submit a report on the effectiveness of the address and  
19 residency verification program to the governor and the appropriate  
20 committees of the house of representatives and senate by December 31,  
21 each year.

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

28 (3) \$30,000 of the general fund--state appropriation for fiscal  
29 year 2010 is provided solely for the implementation of Second  
30 Substitute House Bill No. 2078 (persons with developmental disabilities  
31 in correctional facilities or jails). If the bill is not enacted by  
32 June 30, 2009, the amount provided in this subsection shall lapse.

33 (4) \$171,000 of the general fund--local appropriation is provided  
34 solely to purchase ammunition for the basic law enforcement academy.  
35 Jurisdictions with one hundred or more full-time commissioned officers  
36 shall reimburse to the criminal justice training commission the costs  
37 of ammunition, based on the average cost of ammunition per cadet, for  
38 cadets that they enroll in the basic law enforcement academy.

1 (5) The criminal justice training commission may not run a basic  
2 law enforcement academy class of fewer than 30 students.

3 (6) \$1,500,000 of the general fund--state appropriation for fiscal  
4 year 2011 is provided solely for continuing the enforcement of illegal  
5 drug laws in the rural pilot project enforcement areas as set forth in  
6 chapter 339, Laws of 2006.

7 **Sec. 217.** 2010 1st sp.s. c 37 s 218 (uncodified) is amended to  
8 read as follows:

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

10	General Fund--State Appropriation (FY 2010) . . . . .	\$24,975,000
11	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$19,336,000)</del>
12		<u>\$17,876,000</u>
13	General Fund--Federal Appropriation . . . . .	\$10,100,000
14	Asbestos Account--State Appropriation . . . . .	\$923,000
15	Electrical License Account--State Appropriation . . . . .	\$36,977,000
16	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
17	Worker and Community Right-to-Know Account--	
18	State Appropriation . . . . .	\$1,987,000
19	Public Works Administration Account--State	
20	Appropriation . . . . .	\$6,021,000
21	Manufactured Home Installation Training Account--	
22	State Appropriation . . . . .	<del>(\$143,000)</del>
23		<u>\$135,000</u>
24	Accident Account--State Appropriation . . . . .	\$250,509,000
25	Accident Account--Federal Appropriation . . . . .	\$13,621,000
26	Medical Aid Account--State Appropriation . . . . .	\$249,232,000
27	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
28	Plumbing Certificate Account--State Appropriation . . . . .	\$1,704,000
29	Pressure Systems Safety Account--State Appropriation . . . . .	\$4,144,000
30	TOTAL APPROPRIATION . . . . .	<del>(\$622,886,000)</del>
31		<u>\$621,418,000</u>

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

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

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

4 (2) \$424,000 of the accident account--state appropriation and  
5 \$76,000 of the medical aid account--state appropriation are provided  
6 solely for implementation of a community agricultural worker safety  
7 grant at the department of agriculture. The department shall enter  
8 into an interagency agreement with the department of agriculture to  
9 implement the grant.

10 (3) \$4,850,000 of the medical aid account--state appropriation is  
11 provided solely to continue the program of safety and health as  
12 authorized by RCW 49.17.210 to be administered under rules adopted  
13 pursuant to chapter 34.05 RCW, provided that projects funded involve  
14 workplaces insured by the medical aid fund, and that priority is given  
15 to projects fostering accident prevention through cooperation between  
16 employers and employees or their representatives.

17 (4) \$150,000 of the medical aid account--state appropriation is  
18 provided solely for the department to contract with one or more  
19 independent experts to evaluate and recommend improvements to the  
20 rating plan under chapter 51.18 RCW, including analyzing how risks are  
21 pooled, the effect of including worker premium contributions in  
22 adjustment calculations, incentives for accident and illness  
23 prevention, return-to-work practices, and other sound risk-management  
24 strategies that are consistent with recognized insurance principles.

25 (5) The department shall continue to conduct utilization reviews of  
26 physical and occupational therapy cases at the 24th visit. The  
27 department shall continue to report performance measures and targets  
28 for these reviews on the agency web site. The reports are due  
29 September 30th for the prior fiscal year and must include the amount  
30 spent and the estimated savings per fiscal year.

31 (6) The appropriations in this section reflect reductions in the  
32 appropriations for the department of labor and industries'  
33 administrative expenses. It is the intent of the legislature that  
34 these reductions shall be achieved, to the greatest extent possible, by  
35 reducing administrative costs only.

36 (7) \$500,000 of the accident account--state appropriation is  
37 provided solely for the department to contract with one or more  
38 independent experts to oversee and assist the department's

1 implementation of improvements to the rating plan under chapter 51.18  
2 RCW, in collaboration with the department and with the department's  
3 work group of retrospective rating and workers' compensation  
4 stakeholders. The independent experts will validate the impact of  
5 recommended changes on retrospective rating participants and  
6 nonparticipants, confirm implementation technology changes, and provide  
7 other implementation assistance as determined by the department.

8 (8) \$194,000 of the accident account--state appropriation and  
9 \$192,000 of the medical aid account--state appropriation are provided  
10 solely for implementation of Senate Bill No. 5346 (health care  
11 administrative procedures).

12 (9) \$131,000 of the accident account--state appropriation and  
13 \$128,000 of the medical aid account--state appropriation are provided  
14 solely for implementation of Senate Bill No. 5613 (stop work orders).

15 (10) \$68,000 of the accident account--state appropriation and  
16 \$68,000 of the medical aid account--state appropriation are provided  
17 solely for implementation of Senate Bill No. 5688 (registered domestic  
18 partners).

19 (11) \$320,000 of the accident account--state appropriation and  
20 \$147,000 of the medical aid account--state appropriation are provided  
21 solely for implementation of Senate Bill No. 5873 (apprenticeship  
22 utilization).

23 (12) \$73,000 of the general fund--state appropriation for fiscal  
24 year 2010, \$66,000 of the general fund--state appropriation for fiscal  
25 year 2011, \$606,000 of the accident account--state appropriation, and  
26 \$600,000 of the medical aid account--state appropriation are provided  
27 solely for the implementation of House Bill No. 1555 (underground  
28 economy).

29 (13) \$574,000 of the accident account--state appropriation and  
30 \$579,000 of the medical account--state appropriation are provided  
31 solely for the implementation of House Bill No. 1402 (industrial  
32 insurance appeals).

33 (14) Within statutory guidelines, the boiler program shall explore  
34 opportunities to increase program efficiency. Strategies may include  
35 the consolidation of routine multiple inspections to the same site and  
36 trip planning to ensure the least number of miles traveled.

37 (15) \$16,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$50,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for the crime victims compensation  
2 program to pay claims for mental health services for crime victim  
3 compensation program clients who have an established relationship with  
4 a mental health provider and subsequently obtain coverage under the  
5 medicaid program or the medical care services program under chapter  
6 74.09 RCW. Prior to making such payment, the program must have  
7 determined that payment for the specific treatment or provider is not  
8 available under the medicaid or medical care services program. In  
9 addition, the program shall make efforts to contact any healthy options  
10 or medical care services health plan in which the client may be  
11 enrolled to help the client obtain authorization to pay the claim on an  
12 out-of-network basis.

13 (16) \$48,000 of the accident account--state appropriation and  
14 \$48,000 of the medical aid account--state appropriation are provided  
15 solely for the implementation of Substitute House Bill No. 2789  
16 (issuance of subpoenas for purposes of agency investigations of  
17 underground economic activity). If the bill is not enacted by June 30,  
18 2010, the amount provided in this subsection shall lapse.

19 (17) \$71,000 of the general fund--state appropriation for fiscal  
20 year 2011 is provided solely for implementation of Senate Bill No. 6349  
21 (farm internship program). If the bill is not enacted by June 30,  
22 2010, the amount provided in this subsection shall lapse.

23 (18) \$127,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$133,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for the department to provide  
26 benefits in excess of the cap established by sections 1 and 2, chapter  
27 122, Laws of 2010. These benefits shall be paid for claimants who were  
28 determined eligible for and who were receiving crime victims'  
29 compensation benefits because they were determined to be permanently  
30 and totally disabled, as defined by RCW 51.08.160, prior to April 1,  
31 2010. The director shall establish, by May 1, 2010, a process to aid  
32 crime victims' compensation recipients in identifying and applying for  
33 appropriate alternative benefit programs.

34 (19) \$155,000 of the public works administration account--state  
35 appropriation is provided solely for the implementation of Engrossed  
36 House Bill No. 2805 (offsite prefabricated items). If the bill is not  
37 enacted by June 30, 2010, the amount provided in this subsection shall  
38 lapse.



1       **Sec. 218.** 2010 1st sp.s. c 37 s 219 (uncodified) is amended to  
2 read as follows:

3 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$1,882,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,864,000)</del>
6		<u>\$1,657,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(\$3,746,000)</del>
8		<u>\$3,539,000</u>

9       **Sec. 219.** 2010 1st sp.s. c 37 s 220 (uncodified) is amended to  
10 read as follows:

11 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

12 (1) HEADQUARTERS

13	General Fund--State Appropriation (FY 2010) . . . . .	\$1,913,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,865,000)</del>
15		<u>\$1,755,000</u>
16	Charitable, Educational, Penal, and Reformatory 17 Institutions Account--State Appropriation . . . . .	\$10,000
18	TOTAL APPROPRIATION . . . . .	<del>(\$3,788,000)</del>
19		<u>\$3,678,000</u>

20 The appropriations in this subsection are subject to the following  
21 conditions and limitations: In addition to other reductions, the  
22 appropriations in this section reflect reductions targeted specifically  
23 to state government administrative costs. These administrative  
24 reductions shall be achieved, to the greatest extent possible, by  
25 reducing those administrative costs that do not affect direct client  
26 services or direct service delivery or programs.

27 (2) FIELD SERVICES

28	General Fund--State Appropriation (FY 2010) . . . . .	\$4,885,000
29	General Fund--State Appropriation (FY 2011) . . . . .	\$4,964,000
30	General Fund--Federal Appropriation . . . . .	\$2,382,000
31	General Fund--Private/Local Appropriation . . . . .	\$4,512,000
32	Veterans Innovations Program Account--State 33 Appropriation . . . . .	\$897,000
34	Veteran Estate Management Account--Private/Local 35 Appropriation . . . . .	\$1,072,000
36	TOTAL APPROPRIATION . . . . .	\$18,712,000

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

3 (a) The department shall collaborate with the department of social  
4 and health services to identify and assist eligible general assistance  
5 unemployable clients to access the federal department of veterans  
6 affairs benefits.

7 (b) \$648,000 of the veterans innovations program account--state  
8 appropriation is provided solely for the department to continue support  
9 for returning combat veterans through the veterans innovation program,  
10 including emergency financial assistance through the defenders' fund  
11 and long-term financial assistance through the competitive grant  
12 program.

13 (c) In addition to other reductions, the appropriations in this  
14 section reflect reductions targeted specifically to state government  
15 administrative costs. These administrative reductions shall be  
16 achieved, to the greatest extent possible, by reducing those  
17 administrative costs that do not affect direct client services or  
18 direct service delivery or programs.

19 (3) INSTITUTIONAL SERVICES

20	General Fund--State Appropriation (FY 2010) . . . . .	\$3,318,000
21	<del>((General Fund--State Appropriation (FY 2011) . . . . .</del>	<del>\$2,371,000))</del>
22	General Fund--Federal Appropriation . . . . .	<del>(((\$50,353,000))</del>
23		<u>\$53,951,000</u>
24	General Fund--Private/Local Appropriation . . . . .	<del>(((\$34,189,000))</del>
25		<u>\$33,704,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(((\$90,231,000))</del>
27		<u>\$90,973,000</u>

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

30 (a) In addition to other reductions, the appropriations in this  
31 section reflect reductions targeted specifically to state government  
32 administrative costs. These administrative reductions shall be  
33 achieved, to the greatest extent possible, by reducing those  
34 administrative costs that do not affect direct client services or  
35 direct service delivery or programs.

36 (b) The reductions in this subsection shall be achieved through  
37 savings from contract revisions and shall not impact the availability  
38 of goods and services for residents of the three state veterans homes.

1       **Sec. 220.** 2010 2nd sp.s. c 1 s 213 (uncodified) is amended to read  
2 as follows:

3 **FOR THE DEPARTMENT OF HEALTH**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$98,414,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$81,735,000)</del>
6		<u>\$68,659,000</u>
7	General Fund--Federal Appropriation . . . . .	<del>(\$564,379,000)</del>
8		<u>\$567,818,000</u>
9	General Fund--Private/Local Appropriation . . . . .	\$162,237,000
10	Hospital Data Collection Account--State Appropriation . . . . .	\$218,000
11	Health Professions Account--State Appropriation . . . . .	<del>(\$82,850,000)</del>
12		<u>\$82,449,000</u>
13	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$603,000
14	Emergency Medical Services and Trauma Care Systems	
15	Trust Account--State Appropriation . . . . .	\$13,206,000
16	Safe Drinking Water Account--State Appropriation . . . . .	\$2,731,000
17	Drinking Water Assistance Account--Federal	
18	Appropriation . . . . .	\$22,862,000
19	Waterworks Operator Certification--State	
20	Appropriation . . . . .	\$1,522,000
21	Drinking Water Assistance Administrative Account--	
22	State Appropriation . . . . .	\$326,000
23	State Toxics Control Account--State Appropriation . . . . .	\$4,106,000
24	Medical Test Site Licensure Account--State	
25	Appropriation . . . . .	\$2,261,000
26	Youth Tobacco Prevention Account--State Appropriation . . . . .	\$1,512,000
27	Public Health Supplemental Account--Private/Local	
28	Appropriation . . . . .	\$3,804,000
29	Community and Economic Development Fee Account--State	
30	Appropriation . . . . .	\$298,000
31	Accident Account--State Appropriation . . . . .	\$292,000
32	Medical Aid Account--State Appropriation . . . . .	\$48,000
33	Tobacco Prevention and Control Account--State	
34	Appropriation . . . . .	\$41,196,000
35	Biotoxin Account--State Appropriation . . . . .	\$1,163,000
36	TOTAL APPROPRIATION . . . . .	<del>(\$1,085,763,000)</del>
37		<u>\$1,075,725,000</u>

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

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

24 (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
25 is authorized to establish and raise fees in fiscal year 2011 as  
26 necessary to meet the actual costs of conducting business and the  
27 appropriation levels in this section. This authorization applies to  
28 fees for the review of sewage tank designs, fees related to regulation  
29 and inspection of farmworker housing, and fees associated with the  
30 following professions: Acupuncture, dental, denturist, mental health  
31 counselor, nursing, nursing assistant, optometry, radiologic  
32 technologist, recreational therapy, respiratory therapy, social worker,  
33 cardiovascular invasive specialist, and practitioners authorized under  
34 chapter 18.240 RCW.

35 (3) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is  
36 authorized to establish fees by the amount necessary to fully support  
37 the cost of activities related to the administration of long-term care  
38 worker certification. The department is further authorized to increase

1 fees by the amount necessary to implement the regulatory requirements  
2 of the following bills: House Bill No. 1414 (health care assistants),  
3 House Bill No. 1740 (dental residency licenses), and House Bill No.  
4 1899 (retired active physician licenses).

5 (4) \$764,000 of the health professions account--state appropriation  
6 is provided solely for the medical quality assurance commission to  
7 maintain disciplinary staff and associated costs sufficient to reduce  
8 the backlog of disciplinary cases and to continue to manage the  
9 disciplinary caseload of the commission.

10 (5) \$57,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$58,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the midwifery licensure and  
13 regulatory program to offset a reduction in revenue from fees. The  
14 department shall convene the midwifery advisory committee on a  
15 quarterly basis to address issues related to licensed midwifery. The  
16 appropriations in this section assume that the current application and  
17 renewal fee for midwives shall be increased by fifty dollars and all  
18 other fees for midwives be adjusted accordingly.

19 (6) Funding for the human papillomavirus vaccine shall not be  
20 included in the department's universal vaccine purchase program in  
21 fiscal year 2010. Remaining funds for the universal vaccine purchase  
22 program shall be used to continue the purchase of all other vaccines  
23 included in the program until May 1, 2010, at which point state funding  
24 for the universal vaccine purchase program shall be discontinued.

25 (7) Beginning July 1, 2010, the department, in collaboration with  
26 the department of social and health services, shall maximize the use of  
27 existing federal funds, including section 317 of the federal public  
28 health services act direct assistance as well as federal funds that may  
29 become available under the American recovery and reinvestment act, in  
30 order to continue to provide immunizations for low-income, nonmedicaid  
31 eligible children up to three hundred percent of the federal poverty  
32 level in state-sponsored health programs.

33 (8) The department shall eliminate outreach activities for the  
34 health care directives registry and use the remaining amounts to  
35 maintain the contract for the registry and minimal staffing necessary  
36 to administer the basic entry functions for the registry.

37 (9) Funding in this section reflects a temporary reduction of

1 resources for the 2009-11 fiscal biennium for the state board of health  
2 to conduct health impact reviews.

3 (10) Pursuant to RCW 43.135.055 and 43.70.125, the department is  
4 authorized to adopt rules to establish a fee schedule to apply to  
5 applicants for initial certification surveys of health care facilities  
6 for purposes of receiving federal health care program reimbursement.  
7 The fees shall only apply when the department has determined that  
8 federal funding is not sufficient to compensate the department for the  
9 cost of conducting initial certification surveys. The fees for initial  
10 certification surveys may be established as follows: Up to \$1,815 for  
11 ambulatory surgery centers, up to \$2,015 for critical access hospitals,  
12 up to \$980 for end stage renal disease facilities, up to \$2,285 for  
13 home health agencies, up to \$2,285 for hospice agencies, up to \$2,285  
14 for hospitals, up to \$520 for rehabilitation facilities, up to \$690 for  
15 rural health clinics, and up to \$7,000 for transplant hospitals.

16 (11) Funding for family planning grants for fiscal year 2011 is  
17 reduced in the expectation that federal funding shall become available  
18 to expand coverage of services for individuals through programs at the  
19 department of social and health services. In the event that such  
20 funding is not provided, the legislature intends to continue funding  
21 through a supplemental appropriation at fiscal year 2010 levels.  
22 \$4,500,000 of the general fund--state appropriation is provided solely  
23 for the department of health-funded family planning clinic grants due  
24 to federal funding not becoming available.

25 (12) \$16,000,000 of the tobacco prevention and control account--  
26 state appropriation is provided solely for local health jurisdictions  
27 to conduct core public health functions as defined in RCW 43.70.514.

28 (13) \$100,000 of the health professions account appropriation is  
29 provided solely for implementation of Substitute House Bill No. 1414  
30 (health care assistants). If the bill is not enacted by June 30, 2009,  
31 the amount provided in this subsection shall lapse.

32 (14) \$42,000 of the health professions account--state appropriation  
33 is provided solely to implement Substitute House Bill No. 1740  
34 (dentistry license issuance). If the bill is not enacted by June 30,  
35 2009, the amount provided in this section shall lapse.

36 (15) \$23,000 of the health professions account--state appropriation  
37 is provided solely to implement Second Substitute House Bill No. 1899

1 (retired active physician licenses). If the bill is not enacted by  
2 June 30, 2009, the amount provided in this section shall lapse.

3 (16) \$12,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$67,000 of the general fund--private/local appropriation  
5 are provided solely to implement House Bill No. 1510 (birth  
6 certificates). If the bill is not enacted by June 30, 2009, the amount  
7 provided in this section shall lapse.

8 (17) \$31,000 of the health professions account is provided for the  
9 implementation of Second Substitute Senate Bill No. 5850 (human  
10 trafficking). If the bill is not enacted by June 2009, the amount  
11 provided in this subsection shall lapse.

12 (18) \$282,000 of the health professions account is provided for the  
13 implementation of Substitute Senate Bill No. 5752 (dentists cost  
14 recovery). If the bill is not enacted by June 2009, the amount  
15 provided in this subsection shall lapse.

16 (19) \$106,000 of the health professions account is provided for the  
17 implementation of Substitute Senate Bill No. 5601 (speech language  
18 assistants). If the bill is not enacted by June 2009, the amount  
19 provided in this subsection shall lapse.

20 (20) Subject to existing resources, the department of health is  
21 encouraged to examine, in the ordinary course of business, current and  
22 prospective programs, treatments, education, and awareness of  
23 cardiovascular disease that are needed for a thriving and healthy  
24 Washington.

25 (21) \$390,000 of the health professions account--state  
26 appropriation is provided solely to implement chapter 169, Laws of 2010  
27 (nursing assistants). The amount provided in this subsection is from  
28 fee revenue authorized by Engrossed Substitute Senate Bill No. 6582.

29 (22) \$10,000 of the health professions account--state appropriation  
30 for fiscal year 2010 and \$40,000 of the health professions  
31 account--state appropriation for fiscal year 2011 are provided solely  
32 for the department to study cost effective options for collecting  
33 demographic data related to the health care professions workforce to be  
34 submitted to the legislature by December 1, 2010.

35 (23) \$66,000 of the health professions account--state appropriation  
36 is provided solely to implement chapter 209, Laws of 2010 (pain  
37 management).

1 (24) \$10,000 of the health professions account--state appropriation  
2 is provided solely to implement chapter 92, Laws of 2010  
3 (cardiovascular invasive specialists).

4 (25) \$23,000 of the general fund--state appropriation is provided  
5 solely to implement chapter 182, Laws of 2010 (tracking ephedrine,  
6 etc.).

7 (26) The department is authorized to coordinate a tobacco cessation  
8 media campaign using all appropriate media with the purpose of  
9 maximizing the use of quit-line services and youth smoking prevention.

10 (27) It is the intent of the legislature that the reductions in  
11 appropriations to the AIDS/HIV programs shall be achieved, to the  
12 greatest extent possible, by reducing those state government  
13 administrative costs that do not affect direct client services or  
14 direct service delivery or programs. The agency shall, to the greatest  
15 extent possible, reduce spending in those areas that shall have the  
16 least impact on implementing these programs.

17 (28) \$400,000 of the state toxics control account--state  
18 appropriation is provided solely for granting to a willing local public  
19 entity to provide emergency water supplies or water treatment for  
20 households with individuals at high public health risk from nitrate-  
21 contaminated wells in the lower Yakima basin.

22 (29) \$100,000 of the state toxics control account--state  
23 appropriation is provided solely for an interagency contract to the  
24 department of ecology to grant to agencies involved in improving  
25 groundwater quality in the lower Yakima Valley. These agencies will  
26 develop a local plan for improving water quality and reducing nitrate  
27 contamination. The department of ecology will report to the  
28 appropriate committees of the legislature and to the office of  
29 financial management no later than December 1, 2010, summarizing  
30 progress towards developing and implementing this plan.

31 **Sec. 221.** 2010 1st sp.s. c 37 s 222 (uncodified) is amended to  
32 read as follows:

33 **FOR THE DEPARTMENT OF CORRECTIONS**

34 The appropriations to the department of corrections in this act  
35 shall be expended for the programs and in the amounts specified herein.  
36 However, after May 1, 2010, after approval by the director of financial  
37 management and unless specifically prohibited by this act, the



1 department may transfer general fund--state appropriations for fiscal  
2 year ((2010)) 2011 between programs. The department shall not transfer  
3 funds, and the director of financial management shall not approve the  
4 transfer, unless the transfer is consistent with the objective of  
5 conserving, to the maximum extent possible, the expenditure of state  
6 funds and not federal funds. The director of financial management  
7 shall notify the appropriate fiscal committees of the senate and house  
8 of representatives in writing seven days prior to approving any  
9 deviations from appropriation levels. The written notification shall  
10 include a narrative explanation and justification of the changes, along  
11 with expenditures and allotments by budget unit and appropriation, both  
12 before and after any allotment modifications or transfers.

13 **Sec. 222.** 2010 2nd sp.s. c 1 s 214 (uncodified) is amended to read  
14 as follows:

15 **FOR THE DEPARTMENT OF CORRECTIONS**

16 (1) ADMINISTRATION AND SUPPORT SERVICES

17 General Fund--State Appropriation (FY 2010) . . . . .	\$55,772,000
18 General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$51,929,000</del> ))
	<u>\$48,131,000</u>
20 TOTAL APPROPRIATION . . . . .	(( <del>\$107,701,000</del> ))
	<u>\$103,903,000</u>

21

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

24 (a) Within funds appropriated in this section, the department shall  
25 seek contracts for chemical dependency vendors to provide chemical  
26 dependency treatment of offenders in corrections facilities, including  
27 corrections centers and community supervision facilities, which have  
28 demonstrated effectiveness in treatment of offenders and are able to  
29 provide data to show a successful treatment rate.

30 (b) \$35,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$35,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for the support of a statewide  
33 council on mentally ill offenders that includes as its members  
34 representatives of community-based mental health treatment programs,  
35 current or former judicial officers, and directors and commanders of  
36 city and county jails and state prison facilities. The council will  
37 investigate and promote cost-effective approaches to meeting the long-

1 term needs of adults and juveniles with mental disorders who have a  
2 history of offending or who are at-risk of offending, including their  
3 mental health, physiological, housing, employment, and job training  
4 needs.

5 (2) CORRECTIONAL OPERATIONS

6	General Fund--State Appropriation (FY 2010) . . . . .	\$458,503,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$562,483,000 ))</del>
8		<u>\$581,211,000</u>
9	General Fund--Federal Appropriation . . . . .	<del>(( \$186,719,000 ))</del>
10		<u>\$186,720,000</u>
11	Washington Auto Theft Prevention Authority Account--	
12	State Appropriation . . . . .	\$5,936,000
13	State Efficiency and Restructuring Account--State	
14	Appropriation . . . . .	\$34,522,000
15	TOTAL APPROPRIATION . . . . .	<del>(( \$1,248,163,000 ))</del>
16		<u>\$1,266,892,000</u>

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

19 (a) The department may expend funds generated by contractual  
20 agreements entered into for mitigation of severe overcrowding in local  
21 jails. Any funds generated in excess of actual costs shall be  
22 deposited in the state general fund. Expenditures shall not exceed  
23 revenue generated by such agreements and shall be treated as a recovery  
24 of costs.

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

30 (c) During the 2009-11 biennium, when contracts are established or  
31 renewed for offender pay phone and other telephone services provided to  
32 inmates, the department shall select the contractor or contractors  
33 primarily based on the following factors: (i) The lowest rate charged  
34 to both the inmate and the person paying for the telephone call; and  
35 (ii) the lowest commission rates paid to the department, while  
36 providing reasonable compensation to cover the costs of the department  
37 to provide the telephone services to inmates and provide sufficient

1 revenues for the activities funded from the institutional welfare  
2 betterment account.

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

8 (e) A political subdivision which is applying for funding to  
9 mitigate one-time impacts associated with construction or expansion of  
10 a correctional institution, consistent with WAC 137-12A-030, may apply  
11 for the mitigation funds in the fiscal biennium in which the impacts  
12 occur or in the immediately succeeding fiscal biennium.

13 (f) Within amounts provided in this subsection, the department,  
14 jointly with the department of social and health services, shall  
15 identify the number of offenders released through the extraordinary  
16 medical placement program, the cost savings to the department of  
17 corrections, including estimated medical cost savings, and the costs  
18 for medical services in the community incurred by the department of  
19 social and health services. The department and the department of  
20 social and health services shall jointly report to the office of  
21 financial management and the appropriate fiscal committees of the  
22 legislature by November 30, 2010.

23 (g) \$11,863,000 of the general fund--state appropriation for fiscal  
24 year 2010, \$7,467,000 of the general fund--state appropriation for  
25 fiscal year 2011, and \$2,336,000 of the general fund-private/local  
26 appropriation are provided solely for in-prison evidence-based programs  
27 and for the reception diagnostic center program as part of the offender  
28 re-entry initiative.

29 (h) The appropriations in this subsection are based on savings  
30 assumed from the closure of the McNeil Island corrections center, the  
31 Ahtanum View corrections center, and the Pine Lodge corrections center  
32 for women.

33 (3) COMMUNITY SUPERVISION

34	General Fund--State Appropriation (FY 2010) . . . . .	\$150,729,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$134,744,000)</del>
36		<u>\$133,840,000</u>
37	TOTAL APPROPRIATION . . . . .	<del>(\$285,473,000)</del>
38		<u>\$284,569,000</u>

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

3 (a) The department shall accomplish personnel reductions with the  
4 least possible impact on correctional custody staff, community custody  
5 staff, and correctional industries. For the purposes of this  
6 subsection, correctional custody staff means employees responsible for  
7 the direct supervision of offenders.

8 (b) \$2,083,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$2,083,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely to implement Senate Bill No. 5525  
11 (state institutions/release). If the bill is not enacted by June 30,  
12 2009, the amounts provided in this subsection shall lapse.

13 (c) The appropriations in this subsection are based upon savings  
14 assumed from the implementation of Engrossed Substitute Senate Bill No.  
15 5288 (supervision of offenders).

16 (d) \$2,791,000 of the general fund--state appropriation for fiscal  
17 year 2010 and (~~(\$3,166,000)~~) \$2,680,000 of the general fund--state  
18 appropriation for fiscal year 2011 are provided solely for evidence-  
19 based community programs and for community justice centers as part of  
20 the offender re-entry initiative.

21 (e) \$418,300 of the general fund--state appropriation for fiscal  
22 year 2010 is provided solely for the purposes of settling all claims in  
23 *Hilda Solis, Secretary of Labor, United States Department of Labor v.*  
24 *State of Washington, Department of Corrections*, United States District  
25 Court, Western District of Washington, Cause No. C08-cv-05362-RJB. The  
26 expenditure of this amount is contingent on the release of all claims  
27 in the case, and total settlement costs shall not exceed the amount  
28 provided in this subsection. If settlement is not fully executed by  
29 June 30, 2010, the amount provided in this subsection shall lapse.

30 (f) \$984,000 of the general fund--state appropriation for fiscal  
31 year 2011 is provided solely for supplemental services that will be  
32 provided to offenders in lieu of a prison sentence, pursuant to chapter  
33 224, Laws of 2010 (confinement alternatives).

34 (4) CORRECTIONAL INDUSTRIES

35	General Fund--State Appropriation (FY 2010) . . . . .	\$2,574,000
36	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$2,441,000)</del> )
37		<u>\$2,642,000</u>
38	TOTAL APPROPRIATION . . . . .	( <del>(\$5,015,000)</del> )

1 \$5,216,000

2 The appropriations in this subsection are subject to the following  
3 conditions and limitations: \$132,000 of the general fund--state  
4 appropriation for fiscal year 2010 and \$132,000 of the general fund--  
5 state appropriation for fiscal year 2011 are provided solely for  
6 transfer to the jail industries board. The board shall use the amounts  
7 provided only for administrative expenses, equipment purchases, and  
8 technical assistance associated with advising cities and counties in  
9 developing, promoting, and implementing consistent, safe, and efficient  
10 offender work programs.

11 (5) INTERAGENCY PAYMENTS

12	General Fund--State Appropriation (FY 2010) . . . . .	\$40,728,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$38,629,000)</del>
14		<u>\$38,995,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$79,357,000)</del>
16		<u>\$79,723,000</u>

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

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

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

26 **Sec. 223.** 2010 1st sp.s. c 37 s 224 (uncodified) is amended to  
27 read as follows:

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

29	General Fund--State Appropriation (FY 2010) . . . . .	\$2,504,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,390,000)</del>
31		<u>\$2,158,000</u>
32	General Fund--Federal Appropriation . . . . .	<del>(\$18,116,000)</del>
33		<u>\$18,416,000</u>
34	General Fund--Private/Local Appropriation . . . . .	\$30,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$23,040,000)</del>
36		<u>\$23,108,000</u>

1 ((The amounts appropriated in this section are subject to the  
2 following conditions and limitations: Sufficient amounts are  
3 appropriated in this section to support contracts for services that  
4 provide employment support and help with life activities for deaf and  
5 blind individuals in King county.))

6 **Sec. 224.** 2010 1st sp.s. c 37 s 225 (uncodified) is amended to  
7 read as follows:

8 **FOR THE SENTENCING GUIDELINES COMMISSION**

9	General Fund--State Appropriation (FY 2010) . . . . .	\$962,000
10	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$948,000)</del>
11		<u>\$843,000</u>
12	TOTAL APPROPRIATION . . . . .	<del>(\$1,910,000)</del>
13		<u>\$1,805,000</u>

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

16 (1) Within the amounts appropriated in this section, the sentencing  
17 guidelines commission, in partnership with the courts, shall develop a  
18 plan to implement an evidence-based system of community custody for  
19 adult felons that will include the consistent use of evidence-based  
20 risk and needs assessment tools, programs, supervision modalities, and  
21 monitoring of program integrity. The plan for the evidence-based  
22 system of community custody shall include provisions for identifying  
23 cost-effective rehabilitative programs; identifying offenders for whom  
24 such programs would be cost-effective; monitoring the system for cost-  
25 effectiveness; and reporting annually to the legislature. In  
26 developing the plan, the sentencing guidelines shall consult with: The  
27 Washington state institute for public policy; the legislature; the  
28 department of corrections; local governments; prosecutors; defense  
29 attorneys; victim advocate groups; law enforcement; the Washington  
30 federation of state employees; and other interested entities. The  
31 sentencing guidelines commission shall report its recommendations to  
32 the governor and the legislature by December 1, 2009.

33 (2)(a) Except as provided in subsection (b), during the 2009-11  
34 biennium, the reports required by RCW 9.94A.480(2) and 9.94A.850(2) (d)  
35 and (h) shall be prepared within the available funds and may be delayed  
36 or suspended at the discretion of the commission.

1 (b) The commission shall submit the analysis described in section  
2 15 of Engrossed Substitute Senate Bill No. 5288 no later than December  
3 1, 2011.

4 (3) Within the amounts appropriated in this section, the sentencing  
5 guidelines commission shall survey the practices of other states  
6 relating to offenders who violate any conditions of their community  
7 custody. In conducting the survey, the sentencing guidelines  
8 commission shall perform a review of the research studies to determine  
9 if a mandatory minimum confinement policy is an evidence-based  
10 practice, investigate the implementation of such a policy in other  
11 states, and estimate the fiscal impacts of implementing such a policy  
12 in Washington state. The sentencing guidelines commission shall report  
13 its findings to the governor and the legislature by December 1, 2010.

14 **Sec. 225.** 2010 1st sp.s. c 37 s 226 (uncodified) is amended to  
15 read as follows:

16 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$2,054,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,053,000)</del>
19		<u>\$4,719,000</u>
20	General Fund--Federal Appropriation . . . . .	<del>(\$324,135,000)</del>
21		<u>\$327,109,000</u>
22	General Fund--Private/Local Appropriation . . . . .	\$33,640,000
23	Unemployment Compensation Administration Account--	
24	Federal Appropriation . . . . .	<del>(\$362,740,000)</del>
25		<u>\$384,549,000</u>
26	Administrative Contingency Account--State Appropriation . . .	\$345,000
27	Employment Service Administrative Account--State	
28	Appropriation . . . . .	\$37,775,000
29	TOTAL APPROPRIATION . . . . .	<del>(\$765,742,000)</del>
30		<u>\$790,191,000</u>

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

33 (1) \$59,829,000 of the unemployment compensation administration  
34 account--federal appropriation is provided from amounts made available  
35 to the state by section 903(d) and (f) of the social security act (Reed  
36 act). This amount is authorized to continue current unemployment

1 insurance functions and department services to employers and job  
2 seekers.

3 (2) \$32,067,000 of the unemployment compensation administration  
4 account--federal appropriation is provided from amounts made available  
5 to the state by section 903(d) and (f) of the social security act (Reed  
6 act). This amount is authorized to fund the replacement of the  
7 unemployment insurance tax information system (TAXIS) for the  
8 employment security department. This section is subject to section 902  
9 of this act.

10 (3) \$110,000 of the unemployment compensation administration  
11 account--federal appropriation is provided solely for implementation of  
12 Senate Bill No. 5804 (leaving part time work voluntarily).

13 (4) \$1,263,000 of the unemployment compensation administration  
14 account--federal appropriation is provided solely for implementation of  
15 Senate Bill No. 5963 (unemployment insurance).

16 (5) \$159,000 of the unemployment compensation account--federal  
17 appropriation is provided solely for the implementation of House Bill  
18 No. 1555 (underground economy) from funds made available to the state  
19 by section 903(d) of the social security act (Reed act).

20 (6) \$295,000 of the administrative contingency--state appropriation  
21 for fiscal year 2010 is provided solely for the implementation of House  
22 Bill No. 2227 (evergreen jobs act).

23 (7) \$7,000,000 of the general fund--state appropriation for fiscal  
24 year 2010 is provided solely for the implementation of Senate Bill No.  
25 5809 (WorkForce employment and training).

26 (8) \$444,000 of the unemployment compensation administration  
27 account--federal appropriation is provided solely for the  
28 implementation of Substitute Senate Bill No. 6524 (unemployment  
29 insurance penalties and contribution rates) from funds made available  
30 to the state by section 903 (d) or (f) of the social security act (Reed  
31 12 act). If the bill is not enacted by June 30, 2010, the amount  
32 provided in this subsection shall lapse.

33 (9) \$232,000 of the unemployment compensation administration  
34 account--federal appropriation from funds made available to the state  
35 by section 903(c) or (f) of the social security act (Reed act) is  
36 provided solely for the implementation of Substitute House Bill No.



1 2789 (underground economic activity). If the bill is not enacted by  
2 June 30, 2010, the amount provided in this subsection shall lapse.

(End of Part)

PART III  
NATURAL RESOURCES

Sec. 301. 2010 2nd sp.s. c 1 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2010)	\$58,552,000
General Fund--State Appropriation (FY 2011)	<del>(\$46,925,000)</del>
	<u>\$46,392,000</u>
General Fund--Federal Appropriation	\$82,079,000
General Fund--Private/Local Appropriation	\$16,688,000
Special Grass Seed Burning Research Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	<del>(\$3,649,000)</del>
	<u>\$3,640,000</u>
Flood Control Assistance Account--State Appropriation	\$1,943,000
State Emergency Water Projects Revolving Account-- State Appropriation	\$240,000
Waste Reduction/Recycling/Litter Control--State Appropriation	<del>(\$12,467,000)</del>
	<u>\$12,440,000</u>
State Drought Preparedness Account--State Appropriation	\$4,000,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$424,000
Freshwater Aquatic Algae Control Account--State Appropriation	\$508,000
Water Rights Tracking System Account--State Appropriation	\$116,000
Site Closure Account--State Appropriation	\$922,000
Wood Stove Education and Enforcement Account--State Appropriation	<del>(\$612,000)</del>
	<u>\$582,000</u>
Worker and Community Right-to-Know Account--State Appropriation	\$1,663,000
State Toxics Control Account--State Appropriation	<del>(\$106,642,000)</del>
	<u>\$106,391,000</u>

1 State Toxics Control Account--Private/Local  
2     Appropriation . . . . . \$379,000  
3 Local Toxics Control Account--State Appropriation . . . . . ((~~\$24,690,000~~))  
4     \$24,670,000  
5 Water Quality Permit Account--State Appropriation . . . . . ((~~\$37,018,000~~))  
6     \$36,899,000  
7 Underground Storage Tank Account--State  
8     Appropriation . . . . . ((~~\$3,270,000~~))  
9     \$3,259,000  
10 Biosolids Permit Account--State Appropriation . . . . . \$1,866,000  
11 Hazardous Waste Assistance Account--State  
12     Appropriation . . . . . ((~~\$5,880,000~~))  
13     \$5,858,000  
14 Air Pollution Control Account--State Appropriation . . . . . ((~~\$2,111,000~~))  
15     \$1,565,000  
16 Oil Spill Prevention Account--State Appropriation . . . . . ((~~\$10,599,000~~))  
17     \$10,568,000  
18 Air Operating Permit Account--State Appropriation . . . . . ((~~\$2,758,000~~))  
19     \$2,748,000  
20 Freshwater Aquatic Weeds Account--State Appropriation . . . . . \$1,693,000  
21 Oil Spill Response Account--State Appropriation . . . . . \$7,077,000  
22 Metals Mining Account--State Appropriation . . . . . \$14,000  
23 Water Pollution Control Revolving Account--State  
24     Appropriation . . . . . \$535,000  
25 Water Pollution Control Revolving Account--Federal  
26     Appropriation . . . . . \$2,210,000  
27 Water Rights Processing Account--State Appropriation . . . . . \$68,000  
28     TOTAL APPROPRIATION . . . . . ((~~\$437,612,000~~))  
29     \$436,003,000

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

32     (1) \$170,000 of the oil spill prevention account--state  
33 appropriation is provided solely for a contract with the University of  
34 Washington's sea grant program to continue an educational program  
35 targeted to small spills from commercial fishing vessels, ferries,  
36 cruise ships, ports, and marinas.

37     (2) \$240,000 of the woodstove education and enforcement account--  
38 state appropriation is provided solely for citizen outreach efforts to

1 improve understanding of burn curtailments, the proper use of wood  
2 heating devices, and public awareness of the adverse health effects of  
3 woodsmoke pollution.

4 (3) \$3,000,000 of the general fund--private/local appropriation is  
5 provided solely for contracted toxic-site cleanup actions at sites  
6 where multiple potentially liable parties agree to provide funding.

7 (4) \$3,600,000 of the local toxics account--state appropriation is  
8 provided solely for the standby emergency rescue tug stationed at Neah  
9 Bay.

10 (5) \$811,000 of the state toxics account--state appropriation is  
11 provided solely for oversight of toxic cleanup at facilities that  
12 treat, store, and dispose of hazardous wastes.

13 (6) \$1,456,000 of the state toxics account--state appropriation is  
14 provided solely for toxic cleanup at sites where willing parties  
15 negotiate prepayment agreements with the department and provide  
16 necessary funding.

17 (7) \$558,000 of the state toxics account--state appropriation and  
18 \$3,000,000 of the local toxics account--state appropriation are  
19 provided solely for grants and technical assistance to Puget Sound-area  
20 local governments engaged in updating shoreline master programs.

21 (8) \$950,000 of the state toxics control account--state  
22 appropriation is provided solely for measuring water and habitat  
23 quality to determine watershed health and assist salmon recovery,  
24 beginning in fiscal year 2011.

25 (9) RCW 70.105.280 authorizes the department to assess reasonable  
26 service charges against those facilities that store, treat, incinerate,  
27 or dispose of dangerous or extremely hazardous waste that involves both  
28 a nonradioactive hazardous component and a radioactive component.  
29 Service charges may not exceed the costs to the department in carrying  
30 out the duties in RCW 70.105.280. The current service charges do not  
31 meet the costs of the department to carry out its duties. Pursuant to  
32 RCW 43.135.055 and 70.105.280, the department is authorized to increase  
33 the service charges no greater than 18 percent for fiscal year 2010 and  
34 no greater than 15 percent for fiscal year 2011. Such service charges  
35 shall include all costs of public participation grants awarded to  
36 qualified entities by the department pursuant to RCW 70.105D.070(5) for  
37 facilities at which such grants are recognized as a component of a  
38 community relations or public participation plan authorized or required

1 as an element of a consent order, federal facility agreement or agreed  
2 order entered into or issued by the department pursuant to any federal  
3 or state law governing investigation and remediation of releases of  
4 hazardous substances. Public participation grants funded by such  
5 service charges shall be in addition to, and not in place of, any other  
6 grants made pursuant to RCW 70.105D.070(5). Costs for the public  
7 participation grants shall be billed individually to the mixed waste  
8 facility associated with the grant.

9 (10) The department is authorized to increase the following fees in  
10 the 2009-2011 biennium as necessary to meet the actual costs of  
11 conducting business and the appropriation levels in this section:  
12 Environmental lab accreditation, dam safety and inspection, biosolids  
13 permitting, air emissions new source review, and manufacturer  
14 registration and renewal.

15 (11) \$63,000 of the state toxics control account--state  
16 appropriation is provided solely for implementation of Substitute  
17 Senate Bill No. 5797 (solid waste handling permits). If the bill is  
18 not enacted by June 30, 2009, the amount provided in this subsection  
19 shall lapse.

20 (12) \$225,000 of the general fund--state appropriation for fiscal  
21 year 2010 and (~~(\$193,000)~~) \$181,000 of the general fund--state  
22 appropriation for fiscal year 2011 are provided solely for  
23 implementation of Engrossed Second Substitute Bill No. 5560 (agency  
24 climate leadership). If the bill is not enacted by June 30, 2009, the  
25 amounts provided in this subsection shall lapse.

26 (13) \$150,000 of the general fund--state appropriation for fiscal  
27 year 2010 and (~~(\$150,000)~~) \$141,000 of the general fund--state  
28 appropriation for fiscal year 2011 are provided solely for watershed  
29 planning implementation grants to continue ongoing efforts to develop  
30 and implement water agreements in the Nooksack Basin and the Bertrand  
31 watershed. These amounts are intended to support project  
32 administration; monitoring; negotiations in the Nooksack watershed  
33 between tribes, the department, and affected water users; continued  
34 implementation of a flow augmentation project; plan implementation in  
35 the Fishtrap watershed; and the development of a water bank.

36 (14) \$215,000 of the general fund--state appropriation for fiscal  
37 year 2010 and (~~(\$235,000)~~) \$220,000 of the general fund--state  
38 appropriation for fiscal year 2011 are provided solely to provide

1 watershed planning implementation grants for WRIA 32 to implement  
2 Substitute House Bill No. 1580 (pilot local water management program).  
3 If the bill is not enacted by June 30, 2009, the amounts provided in  
4 this subsection shall lapse.

5 (15) \$200,000 of the general fund--state appropriation for fiscal  
6 year 2010 and (~~(\$200,000)~~) \$187,000 of the general fund--state  
7 appropriation for fiscal year 2011 are provided solely for the purpose  
8 of supporting the trust water rights program and processing trust water  
9 right transfer applications that improve instream flow.

10 (16)(a) The department shall convene a stock water working group  
11 that includes: Legislators, four members representing agricultural  
12 interests, three members representing environmental interests, the  
13 attorney general or designee, the director of the department of ecology  
14 or designee, the director of the department of agriculture or designee,  
15 and affected federally recognized tribes shall be invited to send  
16 participants.

17 (b) The group shall review issues surrounding the use of permit-  
18 exempt wells for stock-watering purposes and may develop  
19 recommendations for legislative action.

20 (c) The working group shall meet periodically and report its  
21 activities and recommendations to the governor and the appropriate  
22 legislative committees by December 1, 2009.

23 (17) \$73,000 of the water quality permit account--state  
24 appropriation is provided solely to implement Substitute House Bill No.  
25 1413 (water discharge fees). If the bill is not enacted by June 30,  
26 2009, the amount provided in this subsection shall lapse.

27 (18) The department shall continue to work with the Columbia Snake  
28 River irrigators' association to determine how seasonal water operation  
29 and maintenance conservation can be utilized. In implementing this  
30 proviso, the department shall also consult with the Columbia River  
31 policy advisory group as appropriate.

32 (19) The department shall track any changes in costs, wages, and  
33 benefits that would have resulted if House Bill No. 1716 (public  
34 contract living wages), as introduced in the 2009 regular session of  
35 the legislature, were enacted and made applicable to contracts and  
36 related subcontracts entered into, renewed, or extended during the  
37 2009-11 biennium. The department shall submit a report to the house of  
38 representatives commerce and labor committee and the senate labor,

1 commerce, and consumer protection committee by December 1, 2011. The  
2 report shall include data on any aggregate changes in wages and  
3 benefits that would have resulted during the 2009-11 biennium.

4 (20) Within amounts appropriated in this section the department  
5 shall develop recommendations by December 1, 2009, for a convenient and  
6 effective mercury-containing light recycling program for residents,  
7 small businesses, and small school districts throughout the state. The  
8 department shall consider options including but not limited to, a  
9 producer-funded program, a recycler-supported or recycle fee program,  
10 a consumer fee at the time of purchase, general fund appropriations, or  
11 a currently existing dedicated account. The department shall involve  
12 and consult with stakeholders including persons who represent  
13 retailers, waste haulers, recyclers, mercury-containing light  
14 manufacturers or wholesalers, cities, counties, environmental  
15 organizations and other interested parties. The department shall  
16 report its findings and recommendations for a recycling program for  
17 mercury-containing lights to the appropriate committees of the  
18 legislature by December 1, 2009.

19 (21) \$140,000 of the freshwater aquatic algae control account--  
20 state appropriation is provided solely for grants to cities, counties,  
21 tribes, special purpose districts, and state agencies for capital and  
22 operational expenses used to manage and study excessive saltwater algae  
23 with an emphasis on the periodic accumulation of sea lettuce on Puget  
24 Sound beaches.

25 (22) By December 1, 2009, the department in consultation with local  
26 governments shall conduct a remedial action grant financing  
27 alternatives report. The report shall address options for financing the  
28 remedial action grants identified in the department's report, entitled  
29 "House Bill 1761, Model Toxics Control Accounts Ten-Year Financing  
30 Plan" and shall include but not be limited to the following: (a)  
31 Capitalizing cleanup costs using debt insurance; (b) capitalizing  
32 cleanup costs using prefunded cost-cap insurance; (c) other contractual  
33 instruments with local governments; and (d) an assessment of overall  
34 economic benefits of the remedial action grants funded using the  
35 instruments identified in this section.

36 (23) \$220,000 of the site closure account--state appropriation is  
37 provided solely for litigation expenses associated with the lawsuit

1 filed by energy solutions, inc., against the Northwest interstate  
2 compact on low-level radioactive waste management and its executive  
3 director.

4 (24) \$68,000 of the water rights processing account--state  
5 appropriation is provided solely for implementation of Engrossed Second  
6 Substitute Senate Bill No. 6267 (water rights processing). If the bill  
7 is not enacted by June 30, 2010, the amount provided in this subsection  
8 shall lapse.

9 (25) \$10,000 of the state toxics control account--state  
10 appropriation is provided solely for implementation of Engrossed  
11 Substitute Senate Bill No. 5543 (mercury-containing lights). If the  
12 bill is not enacted by June 30, 2010, the amount provided in this  
13 subsection shall lapse.

14 (26) \$300,000 of the state toxics control account--state  
15 appropriation is provided solely for piloting and evaluating two  
16 coordinated, multijurisdictional permitting teams for nontransportation  
17 projects.

18 (27)(a) \$4,000,000 of the state drought preparedness account--state  
19 appropriation is provided solely for response to a drought declaration  
20 pursuant to chapter 43.83B RCW. If such a drought declaration occurs,  
21 the department of ecology may provide funding to public bodies as  
22 defined in RCW 43.83B.050 in connection with projects and measures  
23 designed to alleviate drought conditions that may affect public health  
24 and safety, drinking water supplies, agricultural activities, or fish  
25 and wildlife survival.

26 (b) Projects or measures for which funding will be provided must be  
27 connected with a water system, water source, or water body that is  
28 receiving, or has been projected to receive, less than seventy-five  
29 percent of normal water supply, as the result of natural drought  
30 conditions. This reduction in water supply must be such that it is  
31 causing, or will cause, undue hardship for the entities or fish or  
32 wildlife depending on the water supply. The department shall issue  
33 guidelines outlining grant program and matching fund requirements  
34 within ten days of a drought declaration.

35 (28) No more than \$250,000 from the oil spill response account--  
36 state appropriation may be expended for hazardous material spills under  
37 \$50,000.



1 (29) \$750,000 of the state toxics account--state appropriation is  
2 provided solely for legal services and expert-witness costs related to  
3 the *Pakootas et al. v. Teck Cominco, Ltd.*, case (concerning a toxic  
4 cleanup site on the Upper Columbia River).

5 **Sec. 302.** 2010 2nd sp.s. c 1 s 303 (uncodified) is amended to read  
6 as follows:

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

8	General Fund--State Appropriation (FY 2010) . . . . .	\$23,176,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$18,309,000)</del>
10		<u>\$18,275,000</u>
11	General Fund--Federal Appropriation . . . . .	\$6,892,000
12	General Fund--Private/Local Appropriation . . . . .	\$73,000
13	Winter Recreation Program Account--State Appropriation . . .	\$1,556,000
14	Off Road Vehicle Account--State Appropriation . . . . .	\$239,000
15	Snowmobile Account--State Appropriation . . . . .	\$4,842,000
16	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$368,000
17	Recreation Resources Account--State Appropriation . . . . .	<del>(\$9,802,000)</del>
18		<u>\$9,469,000</u>
19	NOVA Program Account--State Appropriation . . . . .	<del>(\$9,560,000)</del>
20		<u>\$9,164,000</u>
21	Parks Renewal and Stewardship Account--State	
22	Appropriation . . . . .	\$72,975,000
23	Parks Renewal and Stewardship Account--	
24	Private/Local Appropriation . . . . .	\$300,000
25	TOTAL APPROPRIATION . . . . .	<del>(\$148,092,000)</del>
26		<u>\$147,329,000</u>

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

29 (1) \$79,000 of the general fund--state appropriation for fiscal  
30 year 2010 and ~~(\$79,000)~~ \$74,000 of the general fund--state  
31 appropriation for fiscal year 2011 are provided solely for a grant for  
32 the operation of the Northwest avalanche center.

33 (2) Proceeds received from voluntary donations given by motor  
34 vehicle registration applicants shall be used solely for the operation  
35 and maintenance of state parks.

36 (3) With the passage of Substitute House Bill No. 2339 (state parks  
37 system donation), the legislature finds that it has provided sufficient

1 funds to ensure that all state parks remain open during the 2009-11  
2 biennium. The commission shall not close state parks unless the bill  
3 is not enacted by June 30, 2009, or revenue collections are  
4 insufficient to fund the ongoing operation of state parks. By January  
5 10, 2010, the commission shall provide a report to the legislature on  
6 their budget and resources related to operating parks for the remainder  
7 of the biennium.

8 (4) The commission shall work with the department of general  
9 administration to evaluate the commission's existing leases with the  
10 intention of increasing net revenue to state parks. The commission  
11 shall provide to the office of financial management and the legislative  
12 fiscal committees no later than September 30, 2009, a list of leases  
13 the commission proposes be managed by the department of general  
14 administration.

15 **Sec. 303.** 2010 2nd sp.s. c 1 s 304 (uncodified) is amended to read  
16 as follows:

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

18	General Fund--State Appropriation (FY 2010) . . . . .	\$1,486,000
19	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,312,000)</del>
20		<u>\$1,324,000</u>
21	General Fund--Federal Appropriation . . . . .	<del>(\$10,322,000)</del>
22		<u>\$10,427,000</u>
23	General Fund--Private/Local Appropriation . . . . .	\$250,000
24	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
25	Firearms Range Account--State Appropriation . . . . .	\$39,000
26	Recreation Resources Account--State Appropriation . . . . .	<del>(\$2,710,000)</del>
27		<u>\$2,738,000</u>
28	NOVA Program Account--State Appropriation . . . . .	<del>(\$1,049,000)</del>
29		<u>\$1,059,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(\$17,446,000)</del>
31		<u>\$17,601,000</u>

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

34 (1) \$204,000 of the general fund--state appropriation for fiscal  
35 year 2010 and ~~(\$244,000)~~ \$194,000 of the general fund--state  
36 appropriation for fiscal year 2011 are provided solely for the

1 implementation of Substitute House Bill No. 2157 (salmon recovery). If  
2 the bill is not enacted by June 30, 2009, the amounts provided in this  
3 subsection shall lapse.

4 (2) The recreation and conservation office, under the direction of  
5 the salmon recovery funding board, shall assess watershed and regional-  
6 scale capacity issues relating to the support and implementation of  
7 salmon recovery. The assessment shall examine priority setting and  
8 incentives to further promote coordination to ensure that effective and  
9 efficient mechanisms for delivery of salmon recovery funding board  
10 funds are being utilized. The salmon recovery funding board shall  
11 distribute its operational funding to the appropriate entities based on  
12 this assessment.

13 (3) The recreation and conservation office shall negotiate an  
14 agreement with the Puget Sound partnership to consolidate or share  
15 certain administrative functions currently performed by each agency  
16 independently. The agencies shall proportionately share the costs of  
17 such shared functions. Examples of shared functions may include, but  
18 are not limited to, support for personnel, information technology,  
19 grant and contract management, invasive species work, legislative  
20 coordination, and policy and administrative support of various boards  
21 and councils.

22 **Sec. 304.** 2010 2nd sp.s. c 1 s 305 (uncodified) is amended to read  
23 as follows:

24 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

25	General Fund--State Appropriation (FY 2010) . . . . .	\$1,108,000
26	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,035,000)</del>
27		<u>\$1,034,000</u>
28	TOTAL APPROPRIATION . . . . .	<del>(\$2,143,000)</del>
29		<u>\$2,142,000</u>

30 The appropriations in this section are subject to the following  
31 conditions and limitations: \$46,000 of the general fund--state  
32 appropriation for fiscal year 2010 is provided solely for tenant  
33 improvement costs associated with moving the office to a new location.

34 **Sec. 305.** 2010 2nd sp.s. c 1 s 306 (uncodified) is amended to read  
35 as follows:

1	<b>FOR THE CONSERVATION COMMISSION</b>	
2	General Fund--State Appropriation (FY 2010) . . . . .	\$7,556,000
3	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$6,751,000)</del>
4		<u>\$6,750,000</u>
5	General Fund--Federal Appropriation . . . . .	\$1,178,000
6	TOTAL APPROPRIATION . . . . .	<del>(\$15,485,000)</del>
7		<u>\$15,484,000</u>

8 The appropriations in this section are subject to the following  
9 conditions and limitations: In order to maintain a high degree of  
10 customer service and accountability for conservation districts,  
11 \$125,000 is to support the conservation commission's administrative  
12 activities related to the processing of conservation district invoices  
13 and budgeting.

14 **Sec. 306.** 2010 2nd sp.s. c 1 s 307 (uncodified) is amended to read  
15 as follows:

16	<b>FOR THE DEPARTMENT OF FISH AND WILDLIFE</b>	
17	General Fund--State Appropriation (FY 2010) . . . . .	\$41,263,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$30,560,000)</del>
19		<u>\$30,968,000</u>
20	General Fund--Federal Appropriation . . . . .	<del>(\$85,799,000)</del>
21		<u>\$88,799,000</u>
22	General Fund--Private/Local Appropriation . . . . .	\$47,211,000
23	Off Road Vehicle Account--State Appropriation . . . . .	\$413,000
24	Aquatic Lands Enhancement Account--State Appropriation . . .	\$6,739,000
25	Recreational Fisheries Enhancement--State	
26	Appropriation . . . . .	\$3,472,000
27	Warm Water Game Fish Account--State Appropriation . . . . .	\$2,861,000
28	Eastern Washington Pheasant Enhancement Account--	
29	State Appropriation . . . . .	\$851,000
30	Aquatic Invasive Species Enforcement Account--State	
31	Appropriation . . . . .	\$207,000
32	Aquatic Invasive Species Prevention Account-- State	
33	Appropriation . . . . .	\$833,000
34	Wildlife Account--State Appropriation . . . . .	<del>(\$86,878,000)</del>
35		<u>\$86,998,000</u>
36	Wildlife Account--Federal Appropriation . . . . .	\$101,000
37	Wildlife Account--Private/Local Appropriation . . . . .	\$39,000

1	Game Special Wildlife Account--State Appropriation . . . . .	\$2,367,000
2	Game Special Wildlife Account--Federal Appropriation . . . . .	\$3,426,000
3	Game Special Wildlife Account--Private/Local	
4	Appropriation . . . . .	\$487,000
5	Wildlife Rehabilitation Account--State Appropriation . . . . .	\$269,000
6	Regional Fisheries Salmonid Recovery Account--	
7	Federal Appropriation . . . . .	\$5,001,000
8	Oil Spill Prevention Account--State Appropriation . . . . .	\$876,000
9	Oyster Reserve Land Account--State Appropriation . . . . .	\$916,000
10	TOTAL APPROPRIATION . . . . .	<del>(\$320,569,000)</del>
11		<u>\$324,097,000</u>

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

14       (1) \$294,000 of the aquatic lands enhancement account--state  
15 appropriation is provided solely for the implementation of hatchery  
16 reform recommendations defined by the hatchery scientific review group.

17       (2) \$355,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$422,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for the department to implement a  
20 pilot project with the Confederated Tribes of the Colville Reservation  
21 to develop expanded recreational fishing opportunities on Lake Rufus  
22 Woods and its northern shoreline and to conduct joint enforcement of  
23 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
24 state and tribal intergovernmental agreements developed under the  
25 Columbia River water supply program. For the purposes of the pilot  
26 project:

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

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

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

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

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

6 (3) Prior to submitting its 2011-2013 biennial operating and  
7 capital budget request related to state fish hatcheries to the office  
8 of financial management, the department shall contract with the  
9 hatchery scientific review group (HSRG) to review this request. This  
10 review shall: (a) Determine if the proposed requests are consistent  
11 with HSRG recommendations; (b) prioritize the components of the  
12 requests based on their contributions to protecting wild salmonid  
13 stocks and meeting the recommendations of the HSRG; and (c) evaluate  
14 whether the proposed requests are being made in the most cost effective  
15 manner. The department shall provide a copy of the HSRG review to the  
16 office of financial management with their agency budget proposal.

17 (4) Within existing funds, the department shall continue  
18 implementing its capital program action plan dated September 1, 2007,  
19 including the purchase of the necessary maintenance and support costs  
20 for the capital programs and engineering tools. The department shall  
21 report to the office of financial management and the appropriate  
22 committees of the legislature, its progress in implementing the plan,  
23 including improvements instituted in its capital program, by September  
24 30, 2010.

25 (5) \$1,232,000 of the state wildlife account--state appropriation  
26 is provided solely to implement Substitute House Bill No. 1778 (fish  
27 and wildlife). If the bill is not enacted by June 30, 2009, the amount  
28 provided in this subsection shall lapse.

29 (6) \$400,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$400,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for a state match to support the  
32 Puget Sound nearshore partnership between the department and the U.S.  
33 army corps of engineers.

34 (7) \$50,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$50,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for removal of derelict gear in  
37 Washington waters.

1 (8) The department of fish and wildlife shall dispose of all Cessna  
2 aircraft it currently owns. The proceeds from the aircraft shall be  
3 deposited into the state wildlife account. Disposal of the aircraft  
4 must occur no later than June 30, 2010. The department shall  
5 coordinate with the department of natural resources on the installation  
6 of fire surveillance equipment into its Partenavia aircraft. The  
7 department shall make its Partenavia aircraft available to the  
8 department of natural resources on a cost-reimbursement basis for its  
9 use in coordinating fire suppression efforts. The two agencies shall  
10 develop an interagency agreement that defines how they will share  
11 access to the plane.

12 (9) \$50,000 of the general fund--state appropriation for fiscal  
13 year 2010 is provided solely for an electron project fish passage study  
14 consistent with the recommendations and protocols contained in the 2008  
15 electron project downstream fish passage final report.

16 (10) \$60,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$60,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely for implementation of Engrossed  
19 Second Substitute Bill No. 5560 (agency climate leadership). If the  
20 bill is not enacted by June 30, 2009, the amounts provided in this  
21 subsection shall lapse.

22 (11) If sufficient new revenues are not identified to continue  
23 hatchery operations, within the constraints of legally binding tribal  
24 agreements, the department shall dispose of, by removal, sale, lease,  
25 reversion, or transfer of ownership, the following hatcheries:  
26 McKernan, Colville, Omak, Bellingham, Arlington, and Mossyrock.  
27 Disposal of the hatcheries must occur by June 30, 2011, and any  
28 proceeds received from disposal shall be deposited in the state  
29 wildlife account. Within available funds, the department shall provide  
30 quarterly reports on the progress of disposal to the office of  
31 financial management and the appropriate fiscal committees of the  
32 legislature. The first report shall be submitted no later than  
33 September 30, 2009.

34 (12) \$100,000 of the eastern Washington pheasant enhancement  
35 account--state appropriation is provided solely for the department to  
36 support efforts to enhance permanent and temporary pheasant habitat on  
37 public and private lands in Grant, Franklin, and Adams counties. The  
38 department may support efforts by entities including conservation

1 districts, nonprofit organizations, and landowners, and must require  
2 such entities to provide significant nonstate matching resources, which  
3 may be in the form of funds, material, or labor.

4 (13) Within the amounts appropriated in this section, the  
5 department of fish and wildlife shall develop a method for allocating  
6 its administrative and overhead costs proportionate to program fund  
7 use. As part of its 2011-2013 biennial operating budget, the  
8 department shall submit a decision package that rebalances expenditure  
9 authority for all agency funds based upon proportionate contributions.

10 (14) Within the amounts appropriated in this section, the  
11 department shall identify additional opportunities for partnerships in  
12 order to keep fish hatcheries operational. Such partnerships shall aim  
13 to maintain fish production and salmon recovery with less reliance on  
14 state operating funds.

15 (15) Within the amounts appropriated in this section, the  
16 department shall work with stakeholders to develop a long-term funding  
17 model that sustains the department's work of conserving species and  
18 habitat, providing sustainable recreational and commercial  
19 opportunities and using sound business practices. The funding model  
20 analysis shall assess the appropriate uses of each fund source and  
21 whether the department's current and projected revenue levels are  
22 adequate to sustain its current programs. The department shall report  
23 its recommended funding model including supporting analysis and  
24 stakeholder participation summary to the office of financial management  
25 and the appropriate committees of the legislature by October 1, 2010.

26 (16) By October 1, 2010, the department shall enter into an  
27 interagency agreement with the department of natural resources for land  
28 management services for the department's wildlife conservation and  
29 recreation lands. Land management services may include but are not  
30 limited to records management, real estate services such as surveying,  
31 and land acquisition and disposal services. The interagency agreement  
32 shall describe business processes, service delivery expectations, cost,  
33 and timing. In the agreement, the department shall define its roles  
34 and responsibilities. A draft agreement shall be submitted to the  
35 office of financial management and the appropriate fiscal committees of  
36 the legislature by July 1, 2010.

37 (17) Prior to opening game management unit 490 to public hunting,



1 the department shall complete an environmental impact statement that  
2 includes an assessment of how public hunting activities will impact the  
3 ongoing protection of the public water supply.

4 (18) The department must work with appropriate stakeholders to  
5 facilitate the disposition of salmon to best utilize the resource,  
6 increase revenues to regional fisheries enhancement groups, and enhance  
7 the provision of nutrients to food banks. By November 1, 2010, the  
8 department must provide a report to the appropriate committees of the  
9 legislature summarizing these discussions, outcomes, and  
10 recommendations. After November 1, 2010, the department shall not  
11 solicit or award a surplus salmon disposal contract without first  
12 giving due consideration to implementing the recommendations developed  
13 during the stakeholder process.

14 (19) \$50,000 of the general fund--state appropriation for fiscal  
15 year 2011 is provided solely for increased fish production at Voight  
16 Creek hatchery.

17 **Sec. 307.** 2010 2nd sp.s. c 1 s 308 (uncodified) is amended to read  
18 as follows:

19 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$48,822,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$33,387,000 ))</del>
22		<u>\$38,029,000</u>
23	General Fund--Federal Appropriation . . . . .	\$28,784,000
24	General Fund--Private/Local Appropriation . . . . .	\$2,369,000
25	Forest Development Account--State Appropriation . . . . .	\$41,640,000
26	Off Road Vehicle Account--State Appropriation . . . . .	\$4,406,000
27	Surveys and Maps Account--State Appropriation . . . . .	\$2,332,000
28	Aquatic Lands Enhancement Account--State	
29	Appropriation . . . . .	\$8,315,000
30	Resources Management Cost Account--State	
31	Appropriation . . . . .	\$78,704,000
32	Surface Mining Reclamation Account--State	
33	Appropriation . . . . .	\$3,494,000
34	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
35	Forest and Fish Support Account--State Appropriation . . . . .	\$8,000,000
36	Aquatic Land Dredged Material Disposal Site	
37	Account--State Appropriation . . . . .	\$1,333,000

1	Natural Resources Conservation Areas Stewardship	
2	Account--State Appropriation . . . . .	\$184,000
3	State Toxics Control Account--State Appropriation . . . . .	\$720,000
4	Air Pollution Control Account--State Appropriation . . . . .	<del>(\$568,000)</del>
5		<u>\$478,000</u>
6	NOVA Program Account--State Appropriation . . . . .	\$974,000
7	Derelict Vessel Removal Account--State Appropriation . . . . .	\$1,749,000
8	Agricultural College Trust Management Account--	
9	State Appropriation . . . . .	\$1,941,000
10	TOTAL APPROPRIATION . . . . .	<del>(\$272,722,000)</del>
11		<u>\$277,274,000</u>

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

14       (1) \$1,355,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$349,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for deposit into the agricultural  
17 college trust management account and are provided solely to manage  
18 approximately 70,700 acres of Washington State University's  
19 agricultural college trust lands.

20       (2) \$22,670,000 of the general fund--state appropriation for fiscal  
21 year 2010, ~~(\$11,128,000)~~ \$15,789,000 of the general fund--state  
22 appropriation for fiscal year 2011, and \$5,000,000 of the disaster  
23 response account--state appropriation are provided solely for emergency  
24 fire suppression. None of the general fund and disaster response  
25 account amounts provided in this subsection may be used to fund agency  
26 indirect and administrative expenses. Agency indirect and  
27 administrative costs shall be allocated among the agency's remaining  
28 accounts and appropriations. The department of natural resources shall  
29 submit a quarterly report to the office of financial management and the  
30 legislative fiscal committees detailing information on current and  
31 planned expenditures from the disaster response account. This work  
32 shall be done in coordination with the military department.

33       (3) \$5,000,000 of the forest and fish support account--state  
34 appropriation is provided solely for adaptive management, monitoring,  
35 and participation grants to tribes. If federal funding for this  
36 purpose is reinstated, the amount provided in this subsection shall  
37 lapse.

1 (4) \$600,000 of the derelict vessel removal account--state  
2 appropriation is provided solely for removal of derelict and abandoned  
3 vessels that have the potential to contaminate Puget Sound.

4 (5) \$666,000 of the general fund--federal appropriation is provided  
5 solely to implement House Bill No. 2165 (forest biomass energy  
6 project). If the bill is not enacted by June 30, 2009, the amount  
7 provided in this subsection shall lapse.

8 (6) \$5,000 of the general fund--state appropriation for fiscal year  
9 2010 and \$5,000 of the general fund--state appropriation for fiscal  
10 year 2011 are provided solely to implement Substitute House Bill No.  
11 1038 (specialized forest products). If the bill is not enacted by June  
12 30, 2009, the amounts provided in this subsection shall lapse.

13 (7) \$440,000 of the state general fund--state appropriation for  
14 fiscal year 2010 and \$440,000 of the state general fund--state  
15 appropriation for fiscal year 2011 are provided solely for forest work  
16 crews that support correctional camps and are contingent upon  
17 continuing operations of Naselle youth camp at the level provided in  
18 fiscal year 2008. The department shall consider using up to \$2,000,000  
19 of the general fund--federal appropriation to support and utilize  
20 correctional camp crews to implement natural resource projects approved  
21 by the federal government for federal stimulus funding.

22 (8) The department of natural resources shall dispose of the King  
23 Air aircraft it currently owns. Before disposal and within existing  
24 funds, the department shall transfer specialized equipment for fire  
25 surveillance to the department of fish and wildlife's Partenavia  
26 aircraft. Disposal of the aircraft must occur no later than June 30,  
27 2010, and the proceeds from the sale of the aircraft shall be deposited  
28 into the forest and fish support account. No later than June 30, 2011,  
29 the department shall lease facilities in eastern Washington sufficient  
30 to house the necessary aircraft, mechanics, and pilots used for forest  
31 fire prevention and suppression.

32 (9) \$30,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$30,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for implementation of Engrossed  
35 Second Substitute Bill No. 5560 (agency climate leadership). If the  
36 bill is not enacted by June 30, 2009, the amounts provided in this  
37 subsection shall lapse.

1 (10) \$1,030,000 of the aquatic lands enhancement account--state  
2 appropriation for fiscal year 2011 is provided solely for continuing  
3 scientific studies already underway as part of the adaptive management  
4 process. Funds may not be used to initiate new studies unless the  
5 department secures new federal funding for the adaptive management  
6 process.

7 (11) Within available funds, the department of natural resources  
8 shall review the statutory method for determining aquatic lands lease  
9 rates for private marinas, public marinas not owned and operated by  
10 port districts, yacht clubs, and other entities leasing state land for  
11 boat moorage. The review shall consider alternative methods for  
12 determining rents for these entities for a fair distribution of rent,  
13 consistent with the department management mandates for state aquatic  
14 lands.

15 (12) \$40,000 of the general fund--state appropriation for fiscal  
16 year 2011 and \$100,000 of the aquatic lands enhancement account--state  
17 appropriation are provided solely to install up to twenty mooring buoys  
18 in Eagle Harbor and to remove abandoned boats, floats, and other  
19 trespassing structures.

20 (13) By October 1, 2010, the department shall enter into an  
21 interagency agreement with the department of fish and wildlife for  
22 providing land management services on the department of fish and  
23 wildlife's wildlife conservation and recreation lands. Land management  
24 services may include but are not limited to records management, real  
25 estate services such as surveying, and land acquisition and disposal  
26 services. The interagency agreement shall describe business processes,  
27 service delivery expectations, cost, and timing. A draft agreement  
28 shall be submitted to the office of financial management and the  
29 appropriate fiscal committees of the legislature by July 1, 2010.

30 (14) \$41,000 of the forest development account--state  
31 appropriation, \$44,000 of the resources management cost account--state  
32 appropriation, and \$2,000 of the agricultural college trust management  
33 account--state appropriation are provided solely for the implementation  
34 of Second Substitute House Bill No. 2481 (DNR forest biomass  
35 agreements). If the bill is not enacted by June 30, 2010, the amount  
36 provided in this subsection shall lapse.



1 with a food distribution program for communities in the southwestern  
2 portion of the state and for workers impacted by timber and salmon  
3 fishing closures and reductions. The department may not charge  
4 administrative overhead or expenses to this contract. If the bill is  
5 not enacted by June 30, 2010, the amounts provided in this subsection  
6 shall lapse.

7 (5) The department shall, if public or private funds are available,  
8 partner with eligible public and private entities with experience in  
9 food collection and distribution to review funding sources for eight  
10 full-time volunteers in the AmeriCorps VISTA program to conduct  
11 outreach to local growers, agricultural donors, and community  
12 volunteers. Public and private partners shall also be utilized to  
13 coordinate gleaning unharvested tree fruits and fresh produce for  
14 distribution to individuals throughout Washington state.

15 (6) When reducing laboratory activities and functions, the  
16 department shall not impact any research or analysis pertaining to  
17 bees.

18 **Sec. 309.** 2010 2nd sp.s. c 1 s 310 (uncodified) is amended to read  
19 as follows:

20 **FOR THE PUGET SOUND PARTNERSHIP**

21	General Fund--State Appropriation (FY 2010) . . . . .	\$3,143,000
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,684,000)</del>
23		<u>\$2,681,000</u>
24	General Fund--Federal Appropriation . . . . .	<del>(\$7,214,000)</del>
25		<u>\$8,096,000</u>
26	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$493,000
27	State Toxics Control Account--State Appropriation . . . . .	\$794,000
28	TOTAL APPROPRIATION . . . . .	<del>(\$14,328,000)</del>
29		<u>\$15,207,000</u>

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

32 (1) \$305,000 of the general fund--state appropriation for fiscal  
33 year 2010 is provided solely for measuring water and habitat quality to  
34 determine watershed health and assist salmon recovery.

35 (2) \$794,000 of the state toxics control account--state  
36 appropriation is provided solely for activities that contribute to  
37 Puget Sound protection and recovery, including provision of independent

1 advice and assessment of the state's oil spill prevention,  
2 preparedness, and response programs, including review of existing  
3 activities and recommendations for any necessary improvements. The  
4 partnership may carry out this function through an existing committee,  
5 such as the ecosystem coordination board or the leadership council, or  
6 may appoint a special advisory council. Because this is a unique  
7 statewide program, the partnership may invite participation from  
8 outside the Puget Sound region.

9 (3) Within the amounts appropriated in this section, the Puget  
10 Sound partnership shall facilitate an ongoing monitoring consortium to  
11 integrate monitoring efforts for storm water, water quality, watershed  
12 health, and other indicators to enhance monitoring efforts in Puget  
13 Sound.

14 (4) The Puget Sound partnership shall work with Washington State  
15 University and the environmental protection agency to secure funding  
16 for the beach watchers program.

17 (5) \$839,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$764,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely to support public education and  
20 volunteer programs. The partnership is directed to distribute the  
21 majority of funding as grants to local organizations, local  
22 governments, and education, communication, and outreach network  
23 partners. The partnership shall track progress for this activity  
24 through the accountability system of the Puget Sound partnership.

25 (6) The Puget Sound partnership shall negotiate an agreement with  
26 the recreation and conservation office to consolidate or share certain  
27 administrative functions currently performed by each agency  
28 independently. The agencies shall proportionately share the costs of  
29 such shared functions. Examples of shared functions may include, but  
30 are not limited to, support for personnel, information technology,  
31 grant and contract management, invasive species work, legislative  
32 coordination, and policy and administrative support of various boards  
33 and councils.

(End of part)

**PART IV**  
**TRANSPORTATION**

**Sec. 401.** 2010 1st sp.s. c 37 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2010)	\$1,436,000
General Fund--State Appropriation (FY 2011)	<del>(\$1,524,000)</del>
	<u>\$1,320,000</u>
Architects' License Account--State Appropriation	\$923,000
Professional Engineers' Account--State	
Appropriation	\$3,568,000
Real Estate Commission Account--State Appropriation	\$9,987,000
Master License Account--State Appropriation	\$15,718,000
Uniform Commercial Code Account--State Appropriation	\$3,090,000
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation	\$1,683,000
Business and Professions Account--State Appropriation	\$15,188,000
Real Estate Research Account--State Appropriation	\$471,000
Geologists' Account--State Appropriation	\$53,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	<del>(\$53,948,000)</del>
	<u>\$53,744,000</u>

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

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees for cosmetologists, funeral directors, cemeteries, court reporters and appraisers. These increases are necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$1,352,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5391 (tattoo and body piercing). If the bill is not enacted by June 30, 2009, the amount provided in this subsection shall lapse.

(3) \$358,000 of the business and professions account--state appropriation is provided solely to implement Senate Bill No. 6126



1 (professional athletics). If the bill is not enacted by June 30, 2009,  
2 the amount provided in this subsection shall lapse.

3 (4) \$151,000 of the real estate research account appropriation is  
4 provided solely to implement chapter 156, Laws of 2010 (real estate  
5 broker licensure fees).

6 (5) \$158,000 of the architects' license account--state  
7 appropriation is provided solely to implement chapter 129, Laws of 2010  
8 (architect licensing).

9 (6) \$60,000 of the master license account--state appropriation is  
10 provided solely to implement chapter 174, Laws of 2010 (vaccine  
11 association). The amount provided in this subsection shall be from fee  
12 revenue authorized in chapter 174, Laws of 2010.

13 **Sec. 402.** 2010 1st sp.s. c 37 s 402 (uncodified) is amended to  
14 read as follows:

15 **FOR THE STATE PATROL**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$38,977,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$36,059,000)</del>
18		<u>\$32,813,000</u>
19	General Fund--Federal Appropriation . . . . .	\$15,793,000
20	General Fund--Private/Local Appropriation . . . . .	\$4,986,000
21	Death Investigations Account--State Appropriation . . . . .	\$5,580,000
22	Enhanced 911 Account--State Appropriation . . . . .	\$603,000
23	County Criminal Justice Assistance Account--State	
24	Appropriation . . . . .	\$3,146,000
25	Municipal Criminal Justice Assistance Account--State	
26	Appropriation . . . . .	\$1,255,000
27	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
28	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
29	Fire Service Training Account--State Appropriation . . . . .	\$8,821,000
30	Aquatic Invasive Species Enforcement Account--State	
31	Appropriation . . . . .	\$54,000
32	State Toxics Control Account--State Appropriation . . . . .	\$509,000
33	Fingerprint Identification Account--State	
34	Appropriation . . . . .	\$10,454,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$134,370,000)</del>
36		<u>\$131,374,000</u>

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

3 (1) \$200,000 of the fire service training account--state  
4 appropriation is provided solely for two FTEs in the office of the  
5 state director of fire protection to exclusively review K-12  
6 construction documents for fire and life safety in accordance with the  
7 state building code. It is the intent of this appropriation to provide  
8 these services only to those districts that are located in counties  
9 without qualified review capabilities.

10 (2) \$8,000,000 of the disaster response account--state  
11 appropriation is provided solely for Washington state fire service  
12 resource mobilization costs incurred in response to an emergency or  
13 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
14 patrol shall submit a report quarterly to the office of financial  
15 management and the legislative fiscal committees detailing information  
16 on current and planned expenditures from this account. This work shall  
17 be done in coordination with the military department.

18 (3) The 2010 legislature will review the use of king air planes by  
19 the executive branch and the adequacy of funding in this budget  
20 regarding maintaining and operating the planes to successfully  
21 accomplish their mission.

22 (4) The appropriations in this section reflect reductions in the  
23 appropriations for the agency's administrative expenses. It is the  
24 intent of the legislature that these reductions shall be achieved, to  
25 the greatest extent possible, by reducing those administrative costs  
26 that do not affect direct client services or direct service delivery or  
27 programs.

28 (5) \$400,000 of the fire service training account--state  
29 appropriation is provided solely for the firefighter apprenticeship  
30 training program.

31 (6) \$48,000 of the fingerprint identification account--state  
32 appropriation is provided solely to implement Substitute House Bill No.  
33 1621 (consumer loan companies). If the bill is not enacted by June 30,  
34 2009, the amounts provided in this subsection shall lapse.

35 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,  
36 the state patrol is authorized to increase the following fees in fiscal  
37 year 2011 as necessary to meet the actual costs of conducting business

1 and the appropriation levels in this section: Collision records  
2 requests; fire training academy courses; and fire training academy dorm  
3 accommodations.

4 (8) \$24,000 of the fingerprint identification account--state  
5 appropriation is provided solely for implementation of chapter 47, Laws  
6 of 2010 (criminal background checks).

(End of part)

**PART V**  
**EDUCATION**

**Sec. 501.** 2010 2nd sp.s. c 1 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2010) . . . . .	\$35,415,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$29,696,000)</del>
	<u>\$29,996,000</u>
General Fund--Federal Appropriation . . . . .	\$87,081,000
TOTAL APPROPRIATION . . . . .	<del>(\$152,192,000)</del>
	<u>\$152,492,000</u>

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

(1) A maximum of \$23,096,000 of the general fund--state appropriation for fiscal year 2010 and ~~(\$19,570,000)~~ \$19,870,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) \$11,226,000 of the general fund--state appropriation for fiscal year 2010 and \$9,709,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, monthly, accurate monthly headcount and FTE enrollments for students in alternative learning experience (ALE) programs as well as information about resident and serving districts.

1 (iii) Within amounts provided in this subsection (1)(a), the state  
2 superintendent of public instruction shall share best practices with  
3 school districts regarding strategies for increasing efficiencies and  
4 economies of scale in school district noninstructional operations  
5 through shared service arrangements and school district cooperatives,  
6 as well as other practices.

7 (b) \$25,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided to the office of the superintendent of public  
9 instruction solely to convene a science, technology, engineering, and  
10 mathematics (STEM) working group to develop a comprehensive plan with  
11 a shared vision, goals, and measurable objectives to improve policies  
12 and practices to ensure that a pathway is established for elementary  
13 schools, middle schools, high schools, postsecondary degree programs,  
14 and careers in the areas of STEM, including improving practices for  
15 recruiting, preparing, hiring, retraining, and supporting teachers and  
16 instructors while creating pathways to boost student success, close the  
17 achievement gap, and prepare every student to be college and career  
18 ready. The working group shall be composed of the director of STEM at  
19 the office of the superintendent of public instruction who shall be the  
20 chair of the working group, and at least one representative from the  
21 state board of education, professional educator standards board, state  
22 board of community and technical colleges, higher education  
23 coordinating board, workforce training and education coordinating  
24 board, the achievement gap oversight and accountability committee, and  
25 others with appropriate expertise. The working group shall develop a  
26 comprehensive plan and a report with recommendations, including a  
27 timeline for specific actions to be taken, which is due to the governor  
28 and the appropriate committees of the legislature by December 1, 2010.

29 (c) \$920,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$491,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for research and development  
32 activities associated with the development of options for new school  
33 finance systems, including technical staff, reprogramming, and analysis  
34 of alternative student funding formulae. Within this amount is  
35 \$150,000 for the state board of education for further development of  
36 accountability systems, and \$150,000 for the professional educator  
37 standards board for continued development of teacher certification and  
38 evaluation systems.

1 (d) \$965,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$887,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the operation and expenses of  
4 the state board of education, including basic education assistance  
5 activities.

6 (e) \$5,366,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$3,103,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to the professional educator  
9 standards board for the following:

10 (i) \$1,070,000 in fiscal year 2010 and \$985,000 in fiscal year 2011  
11 are for the operation and expenses of the Washington professional  
12 educator standards board;

13 (ii) \$4,106,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$1,936,000 of the general fund--state appropriation for  
15 fiscal year 2011 are for conditional scholarship loans and mentor  
16 stipends provided through the alternative routes to certification  
17 program administered by the professional educator standards board,  
18 including the pipeline for paraeducators program and the retooling to  
19 teach conditional loan programs. Funding within this subsection  
20 (1)(f)(ii) is also provided for the recruiting Washington teachers  
21 program.

22 (iii) \$102,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided for the implementation of Second Substitute  
24 Senate Bill No. 5973 (student achievement gap). \$94,000 of the general  
25 fund--state appropriation for fiscal year 2011 is provided solely for  
26 the ongoing work of the achievement gap oversight and accountability  
27 committee and implementation of the committee's recommendations.

28 (f) \$1,349,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$144,000 of the general fund--state appropriation for  
30 fiscal year 2011 are provided solely for replacement of the  
31 apportionment system, which includes the processes that collect school  
32 district budget and expenditure information, staffing characteristics,  
33 and the student enrollments that drive the funding process.

34 (g) \$1,140,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$1,227,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for the creation of a statewide  
37 data base of longitudinal student information. This amount is

1 conditioned on the department satisfying the requirements in section  
2 902 of this act.

3 (h) \$75,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to promote the financial literacy of  
5 students. The effort will be coordinated through the financial  
6 education public-private partnership. It is expected that  
7 nonappropriated funds available to the public-private partnership will  
8 be sufficient to continue financial literacy activities.

9 (i) To the maximum extent possible, in adopting new agency rules or  
10 making any changes to existing rules or policies related to the fiscal  
11 provisions in the administration of part V of this act, the office of  
12 the superintendent of public instruction shall attempt to request  
13 approval through the normal legislative budget process.

14 (j) \$44,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$45,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for the implementation of  
17 Substitute Senate Bill No. 5248 (enacting the interstate compact on  
18 educational opportunity for military children).

19 (k) \$700,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$700,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for the implementation of  
22 Substitute Senate Bill No. 5410 (online learning).

23 (l) \$25,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$12,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for project citizen, a program  
26 sponsored by the national conference of state legislatures and the  
27 center for civic education to promote participation in government by  
28 middle school students.

29 (m) \$2,518,000 of the general fund--state appropriation for fiscal  
30 year 2011 is provided solely for the implementation of Substitute House  
31 Bill No. 2776 (K-12 education funding). If the bill is not enacted by  
32 June 30, 2010, the amount provided in this subsection shall lapse.

33 (n) \$89,000 of the general fund--state appropriation for fiscal  
34 year 2011 is provided solely for the implementation of Engrossed Second  
35 Substitute House Bill No. 3026 (state and federal civil rights laws).  
36 If the bill is not enacted by June 30, 2010, the amount provided in  
37 this subsection shall lapse.

1 (o) Beginning in the 2010-11 school year, the superintendent of  
2 public instruction shall require all districts receiving general  
3 apportionment funding for alternative learning experience (ALE)  
4 programs as defined in WAC 392-121-182 to provide separate financial  
5 accounting of expenditures for the ALE programs offered in district or  
6 with a provider, including but not limited to private companies and  
7 multidistrict cooperatives.

8 (p) \$55,000 of the general fund--state appropriation for fiscal  
9 year 2011 is provided to the office of the superintendent of public  
10 instruction solely to convene a technical working group to establish  
11 standards, guidelines, and definitions for what constitutes a basic  
12 education program for highly capable students and the appropriate  
13 funding structure for such a program, and to submit recommendations to  
14 the legislature for consideration. The working group may convene  
15 advisory subgroups on specific topics as necessary to assure  
16 participation and input from a broad array of diverse stakeholders.  
17 The working group must consult with and seek input from nationally  
18 recognized experts; researchers and academics on the unique  
19 educational, emotional, and social needs of highly capable students and  
20 how to identify such students; representatives of national  
21 organizations and associations for educators of or advocates for highly  
22 capable students; school district representatives who are educators,  
23 counselors, and classified school employees involved with highly  
24 capable programs; parents of students who have been identified as  
25 highly capable; representatives from the federally recognized tribes;  
26 and representatives of cultural, linguistic, and racial minority groups  
27 and the community of persons with disabilities. The working group  
28 shall make recommendations to the quality education council and to  
29 appropriate committees of the legislature by December 1, 2010. The  
30 recommendations shall take into consideration that access to the  
31 program for highly capable students is not an individual entitlement  
32 for any particular student. The recommendations shall seek to minimize  
33 underrepresentation of any particular demographic or socioeconomic  
34 group by better identification, not lower standards or quotas, and  
35 shall include the following:

36 (i) Standardized state-level identification procedures, standards,  
37 criteria, and benchmarks, including a definition or definitions of a



1 highly capable student. Students who are both highly capable and are  
2 students of color, are poor, or have a disability must be addressed;

3 (ii) Appropriate programs and services that have been shown by  
4 research and practice to be effective with highly capable students but  
5 maintain options and flexibility for school districts, where possible;

6 (iii) Program administration, management, and reporting  
7 requirements for school districts;

8 (iv) Appropriate educator qualifications, certification  
9 requirements, and professional development and support for educators  
10 and other staff who are involved in programs for highly capable  
11 students;

12 (v) Self-evaluation models to be used by school districts to  
13 determine the effectiveness of the program and services provided by the  
14 school district for highly capable programs;

15 (vi) An appropriate state-level funding structure; and

16 (vii) Other topics deemed to be relevant by the working group.

17 (q) (~~(\$500,000)~~) \$800,000 of the general fund--state appropriation  
18 for fiscal year 2011 is provided solely for contracting with a college  
19 scholarship organization with expertise in conducting outreach to  
20 students concerning eligibility for the Washington college bound  
21 scholarship consistent with chapter 405, Laws of 2007.

22 (r) \$24,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided solely for implementation of Substitute Senate  
24 Bill No. 6759 (requiring a plan for a voluntary program of early  
25 learning as a part of basic education). If the bill is not enacted by  
26 June 30, 2010, the amounts provided in this subsection (1)(r) shall  
27 lapse.

28 (s) \$950,000 of the general fund--state appropriation for fiscal  
29 year 2010 is provided solely for office of the attorney general costs  
30 related to *McCleary v. State of Washington*.

31 (2) \$12,320,000 of the general fund--state appropriation for fiscal  
32 year 2010, \$10,127,000 of the general fund--state appropriation for  
33 fiscal year 2011, and \$55,890,000 of the general fund--federal  
34 appropriation are for statewide programs.

35 (a) HEALTH AND SAFETY

36 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$2,381,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for a corps of nurses located at

1 educational service districts, as determined by the superintendent of  
2 public instruction, to be dispatched to the most needy schools to  
3 provide direct care to students, health education, and training for  
4 school staff.

5 (ii) \$100,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$94,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for a school safety training  
8 program provided by the criminal justice training commission. The  
9 commission, in collaboration with the school safety center advisory  
10 committee, shall provide the school safety training for all school  
11 administrators and school safety personnel, including school safety  
12 personnel hired after the effective date of this section.

13 (iii) \$9,670,000 of the general fund--federal appropriation is  
14 provided for safe and drug free schools and communities grants for drug  
15 and violence prevention activities and strategies.

16 (iv) \$96,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$90,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely for the school safety center in  
19 the office of the superintendent of public instruction subject to the  
20 following conditions and limitations:

21 (A) The safety center shall: Disseminate successful models of  
22 school safety plans and cooperative efforts; provide assistance to  
23 schools to establish a comprehensive safe school plan; select models of  
24 cooperative efforts that have been proven successful; act as an  
25 information dissemination and resource center when an incident occurs  
26 in a school district either in Washington or in another state;  
27 coordinate activities relating to school safety; review and approve  
28 manuals and curricula used for school safety models and training; and  
29 develop and maintain a school safety information web site.

30 (B) The school safety center advisory committee shall develop a  
31 training program, using the best practices in school safety, for all  
32 school safety personnel.

33 (v) \$70,000 of the general fund--state appropriation for fiscal  
34 year 2010 is provided solely for the youth suicide prevention program.

35 (vi) \$50,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$47,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for a nonviolence and leadership  
38 training program provided by the institute for community leadership.

1 (b) TECHNOLOGY

2 (i) \$1,842,000 of the general fund--state appropriation for fiscal  
3 year 2010 and \$1,635,000 of the general fund--state appropriation for  
4 fiscal year 2011 are provided solely for K-20 telecommunications  
5 network technical support in the K-12 sector to prevent system failures  
6 and avoid interruptions in school utilization of the data processing  
7 and video-conferencing capabilities of the network. These funds may be  
8 used to purchase engineering and advanced technical support for the  
9 network.

10 (ii) \$1,475,000 of the general fund--state appropriation for fiscal  
11 year 2010, \$1,045,000 of the general fund--state appropriation for  
12 fiscal year 2011, and \$435,000 of the general fund--federal  
13 appropriation are provided solely for implementing a comprehensive data  
14 system to include financial, student, and educator data. The office of  
15 the superintendent of public instruction will convene a data governance  
16 group to create a comprehensive needs-requirement document, conduct a  
17 gap analysis, and define operating rules and a governance structure for  
18 K-12 data collections.

19 (c) GRANTS AND ALLOCATIONS

20 (i) \$1,329,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$664,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for the special services pilot  
23 project to include up to seven participating districts. The office of  
24 the superintendent of public instruction shall allocate these funds to  
25 the district or districts participating in the pilot program according  
26 to the provisions of RCW 28A.630.016.

27 (ii) \$750,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$750,000 of the general fund--state appropriation for  
29 fiscal year 2011 are provided solely for the Washington state achievers  
30 scholarship program. The funds shall be used to support community  
31 involvement officers that recruit, train, and match community volunteer  
32 mentors with students selected as achievers scholars.

33 (iii) \$25,000 of the general fund--state appropriation for fiscal  
34 year 2010 is provided solely for developing and disseminating  
35 curriculum and other materials documenting women's role in World War  
36 II.

37 (iv) \$175,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$87,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for incentive grants for districts  
2 and pilot projects to develop preapprenticeship programs. Incentive  
3 grant awards up to \$10,000 each shall be used to support the program's  
4 design, school/business/labor agreement negotiations, and recruiting  
5 high school students for preapprenticeship programs in the building  
6 trades and crafts.

7 (v) \$2,898,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$2,924,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for the dissemination of the  
10 navigation 101 curriculum to all districts. The funding shall support  
11 electronic student planning tools and software for analyzing the impact  
12 of navigation 101 on student performance, as well as grants to a  
13 maximum of one hundred school districts each year, based on progress  
14 and need for the implementation of the navigation 101 program. The  
15 implementation grants shall be awarded to a cross-section of school  
16 districts reflecting a balance of geographic and demographic  
17 characteristics. Within the amounts provided, the office of the  
18 superintendent of public instruction will create a navigation 101  
19 accountability model to analyze the impact of the program.

20 (vi) \$627,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$225,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for implementation of a statewide  
23 program for comprehensive dropout prevention, intervention, and  
24 retrieval.

25 (vii) \$40,000 of the general fund--state appropriation for fiscal  
26 year 2010 is provided solely for program initiatives to address the  
27 educational needs of Latino students and families. Using the full  
28 amounts of the appropriations under this subsection (2)(c)(vii), the  
29 office of the superintendent of public instruction shall contract with  
30 the Seattle community coalition of compaña quetzal to provide for three  
31 initiatives: (A) Early childhood education; (B) parent leadership  
32 training; and (C) high school success and college preparation programs.

33 (viii) \$60,000 of the general fund--state appropriation for fiscal  
34 year 2010 is provided solely for a pilot project to encourage bilingual  
35 high school students to pursue public school teaching as a profession.  
36 Using the full amounts of the appropriation under this subsection, the  
37 office of the superintendent of public instruction shall contract with  
38 the Latino/a educational achievement project (LEAP) to work with school

1 districts to identify and mentor not fewer than fifty bilingual  
2 students in their junior year of high school, encouraging them to  
3 become bilingual instructors in schools with high English language  
4 learner populations. Students shall be mentored by bilingual teachers  
5 and complete a curriculum developed and approved by the participating  
6 districts.

7 (ix) \$145,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$37,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely to the office of the  
10 superintendent of public instruction to enhance the reading skills of  
11 students with dyslexia by implementing the findings of the dyslexia  
12 pilot program. Funds shall be used to provide information and training  
13 to classroom teachers and reading specialists, for development of a  
14 dyslexia handbook, and to take other statewide actions to improve the  
15 reading skills of students with dyslexia. The training program shall  
16 be delivered regionally through the educational service districts.

17 (x) \$97,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$48,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely to support vocational student  
20 leadership organizations.

21 (xi) \$100,000 of the general fund--state appropriation for fiscal  
22 year 2011 is provided solely for drop-out prevention programs at the  
23 office of the superintendent of public instruction including the jobs  
24 for America's graduates (JAG) program.

25 **Sec. 502.** 2010 2nd sp.s. c 1 s 502 (uncodified) is amended to read  
26 as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**  
28 **APPORTIONMENT**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$5,126,153,000
30	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$4,912,103,000</del> ))
31		<u>\$4,625,581,000</u>
32	General Fund--Federal Appropriation . . . . .	\$208,098,000
33	TOTAL APPROPRIATION . . . . .	(( <del>\$10,246,354,000</del> ))
34		<u>\$9,959,832,000</u>

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

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

4 (b) The appropriations in this section include federal funds  
5 provided through section 101 of Public Law No. 111-226 (education jobs  
6 fund), which shall be used to support general apportionment program  
7 funding. In distributing general apportionment allocations under this  
8 section for the 2010-11 school year, the superintendent shall include  
9 the entire allocation from the federal funds provided through section  
10 101 of Public Law No. 111-226 (education jobs fund) as part of each  
11 district's general apportionment allocation.

12 (2) Allocations for certificated staff salaries for the 2009-10 and  
13 2010-11 school years shall be determined using formula-generated staff  
14 units calculated pursuant to this subsection. Staff allocations for  
15 small school enrollments in (e) through (g) of this subsection shall be  
16 reduced for vocational full-time equivalent enrollments. Staff  
17 allocations for small school enrollments in grades K-6 shall be the  
18 greater of that generated under (a) of this subsection, or under (d)  
19 and (e) of this subsection. Certificated staffing allocations shall be  
20 as follows:

21 (a) On the basis of each 1,000 average annual full-time equivalent  
22 enrollments, excluding full-time equivalent enrollment otherwise  
23 recognized for certificated staff unit allocations under (d) through  
24 (g) of this subsection:

25 (i) Four certificated administrative staff units per thousand full-  
26 time equivalent students in grades K-12;

27 (ii) For the 2009-10 school year (~~and the portion of the 2010-11~~  
28 ~~school year from September 1, 2010, through January 31, 2011~~):

29 (A)(I) For districts that enroll fewer than 25 percent of their  
30 total full-time equivalent student enrollment in grades K through three  
31 in digital or online learning programs as defined in WAC 392-121-182,  
32 as in effect on November 1, 2009, fifty-three and two-tenths  
33 certificated instructional staff units per thousand full-time  
34 equivalent students in grades K through three.

35 (II) For all other districts, a minimum of forty-nine certificated  
36 instructional staff units per 1,000 full-time equivalent (FTE) students  
37 in grades K through three, with additional certificated instructional

1 staff units to equal the documented staffing level in grades K through  
2 three, up to a maximum of fifty-three and two-tenths certificated  
3 instructional staff units per 1,000 FTE students.

4 (B)(I) For districts that enroll fewer than 25 percent of their  
5 total full-time equivalent student enrollment in grade four in digital  
6 or online learning programs defined in WAC 392-121-182 as in effect on  
7 November 1, 2009: For the 2009-10 school year, fifty-three and two-  
8 tenths certificated instructional staff units per thousand full-time  
9 equivalent students in grade four(~~(, and for the portion of the 2010-11~~  
10 ~~school year from September 1, 2010, through January 31, 2011, forty-~~  
11 ~~seven and forty three one hundredths certificated instructional staff~~  
12 ~~units per thousand full-time equivalent students in grade four)).~~

13 (II) For all other districts:

14 For the 2009-10 school year, a minimum of forty-six certificated  
15 instructional staff units per 1,000 full-time equivalent (FTE) students  
16 in grade four, and additional certificated instructional staff units to  
17 equal the documented staffing level in grade four, up to a maximum of  
18 fifty-three and two-tenths certificated instructional staff units per  
19 1,000 FTE students(~~(-~~

20 ~~For the portion of the 2010-11 school year from September 1, 2010,~~  
21 ~~through January 31, 2011, a minimum of forty six certificated~~  
22 ~~instructional staff units per 1,000 full-time equivalent (FTE) students~~  
23 ~~in grade four, and additional certificated instructional staff units to~~  
24 ~~equal the documented staffing level in grade four, up to a maximum of~~  
25 ~~forty seven and forty three one hundredths certificated instructional~~  
26 ~~staff units per 1,000 FTE students));~~

27 (iii) For the (~~portion of the~~) 2010-11 school year (~~(beginning~~  
28 ~~February 1, 2010))):~~

29 (A) Forty-nine certificated instructional staff units per thousand  
30 full-time equivalent students in grades kindergarten through three;

31 (B) Forty-six certificated instructional staff units per thousand  
32 full-time equivalent students in grade 4;

33 (iv) (~~All allocations for instructional staff units per thousand~~  
34 ~~full-time equivalent students above forty nine in grades kindergarten~~  
35 ~~through three and forty six in grade four shall occur in apportionments~~  
36 ~~in the monthly periods prior to February 1, 2011;~~

37 (~~v~~)) Forty-six certificated instructional staff units per thousand  
38 full-time equivalent students in grades 5-12;

1       (~~(vi)~~) (v) Certificated staff allocations in this subsection  
2 (2)(a) exceeding the statutory minimums established in RCW 28A.150.260  
3 shall not be considered part of basic education;

4       (b) For school districts with a minimum enrollment of 250 full-time  
5 equivalent students whose full-time equivalent student enrollment count  
6 in a given month exceeds the first of the month full-time equivalent  
7 enrollment count by 5 percent, an additional state allocation of 110  
8 percent of the share that such increased enrollment would have  
9 generated had such additional full-time equivalent students been  
10 included in the normal enrollment count for that particular month;

11       (c)(i) On the basis of full-time equivalent enrollment in:

12       (A) Vocational education programs approved by the superintendent of  
13 public instruction, a maximum of 0.92 certificated instructional staff  
14 units and 0.08 certificated administrative staff units for each 19.5  
15 full-time equivalent vocational students;

16       (B) Middle school vocational STEM programs approved by the  
17 superintendent of public instruction, a maximum of 0.92 certificated  
18 instructional staff units and 0.8 certificated administrative staff  
19 units for each 19.5 full-time equivalent vocational students; and

20       (C) Skills center programs meeting the standards for skills center  
21 funding established in January 1999 by the superintendent of public  
22 instruction with a waiver allowed for skills centers in current  
23 operation that are not meeting this standard until the 2010-11 school  
24 year, 0.92 certificated instructional staff units and 0.08 certificated  
25 administrative units for each 16.67 full-time equivalent vocational  
26 students;

27       (ii) Vocational full-time equivalent enrollment shall be reported  
28 on the same monthly basis as the enrollment for students eligible for  
29 basic support, and payments shall be adjusted for reported vocational  
30 enrollments on the same monthly basis as those adjustments for  
31 enrollment for students eligible for basic support; and

32       (iii) Indirect cost charges by a school district to vocational-  
33 secondary programs and vocational middle-school shall not exceed 15  
34 percent of the combined basic education and vocational enhancement  
35 allocations of state funds;

36       (d) For districts enrolling not more than twenty-five average  
37 annual full-time equivalent students in grades K-8, and for small  
38 school plants within any school district which have been judged to be



1 remote and necessary by the state board of education and enroll not  
2 more than twenty-five average annual full-time equivalent students in  
3 grades K-8:

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

9 (ii) For those enrolling students in grades 7 or 8, 1.68  
10 certificated instructional staff units and 0.32 certificated  
11 administrative staff units for enrollment of not more than five  
12 students, plus one-tenth of a certificated instructional staff unit for  
13 each additional student enrolled;

14 (e) For specified enrollments in districts enrolling more than  
15 twenty-five but not more than one hundred average annual full-time  
16 equivalent students in grades K-8, and for small school plants within  
17 any school district which enroll more than twenty-five average annual  
18 full-time equivalent students in grades K-8 and have been judged to be  
19 remote and necessary by the state board of education:

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

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

26 (f) For districts operating no more than two high schools with  
27 enrollments of less than three hundred average annual full-time  
28 equivalent students, for enrollment in grades 9-12 in each such school,  
29 other than alternative schools:

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

35 (ii) For all other small high schools under this subsection, nine  
36 certificated instructional staff units and one-half of a certificated  
37 administrative staff unit for the first sixty average annual full time  
38 equivalent students, and additional staff units based on a ratio of

1 0.8732 certificated instructional staff units and 0.1268 certificated  
2 administrative staff units per each additional forty-three and one-half  
3 average annual full time equivalent students.

4 Units calculated under (f)(ii) of this subsection shall be reduced  
5 by certificated staff units at the rate of forty-six certificated  
6 instructional staff units and four certificated administrative staff  
7 units per thousand vocational full-time equivalent students;

8 (g) For each nonhigh school district having an enrollment of more  
9 than seventy annual average full-time equivalent students and less than  
10 one hundred eighty students, operating a grades K-8 program or a grades  
11 1-8 program, an additional one-half of a certificated instructional  
12 staff unit; and

13 (h) For each nonhigh school district having an enrollment of more  
14 than fifty annual average full-time equivalent students and less than  
15 one hundred eighty students, operating a grades K-6 program or a grades  
16 1-6 program, an additional one-half of a certificated instructional  
17 staff unit.

18 (3) Allocations for classified salaries for the 2009-10 and 2010-11  
19 school years shall be calculated using formula-generated classified  
20 staff units determined as follows:

21 (a) For enrollments generating certificated staff unit allocations  
22 under subsection (2)(e) through (h) of this section, one classified  
23 staff unit for each 2.94 certificated staff units allocated under such  
24 subsections;

25 (b) For all other enrollment in grades K-12, including vocational  
26 full-time equivalent enrollments, one classified staff unit for each  
27 58.75 average annual full-time equivalent students; and

28 (c) For each nonhigh school district with an enrollment of more  
29 than fifty annual average full-time equivalent students and less than  
30 one hundred eighty students, an additional one-half of a classified  
31 staff unit.

32 (4) Fringe benefit allocations shall be calculated at a rate of  
33 14.43 percent in the 2009-10 school year and 14.43 percent in the 2010-  
34 11 school year for certificated salary allocations provided under  
35 subsection (2) of this section, and a rate of 16.59 percent in the  
36 2009-10 school year and 16.59 percent in the 2010-11 school year for  
37 classified salary allocations provided under subsection (3) of this  
38 section.

1 (5) Insurance benefit allocations shall be calculated at the  
2 maintenance rate specified in section 504(2) of this act, based on the  
3 number of benefit units determined as follows:

4 (a) The number of certificated staff units determined in subsection  
5 (2) of this section; and

6 (b) The number of classified staff units determined in subsection  
7 (3) of this section multiplied by 1.152. This factor is intended to  
8 adjust allocations so that, for the purposes of distributing insurance  
9 benefits, full-time equivalent classified employees may be calculated  
10 on the basis of 1440 hours of work per year, with no individual  
11 employee counted as more than one full-time equivalent.

12 (6)(a) For nonemployee-related costs associated with each  
13 certificated staff unit allocated under subsection (2)(a), (b), and (d)  
14 through (g) of this section, there shall be provided a maximum of  
15 \$10,179 per certificated staff unit in the 2009-10 school year and a  
16 maximum of \$10,424 per certificated staff unit in the 2010-11 school  
17 year.

18 (b) For nonemployee-related costs associated with each vocational  
19 certificated staff unit allocated under subsection (2)(c)(i)(A) of this  
20 section, there shall be provided a maximum of \$24,999 per certificated  
21 staff unit in the 2009-10 school year and a maximum of \$25,399 per  
22 certificated staff unit in the 2010-11 school year.

23 (c) For nonemployee-related costs associated with each vocational  
24 certificated staff unit allocated under subsection (2)(c)(i)(B) of this  
25 section, there shall be provided a maximum of \$19,395 per certificated  
26 staff unit in the 2009-10 school year and a maximum of \$19,705 per  
27 certificated staff unit in the 2010-11 school year.

28 (7) Allocations for substitute costs for classroom teachers shall  
29 be distributed at a maintenance rate of \$607.44 for the 2009-10 and  
30 2010-11 school years per allocated classroom teachers exclusive of  
31 salary increase amounts provided in section 504 of this act. Solely  
32 for the purposes of this subsection, allocated classroom teachers shall  
33 be equal to the number of certificated instructional staff units  
34 allocated under subsection (2) of this section, multiplied by the ratio  
35 between the number of actual basic education certificated teachers and  
36 the number of actual basic education certificated instructional staff  
37 reported statewide for the prior school year.

1 (8) Any school district board of directors may petition the  
2 superintendent of public instruction by submission of a resolution  
3 adopted in a public meeting to reduce or delay any portion of its basic  
4 education allocation for any school year. The superintendent of public  
5 instruction shall approve such reduction or delay if it does not impair  
6 the district's financial condition. Any delay shall not be for more  
7 than two school years. Any reduction or delay shall have no impact on  
8 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
9 pursuant to chapter 28A.500 RCW.

10 (9) Funding in this section is sufficient to provide additional  
11 service year credits to educational staff associates pursuant to  
12 chapter 403, Laws of 2007.

13 (10)(a) The superintendent may distribute a maximum of \$7,286,000  
14 outside the basic education formula during fiscal years 2010 and 2011  
15 as follows:

16 (i) For fire protection for school districts located in a fire  
17 protection district as now or hereafter established pursuant to chapter  
18 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010  
19 and a maximum of \$576,000 may be expended in fiscal year 2011;

20 (ii) For summer vocational programs at skills centers, a maximum of  
21 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of  
22 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year  
23 amount may carry over from one year to the next;

24 (iii) A maximum of \$403,000 may be expended for school district  
25 emergencies; and

26 (iv) A maximum of \$485,000 each fiscal year may be expended for  
27 programs providing skills training for secondary students who are  
28 enrolled in extended day school-to-work programs, as approved by the  
29 superintendent of public instruction. The funds shall be allocated at  
30 a rate not to exceed \$500 per full-time equivalent student enrolled in  
31 those programs.

32 (b) Funding in this section is sufficient to fund a maximum of 1.6  
33 FTE enrollment for skills center students pursuant to chapter 463, Laws  
34 of 2007.

35 (11) For purposes of RCW 84.52.0531, the increase per full-time  
36 equivalent student is 4.0 percent from the 2008-09 school year to the  
37 2009-10 school year and 4.0 percent from the 2009-10 school year to the  
38 2010-11 school year.

1 (12) If two or more school districts consolidate and each district  
2 was receiving additional basic education formula staff units pursuant  
3 to subsection (2)(b) through (g) of this section, the following shall  
4 apply:

5 (a) For three school years following consolidation, the number of  
6 basic education formula staff units shall not be less than the number  
7 of basic education formula staff units received by the districts in the  
8 school year prior to the consolidation; and

9 (b) For the fourth through eighth school years following  
10 consolidation, the difference between the basic education formula staff  
11 units received by the districts for the school year prior to  
12 consolidation and the basic education formula staff units after  
13 consolidation pursuant to subsection (2)(a) through (h) of this section  
14 shall be reduced in increments of twenty percent per year.

15 (13) General apportionment payments to the Steilacoom historical  
16 school district shall reflect changes to operation of the Harriet  
17 Taylor elementary school consistent with the timing of reductions in  
18 correctional facility capacity and staffing.

19 (14) \$202,000 of the general fund--state appropriation for fiscal  
20 year 2011 is provided solely for school district emergencies as  
21 certified by the superintendent. At the close of the fiscal year the  
22 superintendent shall report to the office of financial management and  
23 the appropriate fiscal committees of the legislature on the allocations  
24 provided to districts and the nature of the emergency.

25 (15) \$28,000,000 of the general fund--state appropriation for  
26 fiscal year 2011 is provided solely for the superintendent for  
27 financial contingency funds for eligible school districts. Of the  
28 amount provided in this section, \$15,000,000 is for school districts  
29 needing financial assistance as a result of budget reductions included  
30 in this act. Of the amount provided in this section, \$13,000,000 is  
31 for school districts needing financial assistance as a result of  
32 delaying a portion of the June apportionment payment. The financial  
33 contingency funds shall be allocated to eligible districts in the form  
34 of an advance of their respective general apportionment allocations.

35 (a) ELIGIBILITY:

36 The superintendent shall determine a district's eligibility for  
37 receipt of financial contingency funds, and districts shall be eligible  
38 only if the following conditions are met:

1 (i) A petition is submitted by the school district as provided in  
2 RCW 28A.510.250 and WAC 392-121-436; and

3 (ii) The district's projected general fund balance for the month of  
4 March is less than one-half of one percent of its budgeted general fund  
5 expenditures as submitted to the superintendent for the 2010-11 school  
6 year on the F-196 report.

7 (b) CALCULATIONS:

8 The superintendent shall calculate the financial contingency  
9 allocation to each district as the lesser of:

10 (i) The amount set forth in the school district's resolution;

11 (ii) An amount not to exceed 10 percent of the total amount to  
12 become due and apportionable to the district from September 1 through  
13 August 31 of the subsequent school year;

14 (iii) The highest negative monthly cash and investment balance of  
15 the general fund between the date of the resolution and May 31 of the  
16 school year based on projects approved by the county treasurer and the  
17 educational service district.

18 (c) REPAYMENT:

19 For any amount allocated to a district in state fiscal year 2011,  
20 the superintendent shall deduct in state fiscal year 2012 from the  
21 district's general apportionment the amount of the emergency  
22 contingency allocation and any earnings by the school district on the  
23 investment of a temporary cash surplus due to the emergency contingency  
24 allocation. Repayments or advances will be accomplished by a reduction  
25 in the school district's apportionment payments on or before June 30 of  
26 the school year following the distribution of the emergency contingency  
27 allocation. All disbursements, repayments, and outstanding allocations  
28 to be repaid of the emergency contingency pool shall be reported to the  
29 office of financial management and the appropriate fiscal committees of  
30 the legislature on July 1 and January 1 of each year.

31 **Sec. 503.** 2010 1st sp.s. c 37 s 503 (uncodified) is amended to  
32 read as follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION**  
34 **EMPLOYEE COMPENSATION.** (1) The following calculations determine the  
35 salaries used in the general fund allocations for certificated  
36 instructional, certificated administrative, and classified staff units  
37 under section 502 of this act:

1 (a) Salary allocations for certificated instructional staff units  
 2 shall be determined for each district by multiplying the district's  
 3 certificated instructional total base salary shown on LEAP Document 2  
 4 by the district's average staff mix factor for certificated  
 5 instructional staff in that school year, computed using LEAP Document  
 6 1; and

7 (b) Salary allocations for certificated administrative staff units  
 8 and classified staff units for each district shall be based on the  
 9 district's certificated administrative and classified salary allocation  
 10 amounts shown on LEAP Document 2.

11 (2) For the purposes of this section:

12 (a) "LEAP Document 1" means the staff mix factors for certificated  
 13 instructional staff according to education and years of experience, as  
 14 developed by the legislative evaluation and accountability program  
 15 committee on April 22, 2009, at 08:22 hours; and

16 (b) "LEAP Document 2" means the school year salary allocations for  
 17 certificated administrative staff and classified staff and derived and  
 18 total base salaries for certificated instructional staff as developed  
 19 by the legislative evaluation and accountability program committee on  
 20 April 22, 2009, at 08:22 hours.

21 (3) Incremental fringe benefit factors shall be applied to salary  
 22 adjustments at a rate of 14.43 percent for school year 2009-10 and  
 23 14.43 percent for school year 2010-11 for certificated staff and for  
 24 classified staff 16.59 percent for school year 2009-10 and 16.59  
 25 percent for the 2010-11 school year.

26 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary  
 27 allocation schedules for certificated instructional staff are  
 28 established for basic education salary allocations:

29 Table of Total Base Salaries For Certificated Instructional Staff  
 30 For School Year 2009-10

32 <u>Years of</u>										32 MA+90
33 <u>Service</u>	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45		or Ph.D.
34 <u>0</u>	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128		46,115
35 <u>1</u>	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617		46,589
36 <u>2</u>	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067		47,061

1	<u>3</u>	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
2	<u>4</u>	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
3	<u>5</u>	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
4	<u>6</u>	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993
5	<u>7</u>	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
6	<u>8</u>	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
7	<u>9</u>		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
8	<u>10</u>			43,877	45,498	48,794	51,195	48,995	52,291	54,692
9	<u>11</u>				47,032	50,399	52,849	50,528	53,897	56,345
10	<u>12</u>				48,517	52,048	54,571	52,122	55,545	58,068
11	<u>13</u>					53,737	56,335	53,773	57,234	59,831
12	<u>14</u>					55,434	58,165	55,471	59,042	61,663
13	<u>15</u>					56,877	59,679	56,913	60,577	63,266
14	<u>16 or</u>					58,014	60,871	58,051	61,788	64,531
15	<u>more</u>									

Table of Total Base Salaries For Certificated Instructional Staff  
For School Year 2010-11

19	<u>Years of</u>									MA+90
20	<u>Service</u>	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	or Ph.D.
21	<u>0</u>	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
22	<u>1</u>	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
23	<u>2</u>	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
24	<u>3</u>	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
25	<u>4</u>	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
26	<u>5</u>	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
27	<u>6</u>	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
28	<u>7</u>	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
29	<u>8</u>	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
30	<u>9</u>		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
31	<u>10</u>			43,635	45,247	48,524	50,913	48,724	52,003	54,390
32	<u>11</u>				46,772	50,121	52,557	50,249	53,599	56,034
33	<u>12</u>				48,249	51,761	54,269	51,835	55,238	57,748
34	<u>13</u>					53,440	56,024	53,476	56,918	59,501
35	<u>14</u>					55,128	57,844	55,165	58,716	61,322



1	<u>15</u>	56,563	59,349	56,599	60,242	62,917
2	<u>16 or</u>	57,693	60,535	57,731	61,447	64,174
3	<u>more</u>					

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

(d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this act, or any replacement schedules and documents, unless:

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

(7) The certificated instructional staff base salary specified for each district in LEAP Document 2 and the salary schedules in subsection (4)(a) of this section include one learning improvement day for the 2009-10 school year and zero learning improvement days for the 2010-11 school year. A school district is eligible for the learning improvement day funds only if the learning improvement day has been added to the 180-day contract year. If fewer days are added, the

1 additional learning improvement allocation shall be adjusted  
 2 accordingly. The additional day shall be limited to specific  
 3 activities identified in the state required school improvement plan  
 4 related to improving student learning that are consistent with  
 5 education reform implementation, and shall not be considered part of  
 6 basic education. The principal in each school shall assure that the  
 7 days are used to provide the necessary school-wide, all staff  
 8 professional development that is tied directly to the school  
 9 improvement plan. The school principal and the district superintendent  
 10 shall maintain documentation as to their approval of these activities.  
 11 The length of a learning improvement day shall not be less than the  
 12 length of a full day under the base contract. The superintendent of  
 13 public instruction shall ensure that school districts adhere to the  
 14 intent and purposes of this subsection.

15 (8) The salary allocation schedules established in this section are  
 16 for allocation purposes only except as provided in RCW 28A.400.200(2).

17 **Sec. 504.** 2010 1st sp.s. c 37 s 504 (uncodified) is amended to  
 18 read as follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
 20 **COMPENSATION ADJUSTMENTS**

21	General Fund--State Appropriation (FY 2010) . . . . .	(\$4,414,000)
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>((-\$1,806,000))</del>
23		<u>(\$1,421,000)</u>
24	General Fund--Federal Appropriation . . . . .	(\$1,000)
25	TOTAL APPROPRIATION . . . . .	<del>((-\$6,221,000))</del>
26		<u>(\$5,836,000)</u>

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

29 (1)(a) Additional salary adjustments as necessary to fund the base  
 30 salaries for certificated instructional staff as listed for each  
 31 district in LEAP Document 2, defined in section 503(2)(b) of this act.  
 32 Allocations for these salary adjustments shall be provided to all  
 33 districts that are not grandfathered to receive salary allocations  
 34 above the statewide salary allocation schedule, and to certain  
 35 grandfathered districts to the extent necessary to ensure that salary  
 36 allocations for districts that are currently grandfathered do not fall  
 37 below the statewide salary allocation schedule.

1 (b) Additional salary adjustments to certain districts as necessary  
2 to fund the per full-time-equivalent salary allocations for  
3 certificated administrative staff as listed for each district in LEAP  
4 Document 2, defined in section 503(2)(b) of this act. These  
5 adjustments shall ensure a minimum salary allocation for certificated  
6 administrative staff of \$57,986 in the 2009-10 school year and \$57,986  
7 in the 2010-11 school year.

8 (c) Additional salary adjustments to certain districts as necessary  
9 to fund the per full-time-equivalent salary allocations for classified  
10 staff as listed for each district in LEAP Document 2, defined in  
11 section 503(2)(b) of this act. These salary adjustments ensure a  
12 minimum salary allocation for classified staff of \$31,865 in the 2009-  
13 10 school year and \$31,865 in the 2010-11 school year.

14 (d) The appropriations in this subsection (1) include associated  
15 incremental fringe benefit allocations at rates 13.79 percent for the  
16 2009-10 school year and 13.79 percent for the 2010-11 school year for  
17 certificated staff and 13.09 percent for the 2009-10 school year and  
18 13.09 percent for the 2010-11 school year for classified staff.

19 (e) The appropriations in this section include the increased or  
20 decreased portion of salaries and incremental fringe benefits for all  
21 relevant state-funded school programs in part V of this act. Changes  
22 for general apportionment (basic education) are based on the salary  
23 allocation schedules and methodology in sections 502 and 503 of this  
24 act. Changes for special education result from changes in each  
25 district's basic education allocation per student. Changes for  
26 educational service districts and institutional education programs are  
27 determined by the superintendent of public instruction using the  
28 methodology for general apportionment salaries and benefits in sections  
29 502 and 503 of this act. The appropriations in this section provide  
30 incremental fringe benefit alterations based on formula adjustments as  
31 follows:

	School Year	
	2009-10	2010-11
Pupil Transportation (per weighted pupil mile)	\$0	\$0

1	Highly Capable (per formula student)	(\$1.49)	<del>(\$2.98)</del>
2			<u>\$0.00</u>
3	Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$7.86)
4	Learning Assistance (per formula student)	(\$1.18)	(\$2.36)

5 (f) The appropriations in this section include no salary  
6 adjustments for substitute teachers.

7 (2) ~~(\$44,213,000)~~ \$43,747,000 is ~~(provided)~~ for adjustments to  
8 insurance benefit allocations. The maintenance rate for insurance  
9 benefit allocations is \$732.00 per month for the 2009-10 and 2010-11  
10 school years. The appropriations in this section provide for a rate  
11 increase to \$745.00 per month for the 2009-10 school year and \$768.00  
12 per month for the 2010-11 school year. The adjustments to health  
13 insurance benefits are at the following rates:

14		School Year	
15		2009-10	2010-11
16	Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
17	Highly Capable (per formula student)	\$0.79	<del>(\$2.22)</del>
18			<u>\$0.00</u>
19	Transitional Bilingual Education (per eligible bilingual student)	\$2.11	\$5.83
20	Learning Assistance (per formula student)	\$0.54	\$1.49

22 (3) The rates specified in this section are subject to revision  
23 each year by the legislature.

24 **Sec. 505.** 2010 1st sp.s. c 37 s 505 (uncodified) is amended to  
25 read as follows:

26	<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION</b>	
27	General Fund--State Appropriation (FY 2010) . . . . .	\$317,116,000
28	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$296,747,000)</del>
29		<u>\$298,449,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(\$613,863,000)</del>
31		<u>\$615,565,000</u>

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

3 (1) Each general fund fiscal year appropriation includes such funds  
4 as are necessary to complete the school year ending in the fiscal year  
5 and for prior fiscal year adjustments.

6 (2) A maximum of \$878,000 of this fiscal year 2010 appropriation  
7 and a maximum of (~~\$892,000~~) \$836,000 of the fiscal year 2011  
8 appropriation may be expended for regional transportation coordinators  
9 and related activities. The transportation coordinators shall ensure  
10 that data submitted by school districts for state transportation  
11 funding shall, to the greatest extent practical, reflect the actual  
12 transportation activity of each district.

13 (3) Allocations for transportation of students shall be based on  
14 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school  
15 year and \$48.37 per weighted mile in the 2010-11 school year exclusive  
16 of salary and benefit adjustments provided in section 504 of this act.  
17 Allocations for transportation of students transported more than one  
18 radius mile shall be based on weighted miles as determined by  
19 superintendent of public instruction multiplied by the per mile  
20 reimbursement rates for the school year pursuant to the formulas  
21 adopted by the superintendent of public instruction. Allocations for  
22 transportation of students living within one radius mile shall be based  
23 on the number of enrolled students in grades kindergarten through five  
24 living within one radius mile of their assigned school multiplied by  
25 the per mile reimbursement rate for the school year multiplied by 1.29.

26 (4) The office of the superintendent of public instruction shall  
27 provide reimbursement funding to a school district only after the  
28 superintendent of public instruction determines that the school bus was  
29 purchased from the list established pursuant to RCW 28A.160.195(2) or  
30 a comparable competitive bid process based on the lowest price quote  
31 based on similar bus categories to those used to establish the list  
32 pursuant to RCW 28A.160.195.

33 (5) The superintendent of public instruction shall base  
34 depreciation payments for school district buses on the pre-sales tax  
35 five-year average of lowest bids in the appropriate category of bus.  
36 In the final year on the depreciation schedule, the depreciation  
37 payment shall be based on the lowest bid in the appropriate bus  
38 category for that school year.

1 (6) Funding levels in this section reflect reductions from the  
2 implementation of Substitute House Bill No. 1292 (authorizing waivers  
3 from the one hundred eighty-day school year requirement in order to  
4 allow four-day school weeks).

5 **Sec. 506.** 2010 1st sp.s. c 37 s 506 (uncodified) is amended to  
6 read as follows:

7 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**  
8 **PROGRAMS**

9	General Fund--State Appropriation (FY 2010) . . . . .	\$3,159,000
10	General Fund--State Appropriation (FY 2011) . . . . .	\$3,159,000
11	General Fund--Federal Appropriation . . . . .	<del>(\$391,988,000)</del>
12		<u>\$448,588,000</u>
13	TOTAL APPROPRIATION . . . . .	<del>(\$398,306,000)</del>
14		<u>\$454,906,000</u>

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

17 (1) \$3,000,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$3,000,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided for state matching money for federal  
20 child nutrition programs.

21 (2) \$100,000 of the general fund--state appropriation for fiscal  
22 year 2010 and \$100,000 of the 2011 fiscal year appropriation are  
23 provided for summer food programs for children in low-income areas.

24 (3) \$59,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$59,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely to reimburse school districts for  
27 school breakfasts served to students enrolled in the free or reduced  
28 price meal program pursuant to chapter 287, Laws of 2005 (requiring  
29 school breakfast programs in certain schools).

30 **Sec. 507.** 2010 1st sp.s. c 37 s 507 (uncodified) is amended to  
31 read as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
33 **PROGRAMS**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$632,136,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$650,856,000)</del>
36		<u>\$560,003,000</u>

1	General Fund--Federal Appropriation . . . . .	(( <del>\$664,601,000</del> ))
2		<u>\$675,613,000</u>
3	Education Legacy Trust Account--State	
4	Appropriation . . . . .	(( <del>\$756,000</del> ))
5		<u>\$86,687,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$1,948,349,000</del> ))
7		<u>\$1,954,439,000</u>

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

10       (1) Funding for special education programs is provided on an excess  
11 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
12 that special education students as a class receive their full share of  
13 the general apportionment allocation accruing through sections 502 and  
14 504 of this act. To the extent a school district cannot provide an  
15 appropriate education for special education students under chapter  
16 28A.155 RCW through the general apportionment allocation, it shall  
17 provide services through the special education excess cost allocation  
18 funded in this section.

19       (2)(a) The superintendent of public instruction shall ensure that:  
20       (i) Special education students are basic education students first;  
21       (ii) As a class, special education students are entitled to the  
22 full basic education allocation; and  
23       (iii) Special education students are basic education students for  
24 the entire school day.

25       (b) The superintendent of public instruction shall continue to  
26 implement the full cost method of excess cost accounting, as designed  
27 by the committee and recommended by the superintendent, pursuant to  
28 section 501(1)(k), chapter 372, Laws of 2006.

29       (3) Each fiscal year appropriation includes such funds as are  
30 necessary to complete the school year ending in the fiscal year and for  
31 prior fiscal year adjustments.

32       (4) The superintendent of public instruction shall distribute state  
33 funds to school districts based on two categories: (a) The first  
34 category includes (i) children birth through age two who are eligible  
35 for the optional program for special education eligible developmentally  
36 delayed infants and toddlers, and (ii) students eligible for the  
37 mandatory special education program and who are age three or four, or  
38 five and not yet enrolled in kindergarten; and (b) the second category

1 includes students who are eligible for the mandatory special education  
2 program and who are age five and enrolled in kindergarten and students  
3 age six through 21.

4 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent  
5 shall make allocations to each district based on the sum of:

6 (i) A district's annual average headcount enrollment of students  
7 ages birth through four and those five year olds not yet enrolled in  
8 kindergarten, as defined in subsection (4) of this section, multiplied  
9 by the district's average basic education allocation per full-time  
10 equivalent student, multiplied by 1.15; and

11 (ii) A district's annual average full-time equivalent basic  
12 education enrollment multiplied by the funded enrollment percent  
13 determined pursuant to subsection (6)(b) of this section, multiplied by  
14 the district's average basic education allocation per full-time  
15 equivalent student multiplied by 0.9309.

16 (b) For purposes of this subsection, "average basic education  
17 allocation per full-time equivalent student" for a district shall be  
18 based on the staffing ratios required by RCW 28A.150.260 and shall not  
19 include enhancements, secondary vocational education, or small schools  
20 in the 2009-10 school year. In the 2010-11 school year, the per  
21 student allocation under this subsection (5)(b) shall include the same  
22 factors as in the 2009-10 school year, but shall also include the  
23 classified staff enhancements included in section 502(3)(b).

24 (6) The definitions in this subsection apply throughout this  
25 section.

26 (a) "Annual average full-time equivalent basic education  
27 enrollment" means the resident enrollment including students enrolled  
28 through choice (RCW 28A.225.225) and students from nonhigh districts  
29 (RCW 28A.225.210) and excluding students residing in another district  
30 enrolled as part of an interdistrict cooperative program (RCW  
31 28A.225.250).

32 (b) "Enrollment percent" means the district's resident special  
33 education annual average enrollment, excluding the birth through age  
34 four enrollment and those five year olds not yet enrolled in  
35 kindergarten, as a percent of the district's annual average full-time  
36 equivalent basic education enrollment.

37 Each district's general fund--state funded special education



1 enrollment shall be the lesser of the district's actual enrollment  
2 percent or 12.7 percent.

3 (7) At the request of any interdistrict cooperative of at least 15  
4 districts in which all excess cost services for special education  
5 students of the districts are provided by the cooperative, the maximum  
6 enrollment percent shall be calculated in accordance with subsection  
7 (6)(b) of this section, and shall be calculated in the aggregate rather  
8 than individual district units. For purposes of this subsection, the  
9 average basic education allocation per full-time equivalent student  
10 shall be calculated in the aggregate rather than individual district  
11 units.

12 (8) To the extent necessary, (~~(\$44,269,000)~~) \$36,758,000 of the  
13 general fund--state appropriation and \$29,574,000 of the general fund--  
14 federal appropriation are provided for safety net awards for districts  
15 with demonstrated needs for special education funding beyond the  
16 amounts provided in subsection (5) of this section. If the federal  
17 safety net awards based on the federal eligibility threshold exceed the  
18 federal appropriation in this subsection (8) in any fiscal year, the  
19 superintendent shall expend all available federal discretionary funds  
20 necessary to meet this need. Safety net funds shall be awarded by the  
21 state safety net oversight committee subject to the following  
22 conditions and limitations:

23 (a) The committee shall consider unmet needs for districts that can  
24 convincingly demonstrate that all legitimate expenditures for special  
25 education exceed all available revenues from state funding formulas.  
26 In the determination of need, the committee shall also consider  
27 additional available revenues from federal sources. Differences in  
28 program costs attributable to district philosophy, service delivery  
29 choice, or accounting practices are not a legitimate basis for safety  
30 net awards. In the determination of need, the committee shall require  
31 that districts demonstrate that they are maximizing their eligibility  
32 for all state and federal revenues related to services for special  
33 education-eligible students. Awards associated with (b) and (c) of  
34 this subsection shall not exceed the total of a district's specific  
35 determination of need.

36 (b) The committee shall then consider the extraordinary high cost  
37 needs of one or more individual special education students.

1 Differences in costs attributable to district philosophy, service  
2 delivery choice, or accounting practices are not a legitimate basis for  
3 safety net awards.

4 (c) Using criteria developed by the committee, the committee shall  
5 then consider extraordinary costs associated with communities that draw  
6 a larger number of families with children in need of special education  
7 services. The safety net awards to school districts shall be adjusted  
8 to reflect amounts awarded under (b) of this subsection.

9 (d) The maximum allowable indirect cost for calculating safety net  
10 eligibility may not exceed the federal restricted indirect cost rate  
11 for the district plus one percent.

12 (e) Safety net awards must be adjusted for any audit findings or  
13 exceptions related to special education funding.

14 (f) Safety net awards shall be adjusted based on the percent of  
15 potential medicaid eligible students billed as calculated by the  
16 superintendent in accordance with chapter 318, Laws of 1999. The state  
17 safety net oversight committee shall ensure that safety net  
18 documentation and awards are based on current medicaid revenue amounts.

19 (g) The office of the superintendent of public instruction, at the  
20 conclusion of each school year, shall recover safety net funds that  
21 were distributed prospectively but for which districts were not  
22 subsequently eligible.

23 (9) The superintendent of public instruction may adopt such rules  
24 and procedures as are necessary to administer the special education  
25 funding and safety net award process. Prior to revising any standards,  
26 procedures, or rules, the superintendent shall consult with the office  
27 of financial management and the fiscal committees of the legislature.

28 (10) The safety net oversight committee appointed by the  
29 superintendent of public instruction shall consist of:

30 (a) One staff from the office of superintendent of public  
31 instruction;

32 (b) Staff of the office of the state auditor who shall be nonvoting  
33 members of the committee; and

34 (c) One or more representatives from school districts or  
35 educational service districts knowledgeable of special education  
36 programs and funding.

37 (11) The office of the superintendent of public instruction shall

1 review and streamline the application process to access safety net  
2 funds, provide technical assistance to school districts, and annually  
3 survey school districts regarding improvement to the process.

4 (12) A maximum of \$678,000 may be expended from the general fund--  
5 state appropriations to fund 5.43 full-time equivalent teachers and 2.1  
6 full-time equivalent aides at children's orthopedic hospital and  
7 medical center. This amount is in lieu of money provided through the  
8 home and hospital allocation and the special education program.

9 (13) The superintendent shall maintain the percentage of federal  
10 flow-through to school districts at 85 percent. In addition to other  
11 purposes, school districts may use increased federal funds for high-  
12 cost students, for purchasing regional special education services from  
13 educational service districts, and for staff development activities  
14 particularly relating to inclusion issues.

15 (14) A school district may carry over from one year to the next  
16 year up to 10 percent of the general fund--state funds allocated under  
17 this program; however, carryover funds shall be expended in the special  
18 education program.

19 (15) \$262,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$251,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for two additional full-time  
22 equivalent staff to support the work of the safety net committee and to  
23 provide training and support to districts applying for safety net  
24 awards.

25 (16) \$50,000 of the general fund--state appropriation for fiscal  
26 year 2010, \$50,000 of the general fund--state appropriation for fiscal  
27 2011, and \$100,000 of the general fund--federal appropriation shall be  
28 expended to support a special education ombudsman program within the  
29 office of superintendent of public instruction.

30 **Sec. 508.** 2010 1st sp.s. c 37 s 508 (uncodified) is amended to  
31 read as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**  
33 **DISTRICTS**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$8,394,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,319,000)</del>
36		<u>\$7,796,000</u>
37	TOTAL APPROPRIATION . . . . .	<del>(\$16,713,000)</del>

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

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) \$3,355,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$3,355,000~~)) \$3,144,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for regional professional development related to mathematics and science curriculum and instructional strategies. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support. The office of superintendent of public instruction shall also allocate to each educational service district additional amounts provided in section 504 of this act for compensation increases associated with the salary amounts and staffing provided in this subsection (2).

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.310.340, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

**Sec. 509.** 2010 1st sp.s. c 37 s 509 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

General Fund--State Appropriation (FY 2010) . . . . .	\$93,141,000
General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$286,911,000</del> ))
	<u>\$268,014,000</u>

1 General Fund--Federal Appropriation . . . . . \$157,043,000  
 2 TOTAL APPROPRIATION . . . . . ((~~\$537,095,000~~))  
 3 \$518,198,000

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

6 ((~~1~~)) \$157,043,000 of the general fund--federal appropriation for  
 7 fiscal year 2010 is provided solely for American recovery and  
 8 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
 9 state reductions for local effort assistance payments.

10 ((~~2~~) ~~\$21,808,000 of the general fund state appropriation for~~  
 11 ~~fiscal year 2011 is provided solely for implementation of Substitute~~  
 12 ~~House Bill No. 2893 (school levies). If the bill is not enacted by~~  
 13 ~~June 30, 2010, the amount provided in this subsection shall lapse.))~~

14 **Sec. 510.** 2010 1st sp.s. c 37 s 510 (uncodified) is amended to  
 15 read as follows:

16 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
 17 **EDUCATION PROGRAMS**

18 General Fund--State Appropriation (FY 2010) . . . . . \$18,059,000  
 19 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$19,006,000~~))  
 20 \$16,635,000  
 21 TOTAL APPROPRIATION . . . . . ((~~\$37,065,000~~))  
 22 \$34,694,000

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

25 (1) Each general fund--state fiscal year appropriation includes  
 26 such funds as are necessary to complete the school year ending in the  
 27 fiscal year and for prior fiscal year adjustments.

28 (2) State funding provided under this section is based on salaries  
 29 and other expenditures for a 220-day school year. The superintendent  
 30 of public instruction shall monitor school district expenditure plans  
 31 for institutional education programs to ensure that districts plan for  
 32 a full-time summer program.

33 (3) State funding for each institutional education program shall be  
 34 based on the institution's annual average full-time equivalent student  
 35 enrollment. Staffing ratios for each category of institution shall  
 36 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) \$228,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$228,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely to maintain at least one  
7 certificated instructional staff and related support services at an  
8 institution whenever the K-12 enrollment is not sufficient to support  
9 one full-time equivalent certificated instructional staff to furnish  
10 the educational program. The following types of institutions are  
11 included: Residential programs under the department of social and  
12 health services for developmentally disabled juveniles, programs for  
13 juveniles under the department of corrections, and programs for  
14 juveniles under the juvenile rehabilitation administration.

15 (6) Ten percent of the funds allocated for each institution may be  
16 carried over from one year to the next.

17 **Sec. 511.** 2010 1st sp.s. c 37 s 511 (uncodified) is amended to  
18 read as follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**  
20 **CAPABLE STUDENTS**

21	General Fund--State Appropriation (FY 2010) . . . . .	\$9,189,000
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$9,188,000)</del>
23		<u>\$2,028,000</u>
24	TOTAL APPROPRIATION . . . . .	<del>(\$18,377,000)</del>
25		<u>\$11,217,000</u>

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

28 (1) Each general fund fiscal year appropriation includes such funds  
29 as are necessary to complete the school year ending in the fiscal year  
30 and for prior fiscal year adjustments.

31 (2) Allocations for school district programs for highly capable  
32 students shall be distributed at a maximum rate of \$401.08 per funded  
33 student for the 2009-10 school year (~~and \$401.08 per funded student~~  
34 ~~for the 2010-11 school year~~), exclusive of salary and benefit  
35 adjustments pursuant to section 504 of this act. ~~((The))~~ For the 2009-  
36 10 school year the number of funded students shall be a maximum of

1 2.314 percent of each district's full-time equivalent basic education  
2 enrollment.

3 (3) \$90,000 of the fiscal year 2010 appropriation and (~~(\$90,000)~~)  
4 \$84,000 of the fiscal year 2011 appropriation are provided for the  
5 Washington destination imagination network and future problem-solving  
6 programs.

7 (4) \$170,000 of the fiscal year 2010 appropriation and (~~(\$170,000)~~)  
8 \$159,000 of the fiscal year 2011 appropriation are provided for the  
9 centrum program at Fort Worden state park.

10 **Sec. 512.** 2010 1st sp.s. c 37 s 512 (uncodified) is amended to  
11 read as follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS**  
13 **PURPOSES UNDER THE ELEMENTARY AND SECONDARY SCHOOL IMPROVEMENT ACT AND**  
14 **THE NO CHILD LEFT BEHIND ACT**

15 General Fund--Federal Appropriation . . . . . \$43,886,000

16 **Sec. 513.** 2010 2nd sp.s. c 1 s 503 (uncodified) is amended to read  
17 as follows:

18 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
19 **PROGRAMS**

20 General Fund--State Appropriation (FY 2010) . . . . . \$93,642,000

21 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$92,643,000)~~)

22 \$89,076,000

23 General Fund--Federal Appropriation . . . . . \$154,627,000

24 Education Legacy Trust Account--State  
25 Appropriation . . . . . \$100,381,000

26 TOTAL APPROPRIATION . . . . . (~~(\$441,293,000)~~)

27 \$437,488,000

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

30 (1) \$35,804,000 of the general fund--state appropriation for fiscal  
31 year 2010, \$31,850,000 of the general fund--state appropriation for  
32 fiscal year 2011, \$1,350,000 of the education legacy trust  
33 account--state appropriation, and \$17,869,000 of the general fund--  
34 federal appropriation are provided solely for development and  
35 implementation of the Washington state assessment system, including:

36 (i) Development and implementation of retake assessments for high

1 school students who are not successful in one or more content areas;  
2 and (ii) development and implementation of alternative assessments or  
3 appeals procedures to implement the certificate of academic  
4 achievement. The superintendent of public instruction shall report  
5 quarterly on the progress on development and implementation of  
6 alternative assessments or appeals procedures. Within these amounts,  
7 the superintendent of public instruction shall contract for the early  
8 return of 10th grade student assessment results, on or around June 10th  
9 of each year.

10 (2) \$3,249,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$3,249,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the design of the state  
13 assessment system and the implementation of end of course assessments  
14 for high school math.

15 (3) Within amounts provided in subsections (1) and (2) of this  
16 section, the superintendent of public instruction, in consultation with  
17 the state board of education, shall develop a statewide high school  
18 end-of-course assessment measuring student achievement of the state  
19 science standards in biology to be implemented statewide in the 2011-12  
20 school year. By December 1, 2010, the superintendent of public  
21 instruction shall recommend whether additional end-of-course  
22 assessments in science should be developed and in which content areas.  
23 Any recommendation for additional assessments must include an  
24 implementation timeline and the projected cost to develop and  
25 administer the assessments.

26 (4) \$1,014,000 of the education legacy trust account appropriation  
27 is provided solely for allocations to districts for salaries and  
28 benefits for the equivalent of two additional professional development  
29 days for fourth and fifth grade teachers during the 2008-2009 school  
30 year. The allocations shall be made based on the calculations of  
31 certificated instructional staff units for fourth and fifth grade  
32 provided in section 502 of this act and on the calculations of  
33 compensation provided in sections 503 and 504 of this act. Districts  
34 may use the funding to support additional days for professional  
35 development as well as job-embedded forms of professional development.

36 (5) \$3,241,000 of the education legacy trust fund appropriation is  
37 provided solely for allocations to districts for salaries and benefits  
38 for the equivalent of three additional professional development days



1 for middle and high school math and science teachers during the 2008-  
2 2009 school year, as well as specialized training for one math and  
3 science teacher in each middle school and high school during the 2008-  
4 2009 school year. Districts may use the funding to support additional  
5 days for professional development as well as job-embedded forms of  
6 professional development.

7 (6) \$3,773,000 of the education legacy trust account--state  
8 appropriation is provided solely for a math and science instructional  
9 coaches program pursuant to chapter 396, Laws of 2007. Funding shall  
10 be used to provide grants to schools and districts to provide salaries,  
11 benefits, and professional development activities for up to twenty-five  
12 instructional coaches in middle and high school math and twenty-five  
13 instructional coaches in middle and high school science in each year of  
14 the biennium; and up to \$300,000 may be used by the office of the  
15 superintendent of public instruction to administer and coordinate the  
16 program.

17 (7) \$1,740,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$1,775,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely to allow approved middle and  
20 junior high school career and technical education programs to receive  
21 enhanced vocational funding. The office of the superintendent of  
22 public instruction shall provide allocations to districts for middle  
23 and junior high school students in accordance with the funding formulas  
24 provided in section 502 of this act. If Second Substitute Senate Bill  
25 No. 5676 is enacted the allocations are formula-driven, otherwise the  
26 office of the superintendent shall consider the funding provided in  
27 this subsection as a fixed amount, and shall adjust funding to stay  
28 within the amounts provided in this subsection.

29 (8) \$139,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$93,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for (a) staff at the office of the  
32 superintendent of public instruction to coordinate and promote efforts  
33 to develop integrated math, science, technology, and engineering  
34 programs in schools and districts across the state; and (b) grants of  
35 \$2,500 to provide twenty middle and high school teachers each year  
36 professional development training for implementing integrated math,  
37 science, technology, and engineering program in their schools.

1 (9) \$1,473,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$197,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the Washington state  
4 leadership and assistance for science education reform (LASER) regional  
5 partnership activities coordinated at the Pacific science center,  
6 including instructional material purchases, teacher and principal  
7 professional development, and school and community engagement events.  
8 Funding shall be distributed to the various LASER activities in a  
9 manner proportional to LASER program spending during the 2007-2009  
10 biennium.

11 (10) (~~(\$88,981,000)~~) \$88,743,000 of the education legacy trust  
12 account--state appropriation is provided solely for grants for  
13 voluntary full-day kindergarten at the highest poverty schools, as  
14 provided in chapter 400, Laws of 2007. The office of the  
15 superintendent of public instruction shall provide allocations to  
16 districts for recipient schools in accordance with the funding formulas  
17 provided in section 502 of this act. Each kindergarten student who  
18 enrolls for the voluntary full-day program in a recipient school shall  
19 count as one-half of one full-time equivalent student for the purpose  
20 of making allocations under this subsection. Although the allocations  
21 are formula-driven, the office of the superintendent shall consider the  
22 funding provided in this subsection as a fixed amount, and shall limit  
23 the number of recipient schools so as to stay within the amounts  
24 appropriated each fiscal year in this subsection. The funding provided  
25 in this subsection is estimated to provide full-day kindergarten  
26 programs for 20 percent of kindergarten enrollment. Funding priority  
27 shall be given to schools with the highest poverty levels, as measured  
28 by prior year free and reduced priced lunch eligibility rates in each  
29 school. Additionally, as a condition of funding, school districts must  
30 agree to provide the full-day program to the children of parents who  
31 request it in each eligible school. For the purposes of calculating a  
32 school district levy base, funding provided in this subsection shall be  
33 considered a state block grant program under RCW 84.52.0531.

34 (a) Of the amounts provided in this subsection, a maximum of  
35 \$272,000 may be used for administrative support of the full-day  
36 kindergarten program within the office of the superintendent of public  
37 instruction.

1 (b) Student enrollment pursuant to this program shall not be  
2 included in the determination of a school district's overall K-12 FTE  
3 for the allocation of student achievement programs and other funding  
4 formulas unless specifically stated.

5 (11) \$700,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$450,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for the development of a  
8 leadership academy for school principals and administrators. The  
9 superintendent of public instruction shall contract with an independent  
10 organization to design, field test, and implement a state-of-the-art  
11 education leadership academy that will be accessible throughout the  
12 state. Initial development of the content of the academy activities  
13 shall be supported by private funds. Semiannually the independent  
14 organization shall report on amounts committed by foundations and  
15 others to support the development and implementation of this program.  
16 Leadership academy partners, with varying roles, shall include the  
17 state level organizations for school administrators and principals, the  
18 superintendent of public instruction, the professional educator  
19 standards board, and others as the independent organization shall  
20 identify.

21 (12) \$105,754,000 of the general fund--federal appropriation is  
22 provided for preparing, training, and recruiting high quality teachers  
23 and principals under Title II of the no child left behind act.

24 (13) \$1,960,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$761,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely to the office of the  
27 superintendent of public instruction for focused assistance. The  
28 office of the superintendent of public instruction shall conduct  
29 educational audits of low-performing schools and enter into performance  
30 agreements between school districts and the office to implement the  
31 recommendations of the audit and the community. Funding in this  
32 subsection shall be used for focused assistance programs for individual  
33 schools or school districts. The office of the superintendent of  
34 public instruction shall report to the fiscal committees of the  
35 legislature by September 1, 2011, providing an accounting of the uses  
36 of focused assistance funds during the 2009-11 fiscal biennium,  
37 including a list of schools served and the types of services provided.

1 (14) \$1,667,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$1,667,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely to eliminate the lunch co-pay for  
4 students in grades kindergarten through third grade that are eligible  
5 for reduced price lunch.

6 (15) \$5,285,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$5,285,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for: (a) The meals for kids  
9 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the  
10 breakfast co-pay for students eligible for reduced price lunch; and (c)  
11 for additional assistance for school districts initiating a summer food  
12 service program.

13 (16) \$1,003,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$528,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely for the Washington reading corps.  
16 The superintendent shall allocate reading corps members to low-  
17 performing schools and school districts that are implementing  
18 comprehensive, proven, research-based reading programs. Two or more  
19 schools may combine their Washington reading corps programs. Grants  
20 provided under this section may be used by school districts for  
21 expenditures from September 2009 through August 31, 2011.

22 (17) \$3,269,000 of the general fund--state appropriation for fiscal  
23 year 2010 and (~~(\$3,594,000)~~) \$1,797,000 of the general fund--state  
24 appropriation for fiscal year 2011 are provided solely for grants to  
25 school districts to provide a continuum of care for children and  
26 families to help children become ready to learn. Grant proposals from  
27 school districts shall contain local plans designed collaboratively  
28 with community service providers. If a continuum of care program  
29 exists in the area in which the school district is located, the local  
30 plan shall provide for coordination with existing programs to the  
31 greatest extent possible. Grant funds shall be allocated pursuant to  
32 RCW 70.190.040.

33 (18) \$1,861,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$1,836,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for improving technology  
36 infrastructure, monitoring and reporting on school district technology  
37 development, promoting standards for school district technology,

1 promoting statewide coordination and planning for technology  
2 development, and providing regional educational technology support  
3 centers, including state support activities, under chapter 28A.650 RCW.

4 (19) \$225,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$150,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the operation of the center  
7 for the improvement of student learning pursuant to RCW 28A.300.130.

8 (20) \$246,000 of the education legacy trust account--state  
9 appropriation is provided solely for costs associated with the office  
10 of the superintendent of public instruction's statewide director of  
11 technology position.

12 (21)(a) \$28,715,000 of the general fund--state appropriation for  
13 fiscal year 2010 and (~~(\$36,168,000)~~) \$34,398,000 of the general fund--  
14 state appropriation for fiscal year 2011 are provided solely for the  
15 following bonuses for teachers who hold valid, unexpired certification  
16 from the national board for professional teaching standards and who are  
17 teaching in a Washington public school, subject to the following  
18 conditions and limitations:

19 (i) For national board certified teachers, a bonus of \$5,000 per  
20 teacher beginning in the 2007-08 school year and adjusted for inflation  
21 in each school year thereafter in which Initiative 732 cost of living  
22 adjustments are provided;

23 (ii) An additional \$5,000 annual bonus shall be paid to national  
24 board certified teachers who teach in either: (A) High schools where  
25 at least 50 percent of student headcount enrollment is eligible for  
26 federal free or reduced price lunch, (B) middle schools where at least  
27 60 percent of student headcount enrollment is eligible for federal free  
28 or reduced price lunch, or (C) elementary schools where at least 70  
29 percent of student headcount enrollment is eligible for federal free or  
30 reduced price lunch;

31 (iii) The superintendent of public instruction shall adopt rules to  
32 ensure that national board certified teachers meet the qualifications  
33 for bonuses under (a)(ii) of this subsection for less than one full  
34 school year receive bonuses in a pro-rated manner; and

35 (iv) During the 2009-10 and 2010-11 school years, and within the  
36 available state and federal appropriations, certificated instructional  
37 staff who have met the eligibility requirements and have applied for  
38 certification from the national board for professional teaching

1 standards may receive a conditional two thousand dollars or the amount  
2 set by the office of the superintendent of public instruction to  
3 contribute toward the current assessment fee, not including the initial  
4 up-front candidacy payment. The fee shall be an advance on the first  
5 annual bonus under RCW 28A.405.415. The assessment fee for national  
6 certification is provided in addition to compensation received under a  
7 district's salary schedule adopted in accordance with RCW 28A.405.200  
8 and shall not be included in calculations of a district's average  
9 salary and associated salary limitation under RCW 28A.400.200.  
10 Recipients who fail to receive certification after three years are  
11 required to repay the assessment fee, not including the initial up-  
12 front candidacy payment, as set by the national board for professional  
13 teaching standards and administered by the office of the superintendent  
14 of public instruction. The office of the superintendent of public  
15 instruction shall adopt rules to define the terms for initial grant of  
16 the assessment fee and repayment, including applicable fees.

17 (b) Included in the amounts provided in this subsection are amounts  
18 for mandatory fringe benefits.

19 (22) \$2,475,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$456,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for secondary career and technical  
22 education grants pursuant to chapter 170, Laws of 2008. This funding  
23 may additionally be used to support FIRST Robotics programs. In fiscal  
24 year 2011, if equally matched by private donations, \$300,000 of the  
25 appropriation shall be used to support FIRST Robotics programs,  
26 including FIRST Robotics professional development.

27 (23) \$75,000 of the general fund--state appropriation for fiscal  
28 year 2011 is provided solely for the implementation of House Bill No.  
29 2621 (K-12 school resource programs). If the bill is not enacted by  
30 June 30, 2010, the amount provided in this subsection shall lapse.

31 (24) \$300,000 of the general fund--state appropriation for fiscal  
32 year 2010 is provided solely for the local farms-healthy kids program  
33 as described in chapter 215, Laws of 2008. The program is suspended in  
34 the 2011 fiscal year, and not eliminated.

35 (25) \$2,348,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$1,000,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for a beginning educator support  
38 program. School districts and/or regional consortia may apply for

1 grant funding beginning in the 2009-10 school year. The superintendent  
2 shall implement this program in 5 to 15 school districts and/or  
3 regional consortia. The program provided by a district and/or regional  
4 consortia shall include: A paid orientation; assignment of a qualified  
5 mentor; development of a professional growth plan for each beginning  
6 teacher aligned with professional certification; release time for  
7 mentors and new teachers to work together, and teacher observation time  
8 with accomplished peers. \$250,000 may be used to provide state-wide  
9 professional development opportunities for mentors and beginning  
10 educators. The superintendent of public instruction shall adopt rules  
11 to establish and operate a research-based beginning educator support  
12 program no later than August 31, 2009. OSPI must evaluate the  
13 program's progress and may contract for this work. A report to the  
14 legislature about the beginning educator support program is due  
15 November 1, 2010.

16 (26) \$1,790,000 of the education legacy trust account--state  
17 appropriation is provided solely for the development and implementation  
18 of diagnostic assessments, consistent with the recommendations of the  
19 Washington assessment of student learning work group.

20 (27) Funding within this section is provided for implementation of  
21 Engrossed Substitute Senate Bill No. 5414 (statewide assessments and  
22 curricula).

23 (28) \$530,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$265,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for the leadership internship  
26 program for superintendents, principals, and program administrators.

27 (29) Funding for the community learning center program, established  
28 in RCW 28A.215.060, and providing grant funding for the 21st century  
29 after-school program, is suspended and not eliminated.

30 (30) \$2,357,000 of the general fund--state appropriation for fiscal  
31 year 2011 is provided solely for implementation of Engrossed Second  
32 Substitute Senate Bill No. 6696 (education reform). Of the amount  
33 provided, \$142,000 is provided to the professional educators' standards  
34 board and \$120,000 is provided to the system of the educational service  
35 districts, to fulfill their respective duties under the bill.

36 **Sec. 514.** 2010 1st sp.s. c 37 s 514 (uncodified) is amended to  
37 read as follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
2 **BILINGUAL PROGRAMS**

3	General Fund--State Appropriation (FY 2010) . . . . .	\$76,419,000
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$77,672,000)</del>
5		<u>\$79,879,000</u>
6	General Fund--Federal Appropriation . . . . .	\$65,263,000
7	TOTAL APPROPRIATION . . . . .	<del>(\$219,354,000)</del>
8		<u>\$221,561,000</u>

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

11 (1) Each general fund fiscal year appropriation includes such funds  
12 as are necessary to complete the school year ending in the fiscal year  
13 and for prior fiscal year adjustments.

14 (2) The superintendent shall distribute a maximum of \$901.46 per  
15 eligible bilingual student in the 2009-10 school year and \$901.46 in  
16 the 2010-11 school year, exclusive of salary and benefit adjustments  
17 provided in section 504 of this act.

18 (3) The superintendent may withhold up to 1.5 percent of the school  
19 year allocations to school districts in subsection (2) of this section,  
20 and adjust the per eligible pupil rates in subsection (2) of this  
21 section accordingly, solely for the central provision of assessments as  
22 provided in RCW 28A.180.090 (1) and (2).

23 (4) \$70,000 of the amounts appropriated in this section are  
24 provided solely to track current and former transitional bilingual  
25 program students.

26 (5) The general fund--federal appropriation in this section is  
27 provided for migrant education under Title I Part C and English  
28 language acquisition, and language enhancement grants under Title III  
29 of the elementary and secondary education act.

30 **Sec. 515.** 2010 1st sp.s. c 37 s 515 (uncodified) is amended to  
31 read as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
33 **ASSISTANCE PROGRAM**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$103,865,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$110,312,000)</del>
36		<u>\$113,803,000</u>
37	General Fund--Federal Appropriation . . . . .	<del>(\$553,925,000)</del>



1		<u>\$580,425,000</u>
2	Education Legacy Trust Account--State Appropriation . . . .	\$47,980,000
3	TOTAL APPROPRIATION . . . . .	(( <del>\$816,082,000</del> ))
4		<u>\$846,073,000</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) Funding for school district learning assistance programs shall  
13 be allocated at maximum rates of \$281.71 per funded student for the  
14 2009-10 school year and ((~~\$283.00~~)) \$282.98 per funded student for the  
15 2010-11 school year exclusive of salary and benefit adjustments  
16 provided under section 504 of this act.

17 (c) A school district's funded students for the learning assistance  
18 program shall be the sum of the following as appropriate:

19 (i) The district's full-time equivalent enrollment in grades K-12  
20 for the prior school year multiplied by the district's percentage of  
21 October headcount enrollment in grades K-12 eligible for free or  
22 reduced price lunch in the prior school year; and

23 (ii) If, in the prior school year, the district's percentage of  
24 October headcount enrollment in grades K-12 eligible for free or  
25 reduced price lunch exceeded forty percent, subtract forty percent from  
26 the district's percentage and multiply the result by the district's K-  
27 12 annual average full-time equivalent enrollment for the prior school  
28 year.

29 (d) In addition to the amounts allocated in (b) and (c) of this  
30 subsection, an additional amount shall be allocated to school districts  
31 with high concentrations of poverty and English language learner  
32 students, subject to the following rules and conditions:

33 (i) To qualify for additional funding under this subsection, a  
34 district's October headcount enrollment in grades kindergarten through  
35 grade twelve must have at least twenty percent enrolled in the  
36 transitional bilingual instruction program based on an average of the  
37 program headcount taken in October and May of the prior school year;

1 and must also have at least forty percent eligible for free or reduced  
2 price lunch based on October headcount enrollment in grades  
3 kindergarten through twelve in the prior school year.

4 (ii) Districts meeting the specifications in (d)(i) of this  
5 subsection shall receive additional funded students for the learning  
6 assistance program at the rates specified in subsection (1)(b) of this  
7 section. The number of additional funded student units shall be  
8 calculated by subtracting twenty percent from the district's percent  
9 transitional bilingual instruction program enrollment as defined in  
10 (d)(i) of this subsection, and the resulting percent shall be  
11 multiplied by the district's kindergarten through twelve annual average  
12 full-time equivalent enrollment for the prior school year.

13 (2) Allocations made pursuant to subsection (1) of this section  
14 shall be adjusted to reflect ineligible applications identified through  
15 the annual income verification process required by the national school  
16 lunch program, as recommended in the report of the state auditor on the  
17 learning assistance program dated February, 2010.

18 (3) The general fund--federal appropriation in this section is  
19 provided for Title I Part A allocations of the no child left behind act  
20 of 2001.

21 (4) A school district may carry over from one year to the next up  
22 to 10 percent of the general fund--state or education legacy trust  
23 funds allocated under this program; however, carryover funds shall be  
24 expended for the learning assistance program.

25 (5) School districts are encouraged to coordinate the use of these  
26 funds with other federal, state, and local sources to serve students  
27 who are below grade level and to make efficient use of resources in  
28 meeting the needs of students with the greatest academic deficits.

29 (6) Within amounts appropriated in this section, funding is  
30 provided for the implementation of extended learning programs required  
31 in chapter 328, Laws of 2008.

32 **Sec. 516.** 2010 1st sp.s. c 37 s 516 (uncodified) is amended to  
33 read as follows:

34 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**  
35 **PROGRAMS**

36	General Fund--State Appropriation (FY 2010) . . . . .	\$19,000
37	General Fund--State Appropriation (FY 2011) . . . . .	<del>((25,730,000))</del>

1		<u>\$25,417,000</u>
2	General Fund--Federal Appropriation . . . . .	\$200,295,000
3	TOTAL APPROPRIATION . . . . .	(( <del>\$226,044,000</del> ))
4		<u>\$225,731,000</u>

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

7 (1) Funding for school district student achievement programs shall  
8 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-  
9 10 school year and \$0 per FTE student for the 2010-11 school year. For  
10 the purposes of this section, FTE student refers to the annual average  
11 full-time equivalent enrollment of the school district in grades  
12 kindergarten through twelve for the prior school year, as reported to  
13 the office of the superintendent of public instruction by August 31st  
14 of the previous school year.

15 (2) The appropriation is allocated for the following uses as  
16 specified in RCW 28A.505.210:

17 (a) To reduce class size by hiring certificated elementary  
18 classroom teachers in grades K-4 and paying nonemployee-related costs  
19 associated with those new teachers;

20 (b) To make selected reductions in class size in grades 5-12, such  
21 as small high school writing classes;

22 (c) To provide extended learning opportunities to improve student  
23 academic achievement in grades K-12, including, but not limited to,  
24 extended school year, extended school day, before-and-after-school  
25 programs, special tutoring programs, weekend school programs, summer  
26 school, and all-day kindergarten;

27 (d) To provide additional professional development for educators  
28 including additional paid time for curriculum and lesson redesign and  
29 alignment, training to ensure that instruction is aligned with state  
30 standards and student needs, reimbursement for higher education costs  
31 related to enhancing teaching skills and knowledge, and mentoring  
32 programs to match teachers with skilled, master teachers. The funding  
33 shall not be used for salary increases or additional compensation for  
34 existing teaching duties, but may be used for extended year and  
35 extended day teaching contracts;

36 (e) To provide early assistance for children who need  
37 prekindergarten support in order to be successful in school; or

1 (f) To provide improvements or additions to school building  
2 facilities which are directly related to the class size reductions and  
3 extended learning opportunities under (a) through (c) of this  
4 subsection (2).

5 (3) The superintendent of public instruction shall distribute the  
6 school year allocation according to the monthly apportionment schedule  
7 defined in RCW 28A.510.250.

8 (4) \$200,295,000 of the general fund--federal appropriation for  
9 fiscal year 2010 is provided solely for American recovery and  
10 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
11 state reductions for the student achievement program.

12 **Sec. 517.** 2010 1st sp.s. c 37 s 517 (uncodified) is amended to  
13 read as follows:

14 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Appropriations  
15 made in this act to the office of the superintendent of public  
16 instruction shall initially be allotted as required by this act.  
17 Subsequent allotment modifications shall not include transfers of  
18 moneys between sections of this act, except as expressly provided in  
19 subsection (2) of this section.

20 (2) The appropriations to the office of the superintendent of  
21 public instruction in this act shall be expended for the programs and  
22 amounts specified in this act. However, after May 1, (~~2010~~) 2011,  
23 unless specifically prohibited by this act and after approval by the  
24 director of financial management, the superintendent of public  
25 instruction may transfer state general fund appropriations for fiscal  
26 year (~~2010~~) 2011 among the following programs to meet the  
27 apportionment schedule for a specified formula in another of these  
28 programs: General apportionment; employee compensation adjustments;  
29 pupil transportation; special education programs; institutional  
30 education programs; transitional bilingual programs; and student  
31 achievement and learning assistance programs.

32 (3) The director of financial management shall notify the  
33 appropriate legislative fiscal committees in writing prior to approving  
34 any allotment modifications or transfers under this section.

(End of part)

**PART VI**  
**HIGHER EDUCATION**

**Sec. 601.** 2010 2nd sp.s. c 1 s 601 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund--State Appropriation (FY 2010) . . . . .	\$631,804,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$603,296,000)</del>
	<u>\$650,960,000</u>
General Fund--Federal Appropriation . . . . .	\$17,171,000
Education Legacy Trust Account--State Appropriation . .	<del>(\$95,035,000)</del>
	<u>\$47,586,000</u>
Opportunity Express Account--State Appropriation . . . . .	\$18,556,000
TOTAL APPROPRIATION . . . . .	<del>(\$1,365,862,000)</del>
	<u>\$1,366,077,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2010, \$28,761,000 of the general fund--state appropriation for fiscal year 2011, and \$17,556,000 of the opportunity express account--state appropriation are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2010 and at least 9,984 full-time equivalent students in fiscal year 2011.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2010 and \$2,725,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) Of the amounts appropriated in this section, \$3,500,000 is provided solely for the student achievement initiative.

1 (4) When implementing the appropriations in this section, the state  
2 board and the trustees of the individual community and technical  
3 colleges shall minimize impact on academic programs, maximize  
4 reductions in administration, and shall at least maintain, and endeavor  
5 to increase, enrollment opportunities and degree and certificate  
6 production in high employer-demand fields of study at their academic  
7 year 2008-09 levels.

8 (5) Within the board's 2009-11 biennial budget allocation to  
9 Bellevue College, and pursuant to RCW 28B.50.810, the college may  
10 implement, on a tuition and fee basis, an additional applied  
11 baccalaureate degree in interior design. This program is intended to  
12 provide students with additional opportunities to earn baccalaureate  
13 degrees and to respond to emerging job and economic growth  
14 opportunities. The program reviews and approval decisions required by  
15 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that  
16 the degree may be offered during the 2009-10 academic year.

17 (6) In accordance with the recommendations of the higher education  
18 coordinating board's 2008 *Kitsap region higher education center study*,  
19 the state board shall facilitate development of university centers by  
20 allocating thirty 2-year and 4-year partnership full-time enrollment  
21 equivalencies to Olympic College and ten 2-year and 4-year partnership  
22 full-time enrollment equivalencies to Peninsula College. The colleges  
23 shall use the allocations to establish a partnership with a  
24 baccalaureate university or universities for delivery of upper division  
25 degree programs in the Kitsap region. The Olympic and Peninsula  
26 Community College districts shall additionally work together to ensure  
27 coordinated development of these and other future baccalaureate  
28 opportunities through coordinated needs assessment, planning, and  
29 scheduling.

30 (7) By September 1, 2009, the state board for community and  
31 technical colleges, the higher education coordinating board, and the  
32 office of financial management shall review and to the extent necessary  
33 revise current 2009-11 performance measures and targets based on the  
34 level of state, tuition, and other resources appropriated or authorized  
35 in this act and in the omnibus 2009-11 omnibus capital budget act. The  
36 boards and the office of financial management shall additionally  
37 develop new performance targets for the 2011-13 and the 2013-15 biennia

1 that will guide and measure the community and technical college  
2 system's contributions to achievement of the state's higher education  
3 master plan goals.

4 (8) \$2,250,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$2,250,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the hospital employee  
7 education and training program under which labor, management, and  
8 college partnerships develop or expand and evaluate training programs  
9 for incumbent hospital workers that lead to careers in nursing and  
10 other high-demand health care occupations. The board shall report  
11 student progress, outcomes, and costs to the relevant fiscal and policy  
12 committees of the legislature by November 2009 and November 2010.

13 (9) Community and technical colleges are not required to send mass  
14 mailings of course catalogs to residents of their districts. Community  
15 and technical colleges shall consider lower cost alternatives, such as  
16 mailing postcards or brochures that direct individuals to online  
17 information and other ways of acquiring print catalogs.

18 (10) \$1,112,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$1,113,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for the state board to enhance  
21 online distance learning and open courseware technology. Funds shall  
22 be used to support open courseware, open textbooks, open licenses to  
23 increase access, affordability and quality of courses in higher  
24 education. The state board for community and technical colleges shall  
25 select the most appropriate courses to support open courseware based  
26 solely upon criteria of maximizing the value of instruction and  
27 reducing costs of textbooks and other instructional materials for the  
28 greatest number of students in higher education, regardless of the type  
29 of institution those students attend.

30 (11) \$158,000 of the general fund--state appropriation for fiscal  
31 year 2011 is provided solely to implement House Bill No. 2694 (B.S. in  
32 nursing/university center). If the bill is not enacted by June 30,  
33 2010, the amount provided in this subsection shall lapse.

34 (12)(a) The labor education and research center is transferred from  
35 The Evergreen State College to south Seattle community college and  
36 shall begin operations on July 1, 2010.

37 (b) At least \$164,000 of the general fund--state appropriation for

1 fiscal year 2011 shall be expended on the labor education and research  
2 center to provide outreach programs and direct educational and research  
3 services to labor unions and worker-centered organizations.

4 (13) \$1,000,000 of the opportunity express account--state  
5 appropriation is provided solely for the opportunity grant program as  
6 specified in RCW 28B.50.271.

7 (14) \$1,750,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided solely for the state board for community and  
9 technical colleges to contract with the aerospace training and research  
10 center on Paine field in Everett, Washington to support industry-  
11 identified training in the aerospace sector.

12 (15) Sufficient amounts are provided in this section to implement  
13 the food stamp employment and training program under Second Substitute  
14 House Bill No. 2782 (security lifeline act).

15 **Sec. 602.** 2010 2nd sp.s. c 1 s 602 (uncodified) is amended to read  
16 as follows:

17 **FOR THE UNIVERSITY OF WASHINGTON**

18	General Fund--State Appropriation (FY 2010) . . . . .	\$269,571,000
19	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$259,706,000 ))</del>
20		<u>\$287,741,000</u>
21	General Fund--Federal Appropriation . . . . .	\$43,971,000
22	Education Legacy Trust Account--State Appropriation . .	<del>(( \$54,534,000 ))</del>
23		<u>\$26,345,000</u>
24	Accident Account--State Appropriation . . . . .	\$6,750,000
25	Medical Aid Account--State Appropriation . . . . .	\$6,540,000
26	Biotoxin Account--State Appropriation . . . . .	\$449,000
27	TOTAL APPROPRIATION . . . . .	<del>(( \$641,521,000 ))</del>
28		<u>\$641,367,000</u>

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

31 (1) In implementing the appropriations in this section, the  
32 president and regents shall seek to minimize impacts on student  
33 services and instructional programs by maximizing reductions in  
34 administration and other non-instructional activities.

35 (2) Because higher education is an essential driver of economic  
36 recovery and development, the university shall maintain, and endeavor  
37 to increase, enrollment and degree production levels at or beyond their



1 academic year 2008-09 levels in the following high-demand fields:  
2 Biological and biomedical sciences; computer and information sciences;  
3 education with specializations in special education, math, or science;  
4 engineering and engineering technology; health professions and related  
5 clinical sciences; and mathematics and statistics.

6 (3) \$75,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$75,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for forestry research by the  
9 Olympic natural resources center.

10 (4) \$150,000 of the general fund--state appropriation for fiscal  
11 year 2010 is provided solely for the William D. Ruckelshaus center for  
12 facilitation, support, and analysis to support the nurse staffing  
13 steering committee in its work to apply best practices related to  
14 patient safety and nurse staffing.

15 (5) \$54,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$54,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely for the University of Washington  
18 geriatric education center to provide a voluntary adult family home  
19 certification program. In addition to the minimum qualifications  
20 required under RCW 70.128.120, individuals participating in the  
21 voluntary adult family home certification program shall complete fifty-  
22 two hours of class requirements as established by the University of  
23 Washington geriatric education center. Individuals completing the  
24 requirements of RCW 70.128.120 and the voluntary adult family home  
25 certification program shall be issued a certified adult family home  
26 license by the department of social and health services. The  
27 department of social and health services shall adopt rules implementing  
28 the provisions of this subsection.

29 (6) \$50,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$52,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the center for international  
32 trade in forest products in the college of forest resources.

33 (7) \$250,000 of the general fund--state appropriation for fiscal  
34 year 2011 is provided solely for joint planning to increase the number  
35 of residency positions and programs in eastern Washington and Spokane  
36 within the existing Washington, Wyoming, Alaska, Montana, Idaho (WWAMI)  
37 regional medical education program partnership between the University  
38 of Washington school of medicine, Washington State University, and area

1 physicians and hospitals. The joint planning efforts are to include  
 2 preparation of applications for new residency programs in family  
 3 medicine, internal medicine, obstetrics, psychiatry and general  
 4 surgery; business plans for those new programs; and for increasing the  
 5 number of positions in existing programs among regional academic and  
 6 hospital partners and networks. The results of the joint planning  
 7 efforts, including the status of the application preparation and  
 8 business plan, must be reported to the house of representatives  
 9 committee on higher education and the senate committee on higher  
 10 education and workforce development by December 1, 2010.

11 (8) \$25,000 of the general fund--state appropriation for fiscal  
 12 year 2011 is provided solely for implementation of chapter 164, Laws of  
 13 2010 (local government infrastructure). The University of Washington  
 14 shall use a qualified researcher to report the percentage probability  
 15 that the application's assumptions and estimates of jobs created and  
 16 increased tax receipts will be achieved by the projects. In making  
 17 this report, the qualified researcher shall work with the department of  
 18 revenue and the applicants to develop a series of factors that are  
 19 based on available economic metrics and sound principles.

20 **Sec. 603.** 2010 2nd sp.s. c 1 s 603 (uncodified) is amended to read  
 21 as follows:

22 **FOR WASHINGTON STATE UNIVERSITY**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$169,462,000
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$170,699,000)</del>
25		<u>\$187,326,000</u>
26	General Fund--Federal Appropriation . . . . .	\$15,772,000
27	Education Legacy Trust Account--State Appropriation . . . . .	<del>(\$34,435,000)</del>
28		<u>\$17,699,000</u>
29	TOTAL APPROPRIATION . . . . .	<del>(\$390,368,000)</del>
30		<u>\$390,259,000</u>

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

33 (1) In implementing the appropriations in this section, the  
 34 president and regents shall seek to minimize impacts on student  
 35 services and instructional programs by maximizing reductions in  
 36 administration and other non-instructional activities.

1 (2) Because higher education is an essential driver of economic  
2 recovery and development, the university shall maintain, and endeavor  
3 to increase, enrollment and degree production levels at or beyond their  
4 academic year 2008-09 levels in the following high-demand fields:  
5 Biological and biomedical sciences; computer and information sciences;  
6 education with specializations in special education, math, or science;  
7 engineering and engineering technology; health professions and related  
8 clinical sciences; and mathematics and statistics.

9 (3) When implementing reductions for fiscal year 2010 and fiscal  
10 year 2011, Washington State University shall minimize reductions to  
11 extension services and agriculture extension services. Agriculture  
12 extension includes:

13 (a) Faculty with extension appointments working within the  
14 following departments in the college of agricultural, human, and  
15 natural resource sciences with extension appointments: Animal  
16 sciences, crop and soil sciences, entomology, horticulture, and plant  
17 pathology;

18 (b) The portion of county extension educators' appointments  
19 assigned to the "agricultural programs" area;

20 (c) Staff with extension appointments and extension operating  
21 allocations located at the irrigated agriculture research and extension  
22 center (Prosser), northwest Washington research and extension center  
23 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);  
24 and

25 (d) Extension contributions to the center for precision  
26 agricultural systems, center for sustaining agriculture and natural  
27 resources, and the agriculture weather network.

28 (4) \$75,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$75,000 of the general fund--state appropriation for  
30 fiscal year 2011 are provided solely for research related to honeybee  
31 colony collapse disease.

32 **Sec. 604.** 2010 2nd sp.s. c 1 s 604 (uncodified) is amended to read  
33 as follows:

34 **FOR EASTERN WASHINGTON UNIVERSITY**

35	General Fund--State Appropriation (FY 2010) . . . . .	\$34,689,000
36	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$35,126,000)</del>
37		<u>\$43,101,000</u>

1	General Fund--Federal Appropriation . . . . .	\$5,522,000
2	Education Legacy Trust Account--State Appropriation . . . . .	<del>(\$16,041,000)</del>
3		<u>\$8,046,000</u>
4	TOTAL APPROPRIATION . . . . .	<del>(\$91,378,000)</del>
5		<u>\$91,358,000</u>

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

8 (1) In implementing the appropriations in this section, the  
9 president and governing board shall seek to minimize impacts on student  
10 services and instructional programs by maximizing reductions in  
11 administration and other non-instructional activities.

12 (2) Because higher education is an essential driver of economic  
13 recovery and development, the university shall maintain, and endeavor  
14 to increase, enrollment and degree production levels at or beyond their  
15 academic year 2008-09 levels in the following high-demand fields:  
16 Biological and biomedical sciences; computer and information sciences;  
17 education with specializations in special education, math, or science;  
18 engineering and engineering technology; health professions and related  
19 clinical sciences; and mathematics and statistics.

20 (3) At least \$200,000 of the general fund--state appropriation for  
21 fiscal year 2010 and at least \$200,000 of the general fund--state  
22 appropriation for fiscal year 2011 shall be expended on the northwest  
23 autism center.

24 **Sec. 605.** 2010 2nd sp.s. c 1 s 605 (uncodified) is amended to read  
25 as follows:

26 **FOR CENTRAL WASHINGTON UNIVERSITY**

27	General Fund--State Appropriation (FY 2010) . . . . .	\$30,289,000
28	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$32,383,000)</del>
29		<u>\$41,811,000</u>
30	General Fund--Federal Appropriation . . . . .	\$6,975,000
31	Education Legacy Trust Account--State Appropriation . . . . .	<del>(\$19,012,000)</del>
32		<u>\$9,538,000</u>
33	TOTAL APPROPRIATION . . . . .	<del>(\$88,659,000)</del>
34		<u>\$88,613,000</u>

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

1 (1) In implementing the appropriations in this section, the  
2 president and governing board shall seek to minimize impacts on student  
3 services and instructional programs by maximizing reductions in  
4 administration and other non-instructional activities.

5 (2) Because higher education is an essential driver of economic  
6 recovery and development, the university shall maintain, and endeavor  
7 to increase, enrollment and degree production levels at or beyond their  
8 academic year 2008-09 levels in the following high-demand fields:  
9 Biological and biomedical sciences; computer and information sciences;  
10 education with specializations in special education, math, or science;  
11 engineering and engineering technology; health professions and related  
12 clinical sciences; and mathematics and statistics.

13 **Sec. 606.** 2010 2nd sp.s. c 1 s 606 (uncodified) is amended to read  
14 as follows:

15 **FOR THE EVERGREEN STATE COLLEGE**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$20,514,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$17,728,000)</del>
18		<u>\$20,406,000</u>
19	General Fund--Federal Appropriation . . . . .	\$2,366,000
20	Education Legacy Trust Account--State Appropriation . .	<del>(\$5,417,000)</del>
21		<u>\$2,725,000</u>
22	TOTAL APPROPRIATION . . . . .	<del>(\$46,025,000)</del>
23		<u>\$46,011,000</u>

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

26 (1) In implementing the appropriations in this section, the  
27 president and governing board shall seek to minimize impacts on student  
28 services and instructional programs by maximizing reductions in  
29 administration and other non-instructional activities.

30 (2) Because higher education is an essential driver of economic  
31 recovery and development, the college shall maintain, and endeavor to  
32 increase, enrollment and degree production levels at or beyond their  
33 academic year 2008-09 levels in the following high-demand fields:  
34 Biological and biomedical sciences; computer and information sciences;  
35 education with specializations in special education, math, or science;  
36 engineering and engineering technology; health professions and related  
37 clinical sciences; and mathematics and statistics.

1 (3)(a) At least \$100,000 of the general fund--state appropriation  
2 for fiscal year 2010 shall be expended on the labor education and  
3 research center.

4 (b) In fiscal year 2011 the labor education and research center  
5 shall be transferred from The Evergreen State College to south Seattle  
6 community college.

7 (4) \$100,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$100,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for the Washington state institute  
10 for public policy to report to the legislature regarding efficient and  
11 effective programs and policies. The report shall calculate the return  
12 on investment to taxpayers from evidence-based prevention and  
13 intervention programs and policies that influence crime, K-12 education  
14 outcomes, child maltreatment, substance abuse, mental health, public  
15 health, public assistance, employment, and housing. The institute for  
16 public policy shall provide the legislature with a comprehensive list  
17 of programs and policies that improve these outcomes for children and  
18 adults in Washington and result in more cost-efficient use of public  
19 resources. The institute shall submit interim reports by December 15,  
20 2009, and October 1, 2010, and a final report by June 30, 2011. The  
21 institute may receive additional funds from a private organization for  
22 the purpose of conducting this study.

23 (5) To the extent federal or private funding is available for this  
24 purpose, the Washington state institute for public policy and the  
25 center for reinventing public education at the University of Washington  
26 shall examine the relationship between participation in pension systems  
27 and teacher quality and mobility patterns in the state. The department  
28 of retirement systems shall facilitate researchers' access to necessary  
29 individual-level data necessary to effectively conduct the study. The  
30 researchers shall ensure that no individually identifiable information  
31 will be disclosed at any time. An interim report on project findings  
32 shall be completed by November 15, 2010, and a final report shall be  
33 submitted to the governor and to the relevant committees of the  
34 legislature by October 15, 2011.

35 (6) At least \$200,000 of the general fund--state appropriation for  
36 fiscal year 2010 and at least \$200,000 of the general fund--state  
37 appropriation for fiscal year 2011 shall be expended on the Washington  
38 center for undergraduate education.

1 (7) \$15,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for the Washington state institute for  
3 public policy to examine the need for and methods to increase the  
4 availability of nonfood items, such as personal hygiene supplies,  
5 soaps, paper products, and other items, to needy persons in the state.  
6 The study shall examine existing private and public programs that  
7 provide such products, and develop recommendations for the most cost-  
8 effective incentives for private and public agencies to increase local  
9 distribution outlets and local and regional networks of supplies. A  
10 final report shall be delivered to the legislature and the governor by  
11 December 1, 2009.

12 (8) \$17,000 of the general fund--state appropriation for fiscal  
13 year 2010 and \$42,000 of the general fund--state appropriation for  
14 fiscal year 2011 are provided to the Washington state institute for  
15 public policy to implement Second Substitute House Bill No. 2106 (child  
16 welfare outcomes). If the bill is not enacted by June 30, 2009, the  
17 amounts provided in this subsection shall lapse.

18 (9) \$54,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$23,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely to implement Substitute Senate  
21 Bill No. 5882 (racial disproportionality). If the bill is not enacted  
22 by June 30, 2009, the amounts provided in this subsection shall lapse.

23 (10) \$75,000 of the general fund--state appropriation for fiscal  
24 year 2010 is provided solely for the Washington state institute of  
25 public policy to evaluate the adequacy of and access to financial aid  
26 and independent living programs for youth in foster care. The  
27 examination shall include opportunities to improve efficiencies within  
28 these programs. The institute shall report its findings by December 1,  
29 2009.

30 (11) \$75,000 of the general fund--state appropriation for fiscal  
31 year 2010 is provided solely for the Washington state institute for  
32 public policy to conduct an assessment of the general assistance  
33 unemployable program and other similar programs. The assessment shall  
34 include a review of programs in other states that provide similar  
35 services and will include recommendations on promising approaches that  
36 both improve client outcomes and reduce state costs. A report is due  
37 by December 1, 2009.

1 (12) To the extent funds are available, the Washington state  
2 institute for public policy is encouraged to continue the longitudinal  
3 analysis of long-term mental health outcomes directed in chapter 334,  
4 Laws of 2001 (mental health performance audit), to build upon the  
5 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill  
6 offenders); and to assess program outcomes and cost effectiveness of  
7 the children's mental health pilot projects as required by chapter 372,  
8 Laws of 2006.

9 (13) \$50,000 of the general fund--state appropriation for fiscal  
10 year 2011 is provided solely for the institute for public policy to  
11 provide research support to the council on quality education.

12 (14) At least \$119,207 of the general fund--state appropriation for  
13 fiscal year 2011 shall be expended on the longhouse center.

14 (15) At least \$103,146 of the general fund--state appropriation for  
15 fiscal year 2011 shall be expended on the Northwest Indian applied  
16 research institute.

17 **Sec. 607.** 2010 2nd sp.s. c 1 s 607 (uncodified) is amended to read  
18 as follows:

19 **FOR WESTERN WASHINGTON UNIVERSITY**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$43,146,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$46,359,000)</del>
22		<u>\$52,709,000</u>
23	General Fund--Federal Appropriation . . . . .	\$8,885,000
24	Education Legacy Trust Account--State Appropriation . .	<del>(\$12,917,000)</del>
25		<u>\$6,518,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(\$111,307,000)</del>
27		<u>\$111,258,000</u>

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

30 (1) In implementing the appropriations in this section, the  
31 president and governing board shall seek to minimize impacts on student  
32 services and instructional programs by maximizing reductions in  
33 administration and other non-instructional activities.

34 (2) Because higher education is an essential driver of economic  
35 recovery and development, the university shall maintain, and endeavor  
36 to increase, enrollment and degree production levels at or beyond their  
37 academic year 2008-09 levels in the following high-demand fields:



1 Biological and biomedical sciences; computer and information sciences;  
2 education with specializations in special education, math, or science;  
3 engineering and engineering technology; health professions and related  
4 clinical sciences; and mathematics and statistics.

5 **Sec. 608.** 2010 1st sp.s. c 37 s 610 (uncodified) is amended to  
6 read as follows:

7 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**  
8 **ADMINISTRATION**

9	General Fund--State Appropriation (FY 2010) . . . . .	\$6,402,000
10	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,561,000)</del>
11		<u>\$5,339,000</u>
12	General Fund--Federal Appropriation . . . . .	\$4,332,000
13	TOTAL APPROPRIATION . . . . .	<del>(\$16,295,000)</del>
14		<u>\$16,073,000</u>

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

17 (1) Within the funds appropriated in this section, the higher  
18 education coordinating board shall complete a system design planning  
19 project that defines how the current higher education delivery system  
20 can be shaped and expanded over the next ten years to best meet the  
21 needs of Washington citizens and businesses for high quality and  
22 accessible post-secondary education. The board shall propose policies  
23 and specific, fiscally feasible implementation recommendations to  
24 accomplish the goals established in the *2008 strategic master plan for*  
25 *higher education*. The project shall specifically address the roles,  
26 missions, and instructional delivery systems both of the existing and  
27 of proposed new components of the higher education system; the extent  
28 to which specific academic programs should be expanded, consolidated,  
29 or discontinued and how that would be accomplished; the utilization of  
30 innovative instructional delivery systems and pedagogies to reach both  
31 traditional and nontraditional students; and opportunities to  
32 consolidate institutional administrative functions. The study  
33 recommendations shall also address the proposed location, role,  
34 mission, academic program, and governance of any recommended new  
35 campus, institution, or university center. During the planning  
36 process, the board shall inform and actively involve the chairs from  
37 the senate and house of representatives committees on higher education,

1 or their designees. The board shall report the findings and  
2 recommendations of this system design planning project to the governor  
3 and the appropriate committees of the legislature by December 1, 2009.

4 (2) \$146,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$65,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the higher education  
7 coordinating board to administer Engrossed Second Substitute House Bill  
8 No. 2021 (revitalizing student financial aid). If the bill is not  
9 enacted by June 30, 2009, the amounts provided in this subsection shall  
10 lapse.

11 (3) \$167,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$71,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely to implement Engrossed Second  
14 Substitute House Bill No. 1946 (regarding higher education online  
15 technology). If the bill is not enacted by June 30, 2009, the amounts  
16 provided in this subsection shall lapse.

17 (4) \$350,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$200,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for the higher education  
20 coordinating board to contract with the Pacific Northwest university of  
21 health sciences to conduct training and education of health care  
22 professionals to promote osteopathic physician services in rural and  
23 underserved areas of the state.

24 **Sec. 609.** 2010 1st sp.s. c 37 s 611 (uncodified) is amended to  
25 read as follows:

26 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
27 **PROGRAMS**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$188,332,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$122,218,000)</del>
30		<u>\$178,502,000</u>
31	General Fund--Federal Appropriation . . . . .	\$13,129,000
32	Education Legacy Trust Account--State	
33	Appropriation . . . . .	<del>(\$116,060,000)</del>
34		<u>\$59,776,000</u>
35	Opportunity Pathways Account--State Appropriation . . . . .	\$73,500,000
36	TOTAL APPROPRIATION . . . . .	\$513,239,000

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

3 (1) \$178,726,000 of the general fund--state appropriation for  
4 fiscal year 2010, \$120,572,000 of the general fund--state appropriation  
5 for fiscal year 2011, \$109,188,000 of the education legacy trust  
6 account appropriation, \$73,500,000 of the opportunity pathways  
7 appropriation, and \$2,545,000 of the general fund--federal  
8 appropriation are provided solely for student financial aid payments  
9 under the state need grant; the state work study program including up  
10 to a four percent administrative allowance; the Washington scholars  
11 program; and the Washington award for vocational excellence. State  
12 need grant and the Washington award for vocational excellence shall be  
13 adjusted to offset the cost of the resident undergraduate tuition  
14 increases, limited to those tuition increases authorized under this  
15 act. The Washington scholars program shall provide awards sufficient  
16 to offset ninety percent of the total tuition and fee award.

17 (2)(a) Within the funds appropriated in this section, eligibility  
18 for the state need grant shall include students with family incomes at  
19 or below 70 percent of the state median family income (MFI), adjusted  
20 for family size. Awards for all students shall be adjusted by the  
21 estimated amount by which Pell grant increases exceed projected  
22 increases in the noninstructional costs of attendance. Awards for  
23 students with incomes between 51 and 70 percent of the state median  
24 shall be prorated at the following percentages of the award amount  
25 granted to those with incomes below 51 percent of the MFI: 70 percent  
26 for students with family incomes between 51 and 55 percent MFI; 65  
27 percent for students with family incomes between 56 and 60 percent MFI;  
28 60 percent for students with family incomes between 61 and 65 percent  
29 MFI; and 50 percent for students with family incomes between 66 and 70  
30 percent MFI.

31 (b) Grant awards for students at private four-year colleges shall  
32 be set at the same level as the student would receive if attending one  
33 of the public research universities.

34 (3) To the maximum extent practicable, the board shall provide  
35 state work study subsidies only to resident students during the 2010-11  
36 academic year. Additionally, in order to provide work opportunities to  
37 as many resident students as possible, the board is encouraged to

1 increase the proportion of student wages that is to be paid by both  
2 proprietary and nonprofit, public, and private employers.

3 (4) \$3,872,000 of the education legacy trust account--state  
4 appropriation is provided solely for the passport to college  
5 scholarship program pursuant to chapter 28B.117 RCW. The higher  
6 education coordinating board shall contract with a college scholarship  
7 organization with expertise in managing scholarships for low-income,  
8 high-potential students and foster care children and young adults to  
9 administer the program. Of the amount in this subsection, \$39,000 is  
10 provided solely for the higher education coordinating board for  
11 administration of the contract and the remaining shall be contracted  
12 out to the organization for the following purposes:

13 (a) \$384,000 is provided solely for program administration, and

14 (b) \$3,449,000 is provided solely for student financial aid for up  
15 to 151 students and to fund student support services. Funds are  
16 provided for student scholarships, provider training, and for incentive  
17 payments to the colleges they attend for individualized student support  
18 services which may include, but are not limited to, college and career  
19 advising, counseling, tutoring, costs incurred for students while  
20 school is not in session, personal expenses, health insurance, and  
21 emergency services.

22 (5) \$1,250,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided solely for the health professional scholarship  
24 and loan program. The funds provided in this subsection shall be: (a)  
25 Prioritized for health care deliver sites demonstrating a commitment to  
26 serving the uninsured; and (b) allocated between loan repayments and  
27 scholarships proportional to current program allocations.

28 (6) For fiscal year 2010 and fiscal year 2011, the board shall  
29 defer loan or conditional scholarship repayments to the future teachers  
30 conditional scholarship and loan repayment program for up to one year  
31 for each participant if the participant has shown evidence of efforts  
32 to find a teaching job but has been unable to secure a teaching job per  
33 the requirements of the program.

34 (7) \$246,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$246,000 of the general fund--state appropriation for  
36 fiscal year 2011 are for community scholarship matching grants and its  
37 administration. To be eligible for the matching grant, nonprofit  
38 groups organized under section 501(c)(3) of the federal internal

1 revenue code must demonstrate they have raised at least \$2,000 in new  
2 moneys for college scholarships after the effective date of this  
3 section. Groups may receive no more than one \$2,000 matching grant per  
4 year and preference shall be given to groups affiliated with  
5 scholarship America. Up to a total of \$46,000 per year of the amount  
6 appropriated in this section may be awarded to a nonprofit community  
7 organization to administer scholarship matching grants, with preference  
8 given to an organization affiliated with scholarship America.

9 (8) \$500,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$500,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for state need grants provided to  
12 students enrolled in three to five credit-bearing quarter credits, or  
13 the equivalent semester credits. Total state expenditures on this  
14 program shall not exceed the amounts provided in this subsection.

15 (9) \$2,500,000 of the education legacy trust account--state  
16 appropriation is provided solely for the gaining early awareness and  
17 readiness for undergraduate programs project.

18 (10) \$75,000 of the general fund--state appropriation for fiscal  
19 year 2010 is provided solely for higher education student child care  
20 matching grants under chapter 28B.135 RCW.

21 (11) \$200,000 of the general fund--state appropriation for fiscal  
22 year 2011 is provided solely for continuation of the leadership 1000  
23 scholarship sponsorship and matching program.

24 (12) In 2010 and 2011, the board shall continue to designate  
25 Washington scholars and scholar-alternates and to recognize them at  
26 award ceremonies as provided in RCW 28A.600.150, but state funding is  
27 provided for award of only one scholarship per legislative district  
28 during the 2010-11 academic year. After the 2010-11 academic year, and  
29 as provided in RCW 28B.76.660, the board may distribute grants to these  
30 eligible students to the extent that funds are appropriated for this  
31 purpose.

32 **Sec. 610.** 2010 1st sp.s. c 37 s 612 (uncodified) is amended to  
33 read as follows:

34 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

35	General Fund--State Appropriation (FY 2010) . . . . .	\$1,465,000
36	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,444,000)</del>
37		<u>\$1,358,000</u>

1 General Fund--Federal Appropriation . . . . . ((~~\$54,020,000~~))  
2 \$54,022,000  
3 TOTAL APPROPRIATION . . . . . ((~~\$56,929,000~~))  
4 \$56,845,000

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

7 (1) \$60,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$60,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for implementation of Engrossed  
10 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
11 bill is not enacted by June 30, 2009, the amounts provided in this  
12 subsection shall lapse.

13 (2) In 2010 and 2011, the board shall continue to designate  
14 recipients of the Washington award for vocational excellence and to  
15 recognize them at award ceremonies as provided in RCW 28C.04.535, but  
16 state funding is provided for award of only one scholarship per  
17 legislative district during the 2010-11 academic year. After the 2010-  
18 11 academic year, and as provided in RCW 28B.76.670, the board may  
19 distribute grants to these eligible students to the extent that funds  
20 are appropriated for this purpose.

21 **Sec. 611.** 2010 1st sp.s. c 37 s 613 (uncodified) is amended to  
22 read as follows:

23 **FOR THE SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE**  
24 General Fund--State Appropriation (FY 2010) . . . . . \$1,598,000  
25 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$1,490,000~~))  
26 \$1,396,000  
27 TOTAL APPROPRIATION . . . . . ((~~\$3,088,000~~))  
28 \$2,994,000

29 The appropriations in this section are subject to the following  
30 conditions and limitations: Within existing resources, the Spokane  
31 intercollegiate research and technology institute shall coordinate with  
32 the Washington technology center to identify gaps and overlaps in  
33 programs and evaluate strategies to reduce administrative overhead  
34 expenses per section 122(27) of this act.

35 **Sec. 612.** 2010 1st sp.s. c 37 s 614 (uncodified) is amended to  
36 read as follows:

1 **FOR THE DEPARTMENT OF EARLY LEARNING**

2	General Fund--State Appropriation (FY 2010) . . . . .	\$60,400,000
3	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$21,241,000)</del>
4		<u>\$19,046,000</u>
5	General Fund--Federal Appropriation . . . . .	<del>(\$265,305,000)</del>
6		<u>\$266,004,000</u>
7	Opportunity Pathways Account--State Appropriation . . . . .	\$40,000,000
8	TOTAL APPROPRIATION . . . . .	<del>(\$386,946,000)</del>
9		<u>\$385,450,000</u>

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

12 (1) \$54,878,000 of the general fund--state appropriation for fiscal  
13 year 2010 and ~~(\$14,685,000)~~ \$14,405,000 of the general fund--state  
14 appropriation for fiscal year 2011, and \$40,000,000 of the opportunity  
15 pathways account appropriation are provided solely for early childhood  
16 education and assistance program services. This appropriation  
17 temporarily reduces the number of slots for the 2009-11 fiscal biennium  
18 for the early childhood education and assistance program. The  
19 department shall reduce slots where providers serve both federal  
20 headstart and early childhood education and assistance program  
21 children, to the greatest extent possible, in order to achieve no  
22 reduction of slots across the state. The amounts in this subsection  
23 also reflect reductions to the administrative expenditures for the  
24 early childhood education and assistance program. The department shall  
25 reduce administrative expenditures, to the greatest extent possible,  
26 prior to reducing early childhood education and assistance program  
27 slots. Of these amounts, \$10,284,000 is a portion of the biennial  
28 amount of state matching dollars required to receive federal child care  
29 and development fund grant dollars.

30 (2) \$1,000,000 of the general fund--federal appropriation is  
31 provided to the department to contract with Thrive by Five, Washington  
32 for a pilot project for a quality rating and improvement system to  
33 provide parents with information they need to choose quality child care  
34 and education programs and to improve the quality of early care and  
35 education programs. The department in collaboration with Thrive by  
36 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,  
37 and Kitsap counties. The department shall use child care development  
38 fund quality money for this purpose.

1 (3) \$425,000 of the general fund--state appropriation for fiscal  
2 year 2010, (~~(\$213,000)~~) \$200,000 of the general fund--state  
3 appropriation for fiscal year 2011, and \$850,000 of the general fund--  
4 federal appropriation are provided solely for child care resource and  
5 referral network services. The general fund--federal funding  
6 represents moneys from the American recovery and reinvestment act of  
7 2009 (child care development block grant).

8 (4) \$750,000 of the general fund--state appropriation for fiscal  
9 year 2010, (~~(\$750,000 of the general fund--state appropriation for~~  
10 ~~fiscal year 2011,)~~) and \$1,500,000 of the general fund--federal  
11 appropriation are provided solely for the career and wage ladder  
12 program created by chapter 507, Laws of 2005. The general fund--  
13 federal funding represents moneys from the American recovery and  
14 reinvestment act of 2009 (child care development block grant).

15 (5) \$50,000 of the general fund--state appropriation for fiscal  
16 year 2010 (~~(and \$50,000 of the general fund--state appropriation for~~  
17 ~~fiscal year 2011 are)~~) is provided solely for the department to work  
18 with stakeholders and the office of the superintendent of public  
19 instruction to identify and test a kindergarten assessment process and  
20 tools in geographically diverse school districts. School districts may  
21 participate in testing the kindergarten assessment process on a  
22 voluntary basis. The department shall report to the legislature on the  
23 kindergarten assessment process not later than January 15, 2011.  
24 Expenditure of amounts provided in this subsection is contingent on  
25 receipt of an equal match from private sources. As matching funds are  
26 made available, the department may expend the amounts provided in this  
27 subsection.

28 (6) \$1,600,000 of the general fund--federal appropriation is  
29 provided solely for the department to fund programs to improve the  
30 quality of infant and toddler child care through training, technical  
31 assistance, and child care consultation.

32 (7) \$200,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$200,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely to develop and provide culturally  
35 relevant supports for parents, family, and other caregivers.

36 (8) The legislature notes that the department of early learning is  
37 developing a plan for improving child care licensing and is consulting,  
38 as practicable, with parents, licensed child care providers, and



1 stakeholders from the child care community. The plan shall outline the  
2 processes and specify the resources necessary for improvements such as  
3 continuing licenses, child care licensing technology, and weighted  
4 child care regulations, including development of risk-based decision  
5 making models and inclusive, evidence-based rule making. The  
6 department shall submit to the appropriate committees of the  
7 legislature a plan by January 15, 2011.

8 (9) The department is the lead agency for and recipient of the  
9 federal child care and development fund grant. Amounts within this  
10 grant shall be used to fund child care licensing, quality initiatives,  
11 agency administration, and other costs associated with child care  
12 subsidies. The department shall transfer a portion of this grant to  
13 the department of social and health services to partially fund the  
14 child care subsidies paid by the department of social and health  
15 services on behalf of the department of early learning.

16 (10) The department shall use child care development fund money to  
17 satisfy the federal audit requirement of the improper payments act  
18 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent  
19 on the audits will not count against the five percent state limit on  
20 administrative expenditures.

21 (11) Within available amounts, the department in consultation with  
22 the office of financial management and the department of social and  
23 health services shall report quarterly enrollments and active caseload  
24 for the working connections child care program to the legislative  
25 fiscal committees. The report shall also identify the number of cases  
26 participating in both temporary assistance for needy families and  
27 working connections child care.

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

34 (13) (~~(\$500,000)~~) \$374,000 of the general fund--state appropriation  
35 for fiscal year 2011 is provided solely for the department to contract  
36 with the private-public partnership established in chapter 43.215 RCW  
37 for home visitation programs. Of this amount, \$200,000 of the general  
38 fund--state appropriation for fiscal year 2011 is provided solely for

1 expenditure into the home visiting services account created in Part IX  
2 of this act to be used for contracts for home visitation with the  
3 private-public partnership.

4 (14) In accordance to RCW 43.215.255(2) and 43.135.055, the  
5 department is authorized to increase child care center licensure fees  
6 by fifty-two dollars for the first twelve children and an additional  
7 four dollars per additional child in fiscal year 2011 for costs to the  
8 department for the licensure activity, including costs of necessary  
9 inspection.

10 **Sec. 613.** 2010 1st sp.s. c 37 s 615 (uncodified) is amended to  
11 read as follows:

12 **FOR THE STATE SCHOOL FOR THE BLIND**

13	General Fund--State Appropriation (FY 2010) . . . . .	\$5,902,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,985,000)</del>
15		<u>\$5,506,000</u>
16	General Fund--Private/Local Appropriation . . . . .	\$1,942,000
17	TOTAL APPROPRIATION . . . . .	<del>(\$13,829,000)</del>
18		<u>\$13,350,000</u>

19 The appropriations in this section are subject to the following  
20 conditions and limitations: \$271,000 of the general fund--  
21 private/local appropriation is provided solely for the school for the  
22 blind to offer short course programs, allowing students the opportunity  
23 to leave their home schools for short periods and receive intensive  
24 training. The school for the blind shall provide this service to the  
25 extent that it is funded by contracts with school districts and  
26 educational services districts.

27 **Sec. 614.** 2010 1st sp.s. c 37 s 616 (uncodified) is amended to  
28 read as follows:

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

31	General Fund--State Appropriation (FY 2010) . . . . .	\$8,593,000
32	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,782,000)</del>
33		<u>\$8,226,000</u>
34	General Fund--Private/Local Appropriation . . . . .	\$526,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$17,901,000)</del>
36		<u>\$17,345,000</u>

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

3 (1) \$210,000 of the general fund--private/local appropriation is  
4 provided solely for the operation of the shared reading video outreach  
5 program. The school for the deaf shall provide this service to the  
6 extent it is funded by contracts with school districts and educational  
7 service districts.

8 (2) \$25,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$25,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely for implementation of Engrossed  
11 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If  
12 the bill is not enacted by June 30, 2009, the amounts provided in this  
13 subsection shall lapse.

14 **Sec. 615.** 2010 1st sp.s. c 37 s 617 (uncodified) is amended to  
15 read as follows:

16 **FOR THE WASHINGTON STATE ARTS COMMISSION**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$1,844,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,347,000)</del>
19		<u>\$1,228,000</u>
20	General Fund--Federal Appropriation . . . . .	<del>(\$1,944,000)</del>
21		<u>\$2,107,000</u>
22	General Fund--Private/Local Appropriation . . . . .	\$1,052,000
23	TOTAL APPROPRIATION . . . . .	<del>(\$6,187,000)</del>
24		<u>\$6,231,000</u>

25 The appropriations in this section are subject to the following  
26 conditions and limitations: It is the intent of the legislature that  
27 the reductions in appropriations in this section shall be achieved, to  
28 the greatest extent possible, by reducing those administrative costs  
29 that do not affect direct client services or direct service delivery or  
30 programs. The agency shall, to the greatest extent possible, reduce  
31 spending in those areas that shall have the least impact on  
32 implementing its mission.

33 **Sec. 616.** 2010 1st sp.s. c 37 s 618 (uncodified) is amended to  
34 read as follows:

35 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

36	General Fund--State Appropriation (FY 2010) . . . . .	\$2,592,000
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1 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$2,607,000~~))  
 2 \$2,379,000  
 3 TOTAL APPROPRIATION . . . . . ((~~\$5,199,000~~))  
 4 \$4,971,000

5 The appropriations in this section are subject to the following  
 6 conditions and limitations: It is the intent of the legislature that  
 7 the reductions in appropriations in this section shall be achieved, to  
 8 the greatest extent possible, by reducing those administrative costs  
 9 that do not affect direct client services or direct service delivery or  
 10 programs. The agency shall, to the greatest extent possible, reduce  
 11 spending in those areas that shall have the least impact on  
 12 implementing its mission.

13 **Sec. 617.** 2010 1st sp.s. c 37 s 619 (uncodified) is amended to  
 14 read as follows:

15 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

16 General Fund--State Appropriation (FY 2010) . . . . . \$1,612,000  
 17 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$1,632,000~~))  
 18 \$1,489,000  
 19 TOTAL APPROPRIATION . . . . . ((~~\$3,244,000~~))  
 20 \$3,101,000

21 The appropriations in this section are subject to the following  
 22 conditions and limitations: It is the intent of the legislature that  
 23 the reductions in appropriations in this section shall be achieved, to  
 24 the greatest extent possible, by reducing those administrative costs  
 25 that do not affect direct client services or direct service delivery or  
 26 programs. The agency shall, to the greatest extent possible, reduce  
 27 spending in those areas that shall have the least impact on  
 28 implementing its mission.

(End of part)

PART VII  
SPECIAL APPROPRIATIONS

Sec. 701. 2010 1st sp.s. c 37 s 701 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund--State Appropriation (FY 2010)	\$842,590,000
General Fund--State Appropriation (FY 2011)	<del>(\$894,284,000)</del>
	<u>\$879,284,000</u>
State Building Construction Account--State	
Appropriation	\$11,707,000
Columbia River Basin Water Supply Development Account--	
State Appropriation	\$117,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$11,000
State Taxable Building Construction Account--State	
Appropriation	\$1,136,000
Gardner-Evans Higher Education Construction Account--	
State Appropriation	\$260,000
Debt-Limit Reimbursable Bond Retirement Account--State	
Appropriation	\$2,612,000
TOTAL APPROPRIATION	<del>(\$1,752,717,000)</del>
	<u>\$1,737,717,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

Sec. 702. 2010 1st sp.s. c 37 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**

1 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

2 General Fund--State Appropriation (FY 2010) . . . . . \$26,436,000

3 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$27,773,000)~~)

4 \$27,713,000

5 School Construction and Skill Centers Building

6 Account--State Appropriation . . . . . \$477,000

7 Nondebt-Limit Reimbursable Bond Retirement Account--

8 State Appropriation . . . . . (~~(\$140,872,000)~~)

9 \$135,872,000

10 TOTAL APPROPRIATION . . . . . (~~(\$195,558,000)~~)

11 \$190,498,000

12 The appropriations in this section are subject to the following

13 conditions and limitations: The general fund appropriation is for

14 expenditure into the nondebt-limit general fund bond retirement

15 account. The entire general fund--state appropriation for fiscal year

16 2010 shall be expended into the nondebt-limit general fund bond

17 retirement account by June 30, 2010.

18 **Sec. 703.** 2010 1st sp.s. c 37 s 703 (uncodified) is amended to

19 read as follows:

20 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

21 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

22 General Fund--State Appropriation (FY 2010) . . . . . \$1,357,000

23 General Fund--State Appropriation (FY 2011) . . . . . \$1,357,000

24 State Building Construction Account--State

25 Appropriation . . . . . \$1,273,000

26 Columbia River Basin Water Supply Development

27 Account--State Appropriation . . . . . \$9,000

28 Hood Canal Aquatic Rehabilitation Bond Account--

29 State Appropriation . . . . . \$1,000

30 State Taxable Building Construction Account--State

31 Appropriation . . . . . \$72,000

32 Gardner-Evans Higher Education Construction

33 Account--State Appropriation . . . . . \$18,000

34 School Construction and Skill Centers Building

35 Account--State Appropriation . . . . . (~~(\$30,000)~~)

36 \$37,000

37 TOTAL APPROPRIATION . . . . . (~~(\$4,117,000)~~)

2 **Sec. 704.** 2010 1st sp.s. c 37 s 705 (uncodified) is amended to  
3 read as follows:

4 **FOR THE DEPARTMENT OF HEALTH--COUNTY PUBLIC HEALTH ASSISTANCE**  
5 General Fund--State Appropriation (FY 2011) . . . . . \$24,000,000

6 The appropriations in this section are subject to the following  
7 conditions and limitations: The director of the department of health  
8 shall distribute the appropriations to the following counties and  
9 health districts in the amounts designated to support public health  
10 services, including public health nursing:

<del>(Health District</del>	<b>FY 2011</b>
11 <del>Adams County Health District</del>	\$30,951
12 <del>Asotin County Health District</del>	\$67,714
13 <del>Benton-Franklin Health District</del>	\$1,165,612
14 <del>Chelan-Douglas Health District</del>	\$184,761
15 <del>Clallam County Health and Human Services Department</del>	\$141,752
16 <del>Southwest Washington Health District</del>	\$1,084,473
17 <del>Columbia County Health District</del>	\$40,529
18 <del>Cowlitz County Health Department</del>	\$278,560
19 <del>Garfield County Health District</del>	\$15,028
20 <del>Grant County Health District</del>	\$118,596
21 <del>Grays Harbor Health Department</del>	183,870
22 <del>Island County Health Department</del>	\$91,892
23 <del>Jefferson County Health and Human Services</del>	\$85,782
24 <del>Seattle-King County Department of Public Health</del>	\$9,531,747
25 <del>Bremerton-Kitsap County Health District</del>	\$554,669
26 <del>Kittitas County Health Department</del>	\$92,499
27 <del>Klickitat County Health Department</del>	\$62,402
28 <del>Lewis County Health Department</del>	\$105,801
29 <del>Lincoln County Health Department</del>	\$29,705
30 <del>Mason County Department of Health Services</del>	\$95,988
31 <del>Okanogan County Health District</del>	\$63,458
32 <del>Pacific County Health Department</del>	\$77,427
33 <del>Tacoma-Pierce County Health Department</del>	\$2,820,590
34 <del>San Juan County Health and Community Services</del>	\$37,531

1	<del>Skagit County Health Department</del>	\$223,927
2	<del>Snohomish Health District</del>	\$2,258,207
3	<del>Spokane County Health District</del>	\$2,101,429
4	<del>Northeast Tri-County Health District</del>	\$110,454
5	<del>Thurston County Health Department</del>	\$600,419
6	<del>Wahkiakum County Health Department</del>	\$13,772
7	<del>Walla Walla County-City Health Department</del>	\$172,062
8	<del>Wheaton County Health Department</del>	\$855,863
9	<del>Whitman County Health Department</del>	\$78,733
10	<del>Yakima Health District</del>	\$623,797
11	<b>TOTAL APPROPRIATIONS</b>	\$24,000,000))
12	<b><u>Health District</u></b>	<b><u>FY 2011</u></b>
13	<u>Clallam County Health and Human Services Department</u>	\$131,729
14	<u>Clark County Health District</u>	\$982,997
15	<u>Skamania County Health Department</u>	\$24,794
16	<u>Columbia County Health District</u>	\$37,663
17	<u>Cowlitz County Health Department</u>	\$258,863
18	<u>Garfield County Health District</u>	\$13,965
19	<u>Grant County Health District</u>	\$110,210
20	<u>Grays Harbor Health Department</u>	\$170,869
21	<u>Island County Health Department</u>	\$85,394
22	<u>Jefferson County Health and Human Services</u>	\$79,716
23	<u>Seattle-King County Department of Public Health</u>	\$8,857,773
24	<u>Bremerton-Kitsap County Health District</u>	\$515,449
25	<u>Kittitas County Health Department</u>	\$85,959
26	<u>Klickitat County Health Department</u>	\$57,990
27	<u>Lewis County Health Department</u>	\$98,320
28	<u>Lincoln County Health Department</u>	\$27,605
29	<u>Mason County Department of Health Services</u>	\$89,201
30	<u>Okanogan County Health District</u>	\$58,971
31	<u>Pacific County Health Department</u>	\$71,952
32	<u>Tacoma-Pierce County Health Department</u>	\$2,621,151
33	<u>San Juan County Health and Community Services</u>	\$34,877
34	<u>Skagit County Health Department</u>	\$208,093
35	<u>Snohomish Health District</u>	\$2,098,533
36	<u>Spokane County Health District</u>	\$1,952,840



1	<u>Northeast Tri-County Health District</u>	<u>\$102,644</u>
2	<u>Thurston County Health Department</u>	<u>\$557,964</u>
3	<u>Wahkiakum County Health Department</u>	<u>\$12,798</u>
4	<u>Walla Walla County-City Health Department</u>	<u>\$159,896</u>
5	<u>Whatcom County Health Department</u>	<u>\$795,346</u>
6	<u>Whitman County Health Department</u>	<u>\$73,166</u>
7	<u>Yakima Health District</u>	<u>\$579,689</u>
8	<u>Adams County Health District</u>	<u>\$28,763</u>
9	<u>Asotin County Health District</u>	<u>\$62,926</u>
10	<u>Benton-Franklin Health District</u>	<u>\$1,083,194</u>
11	<u>Chelan-Douglas Health District</u>	<u>\$171,697</u>
12	<b><u>TOTAL APPROPRIATIONS</u></b>	<b><u>\$22,303,000</u></b>

13       **Sec. 705.** 2010 1st sp.s. c 37 s 707 (uncodified) is amended to  
14 read as follows:

15 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**  
16 **ACCOUNT**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$1,912,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$3,615,000 ))</del>
19		<u>\$1,815,000</u>
20	TOTAL APPROPRIATION . . . . .	<del>(( \$5,527,000 ))</del>
21		<u>\$3,727,000</u>

22       The appropriations in this section are subject to the following  
23 conditions and limitations: The appropriations are provided solely for  
24 expenditure into the capitol building construction account.

25       **Sec. 706.** 2010 1st sp.s. c 37 s 709 (uncodified) is amended to  
26 read as follows:

27       **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may  
28 be necessary, are appropriated from the general fund, unless otherwise  
29 indicated, for relief of various individuals, firms, and corporations  
30 for sundry claims. These appropriations are to be disbursed on  
31 vouchers approved by the director of financial management, except as  
32 otherwise provided, as follows:

- 33       (1) Reimbursement of criminal defendants acquitted on the basis of  
34 self-defense, pursuant to RCW 9A.16.110:
- |    |  |          |
|----|--|----------|
| 35 | (a) Gerald S. Morrow, claim number 99970006 . . . . .    | \$20,567 |
| 36 | (b) Darrell R. Baumgart, claim number 99970007 . . . . . | \$4,528  |

1	(c) William Davis, claim number 99970008 . . . . .	\$8,093
2	(d) Gene T. Strader, claim number 99970009 . . . . .	\$33,875
3	(e) Cecilio Cortez, claim number 99970012 . . . . .	\$17,055
4	(f) Alexander D. Coble, claim number 99970013 . . . . .	\$302,110
5	(g) James W. Jolly, claim number 99970017 . . . . .	\$28,884
6	(h) James Jay Olsen, claim number 99970018 . . . . .	\$97,220
7	(i) Todd E. Miller, claim number 99970019 . . . . .	\$6,957
8	(j) Sean S. DeHart, claim number 99970021 . . . . .	\$52,062
9	(k) Thomas L. Raglin, Jr., claim number 99970022 . . . . .	\$4,360
10	(l) Matthew Smitham, claim number 99970016 . . . . .	\$8,100
11	(m) John R. Frederick, claim number 99970020 . . . . .	\$7,719
12	(n) Justin C. Federmeier, claim number 99970023 . . . . .	\$29,728
13	(o) David R. Palmer, claim number 99970024 . . . . .	\$4,250
14	(p) Ian K. Berghoffer, claim number 99970026 . . . . .	\$33,455
15	(q) Darryl L. Koenen, claim number 99970027 . . . . .	\$23,077
16	(r) Lee J. Stites, claim number 99970028 . . . . .	\$7,502
17	(s) Bobby G. Ewing, claim number 99970029 . . . . .	\$51,093
18	<u>(t) Dylan Friesz, claim number 99970030 . . . . .</u>	<u>\$10,200</u>
19	<u>(u) Kevin L. Lund, claim number 99970031 . . . . .</u>	<u>\$11,402</u>
20	<u>(v) Rodney C. Price, claim number 99970033 . . . . .</u>	<u>\$11,250</u>
21	<u>(w) Matthew S. Lovacs, claim number 99970034 . . . . .</u>	<u>\$25,700</u>
22	<u>(x) Christopher A. Peeler, claim number 99970035 . . . . .</u>	<u>\$47,923</u>
23	<u>(y) Dwayne Myatt-Perez, claim number 99970036 . . . . .</u>	<u>\$70,000</u>
24	(2) Payment of death benefit, pursuant to RCW 41.04.017: Estate of	
25	Erik Anderson, claim number 99970014 . . . . .	\$150,000

26       **Sec. 707.** 2010 1st sp.s. c 37 s 710 (uncodified) is amended to  
27 read as follows:

28       **STRATEGIC PRINTING STRATEGY.** (1) The office of financial  
29 management shall work with the appropriate state agencies to generate  
30 savings of \$1,500,000 from the state general fund that can arise from  
31 a strategic printing strategy. (~~From appropriations in this act, the~~  
32 ~~office of financial management shall reduce general fund state~~  
33 ~~allotments by \$1,500,000 for fiscal year 2011 to reflect the savings~~  
34 ~~from the strategic printing strategy. The allotment reductions shall~~  
35 ~~be placed in unallotted status and remain unexpended.))~~

36       (2) The office of financial management, with the assistance of the  
37 department of information services and the department of printing,

1 shall conduct an analysis of the state's printing processes to identify  
2 the most reasonable strategies of attaining a statewide savings target  
3 of \$1,500,000 without affecting direct program activities. The  
4 strategies shall include, but not be limited to, standardizing  
5 envelopes, utilizing print management, and streamlining processes.  
6 Pursuant to RCW 41.06.142(3), the strategies shall also include, on the  
7 approval of the office of financial management, pilot projects to  
8 authorize state agencies and institutions to directly acquire printing  
9 services. The analysis shall identify savings by agency and fund that  
10 will result from the implementation of a strategic printing strategy.  
11 The results of this analysis shall then be provided to the director of  
12 financial management and appropriate legislative committees by July 1,  
13 2010. The director shall use the analysis as the basis to achieve the  
14 savings identified in subsection (1) of this section.

15 **Sec. 708.** 2010 1st sp.s. c 37 s 711 (uncodified) is amended to  
16 read as follows:

17 **INFORMATION TECHNOLOGY.** Pursuant to section 11, chapter 282, Laws  
18 of 2010 (state government technology use), the office of financial  
19 management shall work with the appropriate state agencies to generate  
20 savings of (~~(\$30,000,000)~~) \$8,632,000 from technology efficiencies from  
21 the state general fund. (~~(From appropriations in this act, the office  
22 of financial management shall reduce general fund state allotments by  
23 \$30,000,000 for fiscal year 2011. The office of financial management  
24 shall, utilizing existing fund balance, reduce the data processing  
25 revolving account rates in an amount to reflect up to half of the  
26 reductions identified in this section. The allotment reductions shall  
27 be placed in unallotted status and remain unexpended.)~~) Nothing in  
28 this section is intended to impact revenue collection efforts by the  
29 department of revenue.

30 **Sec. 709.** 2009 c 564 s 711 (uncodified) is amended to read as  
31 follows:

32	<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT-- EDUCATION TECHNOLOGY</b>
33	<b>REVOLVING ACCOUNT</b>
34	General Fund--State Appropriation (FY 2010) . . . . . \$8,000,000
35	General Fund--State Appropriation (FY 2011) . . . . . ( <del>(\$8,000,000)</del> )
36	<u>\$7,000,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$16,000,000~~))  
2 \$15,000,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: The appropriations in this section are  
5 provided solely for expenditure into the education technology revolving  
6 account for the purpose of covering ongoing operational and equipment  
7 replacement costs incurred by the K-20 educational network program in  
8 providing telecommunication services to network participants.

9 **Sec. 710.** 2009 c 564 s 719 (uncodified) is amended to read as  
10 follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT-- O'BRIEN BUILDING IMPROVEMENT**  
12 General Fund--State Appropriation (FY 2010) . . . . . \$1,435,000  
13 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$1,435,000)~~)  
14 \$1,884,000  
15 TOTAL APPROPRIATION . . . . . (~~(\$2,870,000)~~)  
16 \$3,319,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations: The appropriations are provided solely for  
19 expenditure into the general administration services account for  
20 payment of principal, interest, and financing expenses associated with  
21 the certificate of participation for the O'Brien building improvement,  
22 project number 20081007.

23 NEW SECTION. **Sec. 711.** A new section is added to 2009 c 564  
24 (uncodified) to read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--WASHINGTON OPPORTUNITY**  
26 **PATHWAYS ACCOUNT**  
27 General Fund--State Appropriation (FY 2011) . . . . . \$19,000,000

28 The appropriation in this section is subject to the following  
29 conditions and limitations: The appropriation is provided solely for  
30 expenditure into the Washington opportunity pathways account.

31 NEW SECTION. **Sec. 712.** A new section is added to 2009 c 564  
32 (uncodified) to read as follows:

33 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION LEGACY TRUST ACCOUNT**  
34 General Fund--State Appropriation (FY 2011) . . . . . \$1,501,000

1       The appropriation in this section is subject to the following  
2 conditions and limitations: The appropriation is provided solely for  
3 expenditure into the education legacy trust account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2010 1st sp.s. c 37 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance	
premium distributions . . . . .	(( <del>\$7,572,000</del> ))
	<u>\$7,888,000</u>
General Fund Appropriation for public utility	
district excise tax distributions . . . . .	(( <del>\$47,342,000</del> ))
	<u>\$45,254,000</u>
General Fund Appropriation for prosecuting	
attorney distributions . . . . .	(( <del>\$6,281,000</del> ))
	<u>\$5,804,000</u>
General Fund Appropriation for boating safety	
and education distributions . . . . .	(( <del>\$4,854,000</del> ))
	<u>\$3,954,000</u>
General Fund Appropriation for other tax	
distributions . . . . .	(( <del>\$50,000</del> ))
	<u>\$52,000</u>
General Fund Appropriation for habitat conservation	
program distributions . . . . .	(( <del>\$3,000,000</del> ))
	<u>\$2,642,000</u>
Death Investigations Account Appropriation for	
distribution to counties for publicly funded	
autopsies . . . . .	\$2,544,000
Aquatic Lands Enhancement Account Appropriation for	
harbor improvement revenue distribution . . . . .	\$170,000
Timber Tax Distribution Account Appropriation for	
distribution to "timber" counties . . . . .	(( <del>\$36,651,000</del> ))
	<u>\$29,929,000</u>
County Criminal Justice Assistance Appropriation . . . . .	(( <del>\$68,528,000</del> ))
	<u>\$65,887,000</u>
Municipal Criminal Justice Assistance	
Appropriation . . . . .	(( <del>\$27,175,000</del> ))
	<u>\$25,516,000</u>

1 City-County Assistance Account Appropriation for local  
2 government financial assistance distribution . . . ((\$27,366,000))  
3 \$24,183,000  
4 Liquor Excise Tax Account Appropriation for liquor  
5 excise tax distribution . . . . . ((\$58,268,000))  
6 \$58,949,000  
7 Streamline Sales and Use Tax Account Appropriation for  
8 distribution to local taxing jurisdictions to  
9 mitigate the unintended revenue redistribution  
10 effect of the sourcing law changes . . . . . ((\$50,056,000))  
11 \$49,933,000  
12 Columbia River Water Delivery Account Appropriation  
13 for the Confederated Tribes of the Colville  
14 Reservation . . . . . ((\$7,315,000))  
15 \$7,257,000  
16 Columbia River Water Delivery Account Appropriation  
17 for the Spokane Tribe of Indians . . . . . ((\$4,644,000))  
18 \$4,704,000  
19 Liquor Revolving Account Appropriation for liquor  
20 profits distribution . . . . . ((\$68,741,000))  
21 \$65,200,000  
22 Liquor Revolving Account Appropriation for additional  
23 liquor profits distribution to local governments . . . \$18,677,000  
24 TOTAL APPROPRIATION . . . . . ((\$439,234,000))  
25 \$418,543,000

26 The total expenditures from the state treasury under the  
27 appropriations in this section shall not exceed the funds available  
28 under statutory distributions for the stated purposes.

29 NEW SECTION. **Sec. 802.** 2010 1st sp.s. c 37 s 802 (uncodified) is  
30 repealed.

31 **Sec. 803.** 2010 2nd sp.s. c 1 s 801 (uncodified) is amended to read  
32 as follows:

33 **FOR THE STATE TREASURER--TRANSFERS**

34 State Treasurer's Service Account: For transfer to the  
35 state general fund, \$16,400,000 for fiscal  
36 year 2010 and \$26,400,000 for fiscal year 2011 . . . . \$42,800,000

1 Waste Reduction, Recycling and Litter Control Account:  
2 For transfer to the state general fund, \$3,000,000  
3 for fiscal year 2010 and \$3,000,000 for fiscal year  
4 2011 . . . . . \$6,000,000  
5 State Toxics Control Account: For transfer to the  
6 state general fund, \$15,340,000 for fiscal year  
7 2010 and \$37,780,000 for fiscal  
8 year 2011 . . . . . \$53,120,000  
9 Local Toxics Control Account: For transfer to the  
10 state general fund, \$37,060,000 for fiscal year  
11 2010 and \$48,759,000 for fiscal year 2011 . . . . . \$85,819,000  
12 Education Construction Account: For transfer to the  
13 state general fund, \$105,228,000 for fiscal year  
14 2010 and \$106,451,000 for fiscal year 2011 . . . . . \$211,679,000  
15 Aquatics Lands Enhancement Account: For transfer to  
16 the state general fund, \$8,520,000 for fiscal  
17 year 2010 and (~~(\$5,050,000)~~) \$12,550,000 for  
18 fiscal year 2011 . . . . . (~~(\$13,570,000)~~)  
19 \$21,070,000  
20 Drinking Water Assistance Account: For transfer to  
21 the drinking water assistance repayment account . . . . \$28,600,000  
22 Economic Development Strategic Reserve Account: For  
23 transfer to the state general fund, \$2,500,000 for  
24 fiscal year 2010 and (~~(\$2,500,000)~~) \$3,900,000 for  
25 fiscal year 2011 . . . . . (~~(\$5,000,000)~~)  
26 \$6,400,000  
27 Tobacco Settlement Account: For transfer to the state  
28 general fund, in an amount not to exceed by more  
29 than \$26,000,000 the actual amount of the annual  
30 payment to the tobacco settlement account . . . . (~~(\$204,098,000)~~)  
31 \$187,546,000  
32 Tobacco Settlement Account: For transfer to the life  
33 sciences discovery fund, in an amount not to exceed  
34 \$26,000,000 less than the actual amount of the  
35 strategic contribution supplemental payment to  
36 the tobacco settlement account . . . . . (~~(\$39,170,000)~~)  
37 \$30,570,000  
38 General Fund: For transfer to the streamline sales and



1 use tax account, \$24,274,000 for fiscal year 2010  
2 and \$24,182,000 for fiscal year 2011 . . . . . \$48,456,000  
3 State Convention and Trade Center Account: For  
4 transfer to the state convention and trade center  
5 operations account, \$1,000,000 for fiscal year  
6 2010 (~~and \$3,100,000 for fiscal year 2011~~) . . . . . (~~(\$4,100,000)~~)  
7 \$1,000,000  
8 Tobacco Prevention and Control Account: For transfer  
9 to the state general fund, \$1,961,000 for fiscal  
10 year 2010 and \$3,000,000 for fiscal year 2011 . . . . . \$4,961,000  
11 Nisqually Earthquake Account: For transfer to the  
12 disaster response account for fiscal year 2010 . . . . . \$500,000  
13 Judicial Information Systems Account: For transfer  
14 to the state general fund, \$3,250,000 for fiscal  
15 year 2010 and \$3,250,000 for fiscal year 2011 . . . . . \$6,500,000  
16 Department of Retirement Systems Expense Account: For  
17 transfer to the state general fund, \$1,000,000 for  
18 fiscal year 2010 and \$1,500,000 for fiscal year  
19 2011 . . . . . \$2,500,000  
20 State Emergency Water Projects Account: For transfer  
21 to the state general fund, \$390,000 for fiscal  
22 year 2011 . . . . . \$390,000  
23 The Charitable, Educational, Penal, and Reformatory  
24 Institutions Account: For transfer to the state  
25 general fund, \$5,550,000 for fiscal year 2010 and  
26 (~~(\$5,550,000)~~) \$4,550,000 for fiscal year 2011 . . . . . (~~(\$11,100,000)~~)  
27 \$10,000,000  
28 Energy Freedom Account: For transfer to the state  
29 general fund, \$4,038,000 for fiscal year 2010 and  
30 \$2,978,000 for fiscal year 2011 . . . . . \$7,016,000  
31 Thurston County Capital Facilities Account: For  
32 transfer to the state general fund, \$8,604,000  
33 for fiscal year 2010 and (~~(\$5,538,000)~~) \$5,156,000  
34 for fiscal year 2011 . . . . . (~~(\$14,142,000)~~)  
35 \$13,760,000  
36 Public Works Assistance Account: For transfer to the  
37 state general fund, \$279,640,000 for fiscal year  
38 2010 and \$229,560,000 for fiscal year 2011 . . . . . \$509,200,000

1 Budget Stabilization Account: For transfer to the  
2 state general fund for fiscal year 2010 . . . . . \$45,130,000  
3 Liquor Revolving Account: For transfer to the state  
4 general fund, \$31,000,000 for fiscal year 2010 and  
5 \$31,000,000 for fiscal year 2011 . . . . . \$62,000,000  
6 Public Works Assistance Account: For transfer to the  
7 city-county assistance account, \$5,000,000 on  
8 July 1, 2009, and \$5,000,000 on July 1, 2010 . . . . . \$10,000,000  
9 Public Works Assistance Account: For transfer to the  
10 drinking water assistance account, \$6,930,000  
11 for fiscal year 2010 and \$4,000,000 for fiscal  
12 year 2011 . . . . . \$10,930,000  
13 Shared Game Lottery Account: For transfer to the  
14 education legacy trust account, \$3,600,000 for  
15 fiscal year 2010 and \$2,400,000 for fiscal year  
16 2011 . . . . . \$6,000,000  
17 State Lottery Account: For transfer to the education  
18 legacy trust account, \$9,500,000 for fiscal year  
19 2010 and \$9,500,000 for fiscal year 2011 . . . . . \$19,000,000  
20 College Faculty Awards Trust Fund: For transfer  
21 to the state general fund for fiscal year 2010,  
22 an amount not to exceed the actual cash balance  
23 of the fund and \$1,957,000 for fiscal year 2011 . . . . . ((~~\$4,000,000~~))  
24 \$5,957,000  
25 Washington Distinguished Professorship Trust Fund:  
26 For transfer to the state general fund for fiscal  
27 year 2010, an amount not to exceed the actual cash  
28 balance of the fund and \$2,966,000 for fiscal  
29 year 2011 . . . . . ((~~\$6,000,000~~))  
30 \$8,966,000  
31 Washington Graduate Fellowship Trust Account:  
32 For transfer to the state general fund for fiscal  
33 year 2010, an amount not to exceed the actual cash  
34 balance of the fund and \$1,008,000 for fiscal  
35 year 2011 . . . . . ((~~\$2,000,000~~))  
36 \$3,008,000  
37 GET Ready for Math and Science Scholarship Account:  
38 For transfer to the state general fund for

1 fiscal year 2010, an amount not to exceed  
 2 the actual cash balance not comprised of or  
 3 needed to match private contributions . . . . . \$1,800,000  
 4 Financial Services Regulation Account: For transfer  
 5 to the state general fund, \$2,000,000 for fiscal  
 6 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$9,000,000  
 7 Data Processing Revolving Fund: For transfer to  
 8 the state general fund, \$5,632,000 for fiscal  
 9 year 2010 and \$4,159,000 for fiscal year 2011 . . . . . ((~~\$5,632,000~~))  
 10 \$9,791,000  
 11 Public Service Revolving Account: For transfer to  
 12 the state general fund, \$8,000,000 for fiscal  
 13 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$15,000,000  
 14 Water Quality Capital Account: For transfer to the  
 15 state general fund, \$278,000 for fiscal year 2011 . . . . . \$278,000  
 16 Performance Audits of Government Account: For  
 17 transfer to the state general fund, \$10,000,000  
 18 for fiscal year 2010 and \$5,000,000 for fiscal  
 19 year 2011 . . . . . \$15,000,000  
 20 Job Development Account: For transfer to the  
 21 state general fund, \$20,930,000 for fiscal  
 22 year 2010 . . . . . \$20,930,000  
 23 Savings Incentive Account: For transfer to the  
 24 state general fund, \$10,117,000 for fiscal  
 25 year 2010 and \$32,075,000 for fiscal year 2011 . . . . . ((~~\$10,117,000~~))  
 26 \$42,192,000  
 27 Education Savings Account: For transfer to the  
 28 state general fund, ((~~\$100,767,000~~)) \$90,690,000  
 29 for fiscal year 2010 and \$53,384,000 for fiscal  
 30 year 2011 . . . . . ((~~\$100,767,000~~))  
 31 \$144,074,000  
 32 Cleanup Settlement Account: For transfer to the  
 33 state efficiency and restructuring account for  
 34 fiscal year 2011 . . . . . \$39,480,000  
 35 Disaster Response Account: For transfer to the  
 36 state drought preparedness account, \$4,000,000  
 37 for fiscal year 2010 . . . . . \$4,000,000  
 38 (~~Washington State Convention and Trade Center Account:~~

1       ~~For transfer to the state general fund, \$10,000,000~~  
2       ~~for fiscal year 2011. The transfer in this section~~  
3       ~~shall occur on June 30, 2011, only if by that date~~  
4       ~~the Washington state convention and trade center is~~  
5       ~~not transferred to a public facilities district~~  
6       ~~pursuant to Substitute Senate Bill No. 6889~~  
7       ~~(convention and trade center) . . . . . \$10,000,000))~~  
8       Institutional Welfare/Betterment Account: For transfer  
9       to the state general fund, \$2,000,000 for fiscal  
10       year 2010 and \$2,000,000 for fiscal year 2011 . . . . . \$4,000,000  
11       Future Teacher Conditional Scholarship Account: For  
12       transfer to the state general fund, \$2,150,000  
13       for fiscal year 2010 and \$2,150,000 for fiscal  
14       year 2011 . . . . . \$4,300,000  
15       Fingerprint Identification Account: For transfer  
16       to the state general fund, \$800,000 for fiscal  
17       year 2011 . . . . . \$800,000  
18       Prevent or Reduce Owner-Occupied Foreclosure  
19       Program Account: For transfer to the financial  
20       education public-private partnership account for  
21       fiscal year 2010, an amount not to exceed the actual  
22       cash balance of the fund as of June 30, 2010 . . . . . \$300,000  
23       Nisqually Earthquake Account: For transfer to the  
24       state general fund for fiscal year 2011 . . . . . ((~~\$1,000,000~~))  
25       \$696,000  
26       Disaster Response Account: For transfer to the state  
27       general fund for fiscal year 2011 . . . . . ((~~\$15,000,000~~))  
28       \$14,500,000  
29       Certified Public Accountants' Account: For transfer  
30       to the state general fund, \$1,000,000 for fiscal  
31       year 2011 . . . . . \$1,000,000  
32       Industrial Insurance Premium Refund Account: For  
33       transfer to the state general fund, \$4,500,000  
34       for fiscal year 2011 . . . . . \$4,500,000  
35       Distressed County Assistance Account: For transfer  
36       to the state general fund, \$205,000 for  
37       fiscal year 2011 . . . . . \$ 205,000  
38       State Drought Preparedness Account: For transfer to

1       the state general fund, \$4,000,000 for fiscal  
 2       year 2011 . . . . . \$4,000,000  
 3       Freshwater Aquatic Algae Control Account: For  
 4       transfer to the state general fund, \$400,000 for  
 5       fiscal year 2011 . . . . . \$400,000  
 6       Freshwater Aquatic Weeds Account: For transfer to  
 7       the state general fund, \$300,000 for fiscal  
 8       year 2011 . . . . . \$300,000  
 9       Liquor Control Board Construction and Maintenance  
 10       Account: For transfer to the state general fund  
 11       for fiscal year 2011 . . . . . \$3,000,000

12       **Sec. 804.** 2010 1st sp.s. c 31 s 1 (uncodified) is amended to read  
 13 as follows:

14       (1) The state treasurer shall transfer two hundred (~~twenty-nine~~)  
 15 twenty-three million two hundred nine thousand dollars or as much of  
 16 that amount as is available from the budget stabilization account to  
 17 the state general fund for fiscal year 2011.

18       (2) The transfer in subsection (1) of this section is to minimize  
 19 reductions to public school programs in the 2010 supplemental omnibus  
 20 operating budget.

(End of part)



1 incentive programs authorized by section 912, chapter 564, Laws of  
2 2009, as well as other reductions to the cost of operations. The  
3 amount of cost reductions to be achieved by each institution shall be  
4 adjusted to reflect voluntary and mandatory temporary layoffs at the  
5 institution during the 2009-2011 fiscal biennium and implemented prior  
6 to January 1, 2010, but not adjusted by other compensation reduction  
7 plans adopted as a result of the enactment of chapter 564, Laws of  
8 2009, or the enactment of other compensation cost reduction measures  
9 applicable to the 2009-2011 fiscal biennium.

10 (d) The director of financial management shall review, approve, and  
11 submit to the legislative fiscal committees those executive branch  
12 state agencies and higher education institution plans that achieves the  
13 cost reductions as provided in the omnibus appropriations act. For  
14 those executive branch state agencies and institutions of higher  
15 education that do not have an approved compensation and operations  
16 reduction plan, the institution shall be closed on the dates specified  
17 in subsection (2) of this section.

18 (e) For each agency of the legislative branch, the chief clerk of  
19 the house of representatives and the secretary of the senate shall  
20 review and approve a plan of employee mandatory and voluntary leave for  
21 the 2009-2011 fiscal biennium that achieves the cost reductions as  
22 provided in the omnibus appropriations act. The amount of compensation  
23 cost reductions to be achieved shall be adjusted, if necessary, to  
24 reflect voluntary and mandatory temporary layoffs at the agencies  
25 during the 2009-2011 fiscal biennium and implemented prior to January  
26 1, 2010.

27 (f) For each agency of the judicial branch, the supreme court shall  
28 review and approve a plan of employee mandatory and voluntary leave for  
29 the 2009-2011 fiscal biennium that achieve the cost reductions as  
30 provided in the omnibus appropriations act. The amount of compensation  
31 cost reductions to be achieved shall be adjusted, if necessary, to  
32 reflect voluntary and mandatory temporary layoffs at the agencies  
33 during the 2009-2011 fiscal biennium and implemented prior to January  
34 1, 2010.

35 (2) Each state agency of the executive, legislative, and judicial  
36 branch, and any institution that does not have an approved plan in  
37 accordance with subsection (1) of this section shall be closed on the

1 following dates in addition to the legal holidays specified in RCW  
2 1.16.050:

- 3 (a) Monday, July 12, 2010;
- 4 (b) Friday, August 6, 2010;
- 5 (c) Tuesday, September 7, 2010;
- 6 (d) Monday, October 11, 2010;
- 7 (e) Monday, December 27, 2010;
- 8 (f) Friday, January 28, 2011;
- 9 (g) Tuesday, February 22, 2011;
- 10 (h) Friday, March (~~11~~) 28, 2011;
- 11 (i) Friday, April 22, 2011;
- 12 (j) Friday, June 10, 2011.

13 (3) If the closure of state agencies or institutions under  
14 subsection (2) of this section prevents the performance of any action,  
15 the action shall be considered timely if performed on the next business  
16 day.

17 (4) The following activities of state agencies and institutions of  
18 higher education are exempt from subsections (1) and (2) of this  
19 section:

20 (a) Direct custody, supervision, and patient care in: (i)  
21 Corrections; (ii) juvenile rehabilitation; (iii) institutional care of  
22 veterans, or individuals with mental illness, and individuals with  
23 developmental disabilities; (iv) state hospitals, the University of  
24 Washington medical center, and Harborview medical center; (v) the  
25 special commitment center; (vi) the school for the blind; (vii) the  
26 state center for childhood deafness and hearing loss; and (viii) the  
27 Washington youth academy;

28 (b) Direct protective services to children and other vulnerable  
29 populations, child support enforcement, disability determination  
30 services, complaint investigators, and residential care licensors and  
31 surveyors in the department of social and health services and the  
32 department of health;

33 (c) Washington state patrol investigative services and field  
34 enforcement;

35 (d) Hazardous materials response or emergency response and cleanup;

36 (e) Emergency public health and patient safety response and the  
37 public health laboratory;



- 1 (f) Military operations and emergency management within the  
2 military department;
- 3 (g) Firefighting;
- 4 (h) Enforcement officers in the department of fish and wildlife,  
5 the liquor control board, the gambling commission, the department of  
6 financial institutions, and the department of natural resources;
- 7 (i) State parks operated by the parks and recreation commission;
- 8 (j) In institutions of higher education, classroom instruction,  
9 operations not funded from state funds or tuition, campus police and  
10 security, emergency management and response, work performed by student  
11 employees if the duties were not previously assigned to nonstudents  
12 during the current or prior school year, and student health care;
- 13 (k) Operations of liquor control board business enterprises and  
14 games conducted by the state lottery;
- 15 (l) Agricultural commodity commissions and boards, and agricultural  
16 inspection programs operated by the department of agriculture;
- 17 (m) The unemployment insurance program and reemployment services of  
18 the employment security department;
- 19 (n) The workers' compensation program and workplace safety and  
20 health compliance activities of the department of labor and industries;
- 21 (o) The operation, maintenance, and construction of state ferries  
22 and state highways;
- 23 (p) The department of revenue;
- 24 (q) Licensing service offices in the department of licensing that  
25 are open no more than two days per week, and no licensing service  
26 office closures may occur on Saturdays as a result of this section;
- 27 (r) The governor, lieutenant governor, legislative agencies, and  
28 the office of financial management, during sessions of the legislature  
29 under Article II, section 12 of the state Constitution and the twenty-  
30 day veto period under Article IV, section 12 of the state Constitution;
- 31 (s) The office of the attorney general, except for management and  
32 administrative functions not directly related to civil, criminal, or  
33 administrative actions;
- 34 (t) The labor relations office of the office of financial  
35 management through November 1, 2010;
- 36 (u) The minimal use of state employees on the specified closure  
37 dates as necessary to protect public assets and information technology  
38 systems, and to maintain public safety; and

1 (v) The operations of the office of the insurance commissioner that  
2 are funded by industry regulatory fees.

3 (5)(a) The closure of an office of a state agency or institution of  
4 higher education under this section shall result in the temporary  
5 layoff of the employees of the agency or institution. The compensation  
6 of the employees shall be reduced proportionately to the duration of  
7 the temporary layoff. Temporary layoffs under this section shall not  
8 affect the employees' vacation leave accrual, seniority, health  
9 insurance, or sick leave credits. For the purposes of chapter 430,  
10 Laws of 2009, the compensation reductions under this section are deemed  
11 to be an integral part of an employer's expenditure reduction efforts  
12 and shall not result in the loss of retirement benefits in any state  
13 defined benefit retirement plan for an employee whose period of average  
14 final compensation includes a portion of the period from the effective  
15 date of this section through June 30, 2011.

16 (b)(i) During the closure of an office or institution under this  
17 section, any employee with a monthly full-time equivalent salary of two  
18 thousand five hundred dollars or less may, at the employee's option,  
19 use accrued vacation leave in lieu of temporary layoff during the  
20 closure. Solely for this purpose, and during the 2009-2011 fiscal  
21 biennium only, the department of personnel shall adopt rules to permit  
22 employees with less than six months of continuous state employment to  
23 use accrued vacation leave.

24 (ii) If an employee with a monthly full-time equivalent salary of  
25 two thousand five hundred dollars or less has no accrued vacation  
26 leave, that employee may use shared leave, if approved by the agency  
27 director, and if made available through donations under RCW 41.04.665  
28 in lieu of temporary layoff during the closure.

29 (6) Except as provided in subsection (4) of this section, for  
30 employees not scheduled to work on a day specified in subsection (2) of  
31 this section, the employing agency must designate an alternative day  
32 during that month on which the employee is scheduled to work that the  
33 employee will take temporary leave without pay.

34 (7) To the extent that the implementation of this section is  
35 subject to collective bargaining under chapter 41.80 RCW, the  
36 bargaining shall be conducted pursuant to section 4 of this act. To  
37 the extent that the implementation of this section is subject to

1 collective bargaining under chapters 28B.52, 41.56, 41.76, or 47.64  
2 RCW, the bargaining shall be conducted pursuant to these chapters.

3 (8) For all or a portion of the employees of an agency of the  
4 executive branch, the office of financial management may approve the  
5 substitution of temporary layoffs on an alternative date during that  
6 month for any date specified in subsection (2) of this section as  
7 necessary for the critical work of any agency.

8 (9)(a) If any state agency of the executive, legislative, and  
9 judicial branch is unable to achieve its full amount of cost reductions  
10 as provided in the omnibus appropriations act through its approved plan  
11 in accordance with subsection (1) of this section or through ten days  
12 of temporary layoffs in accordance with subsections (2) and (8) of this  
13 section, the remaining amount is a reduction to the agency's cost of  
14 operations and may include savings as a result of sections 601 through  
15 604 of chapter 3, Laws of 2010.

16 (b) If any state agency of the executive, legislative, and judicial  
17 branch is able to achieve its full amount of cost reductions as  
18 provided in the omnibus appropriations act through ten days or less of  
19 temporary layoffs in accordance with subsections (2) and (8) of this  
20 section, any residual amount of cost reductions that cannot be achieved  
21 through a full day of closure is a reduction to the agency's cost of  
22 operations and may include savings as a result of sections 601 through  
23 604 of chapter 3, Laws of 2010.

24 **Sec. 902.** RCW 15.76.115 and 2010 1st sp.s. c 37 s 912 are each  
25 amended to read as follows:

26 The fair fund is created in the custody of the state treasury. All  
27 moneys received by the department of agriculture for the purposes of  
28 this fund and from RCW 67.16.105(~~(+4)~~) (7) shall be deposited into the  
29 fund. At the beginning of fiscal year 2002 and each fiscal year  
30 thereafter, the state treasurer shall transfer into the fair fund from  
31 the general fund the sum of two million dollars, except for fiscal year  
32 2011 the state treasurer shall not make a transfer of any funds into  
33 the fair fund from the general fund (~~(the sum of one million one~~  
34 ~~hundred three thousand dollars)). Expenditures from the fund may be~~  
35 used only for assisting fairs in the manner provided in this chapter.  
36 Only the director of agriculture or the director's designee may

1 authorize expenditures from the fund. The fund is subject to allotment  
2 procedures under chapter 43.88 RCW, but no appropriation is required  
3 for expenditures.

4 **Sec. 903.** RCW 18.04.105 and 2004 c 159 s 2 are each amended to  
5 read as follows:

6 (1) A license to practice public accounting shall be granted by the  
7 board to any person:

8 (a) Who is of good character. Good character, for purposes of this  
9 section, means lack of a history of dishonest or felonious acts. The  
10 board may refuse to grant a license on the ground of failure to satisfy  
11 this requirement only if there is a substantial connection between the  
12 lack of good character of the applicant and the professional and  
13 ethical responsibilities of a licensee and if the finding by the board  
14 of lack of good character is supported by a preponderance of evidence.  
15 When an applicant is found to be unqualified for a license because of  
16 a lack of good character, the board shall furnish the applicant a  
17 statement containing the findings of the board and a notice of the  
18 applicant's right of appeal;

19 (b) Who has met the educational standards established by rule as  
20 the board determines to be appropriate;

21 (c) Who has passed an examination;

22 (d) Who has had one year of experience which is gained:

23 (i) Through the use of accounting, issuing reports on financial  
24 statements, management advisory, financial advisory, tax, tax advisory,  
25 or consulting skills;

26 (ii) While employed in government, industry, academia, or public  
27 practice; and

28 (iii) Meeting the competency requirements in a manner as determined  
29 by the board to be appropriate and established by board rule; and

30 (e) Who has paid appropriate fees as established by rule by the  
31 board.

32 (2) The examination described in subsection (1)(c) of this section  
33 shall test the applicant's knowledge of the subjects of accounting and  
34 auditing, and other related fields the board may specify by rule. The  
35 time for holding the examination is fixed by the board and may be  
36 changed from time to time. The board shall prescribe by rule the  
37 methods of applying for and taking the examination, including methods

1 for grading examinations and determining a passing grade required of an  
2 applicant for a license. The board shall to the extent possible see to  
3 it that the grading of the examination, and the passing grades, are  
4 uniform with those applicable to all other states. The board may make  
5 use of all or a part of the uniform certified public accountant  
6 examination and advisory grading service of the American Institute of  
7 Certified Public Accountants and may contract with third parties to  
8 perform administrative services with respect to the examination as the  
9 board deems appropriate to assist it in performing its duties under  
10 this chapter. The board shall establish by rule provisions for  
11 transitioning to a new examination structure or to a new media for  
12 administering the examination.

13 (3) The board shall charge each applicant an examination fee for  
14 the initial examination or for reexamination. The applicable fee shall  
15 be paid by the person at the time he or she applies for examination,  
16 reexamination, or evaluation of educational qualifications. Fees for  
17 examination, reexamination, or evaluation of educational qualifications  
18 shall be determined by the board under chapter 18.04 RCW. There is  
19 established in the state treasury an account to be known as the  
20 certified public accountants' account. All fees received from  
21 candidates to take any or all sections of the certified public  
22 accountant examination shall be used only for costs related to the  
23 examination. During the 2009-2011 fiscal biennium, the legislature may  
24 transfer from the certified public accountants' account to the state  
25 general fund such amounts as reflect the excess fund balance of the  
26 account.

27 (4) Persons who on June 30, 2001, held valid certificates  
28 previously issued under this chapter shall be deemed to be certificate  
29 holders, subject to the following:

30 (a) Certificate holders may, prior to June 30, 2006, petition the  
31 board to become licensees by documenting to the board that they have  
32 gained one year of experience through the use of accounting, issuing  
33 reports on financial statements, management advisory, financial  
34 advisory, tax, tax advisory, or consulting skills, without regard to  
35 the eight-year limitation set forth in (b) of this subsection, while  
36 employed in government, industry, academia, or public practice.

37 (b) Certificate holders who do not petition to become licensees  
38 prior to June 30, 2006, may after that date petition the board to

1 become licensees by documenting to the board that they have one year of  
2 experience acquired within eight years prior to applying for a license  
3 through the use of accounting, issuing reports on financial statements,  
4 management advisory, financial advisory, tax, tax advisory, or  
5 consulting skills in government, industry, academia, or public  
6 practice.

7 (c) Certificate holders who petition the board pursuant to (a) or  
8 (b) of this subsection must also meet competency requirements in a  
9 manner as determined by the board to be appropriate and established by  
10 board rule.

11 (d) Any certificate holder petitioning the board pursuant to (a) or  
12 (b) of this subsection to become a licensee must submit to the board  
13 satisfactory proof of having completed an accumulation of one hundred  
14 twenty hours of CPE during the thirty-six months preceding the date of  
15 filing the petition.

16 (e) Any certificate holder petitioning the board pursuant to (a) or  
17 (b) of this subsection to become a licensee must pay the appropriate  
18 fees established by rule by the board.

19 (5) Certificate holders shall comply with the prohibition against  
20 the practice of public accounting in RCW 18.04.345.

21 (6) Persons who on June 30, 2001, held valid certificates  
22 previously issued under this chapter are deemed to hold inactive  
23 certificates, subject to renewal as inactive certificates, until they  
24 have petitioned the board to become licensees and have met the  
25 requirements of subsection (4) of this section. No individual who did  
26 not hold a valid certificate before July 1, 2001, is eligible to obtain  
27 an inactive certificate.

28 (7) Persons deemed to hold inactive certificates under subsection  
29 (6) of this section shall comply with the prohibition against the  
30 practice of public accounting in subsection (8)(b) of this section and  
31 RCW 18.04.345, but are not required to display the term inactive as  
32 part of their title, as required by subsection (8)(a) of this section  
33 until renewal. Certificates renewed to any persons after June 30,  
34 2001, are inactive certificates and the inactive certificate holders  
35 are subject to the requirements of subsection (8) of this section.

36 (8) Persons holding an inactive certificate:

37 (a) Must use or attach the term "inactive" whenever using the title  
38 CPA or certified public accountant or referring to the certificate, and

1 print the word "inactive" immediately following the title, whenever the  
2 title is printed on a business card, letterhead, or any other document,  
3 including documents published or transmitted through electronic media,  
4 in the same font and font size as the title; and

5 (b) Are prohibited from practicing public accounting.

6 **Sec. 904.** RCW 43.21A.660 and 1999 c 251 s 1 are each amended to  
7 read as follows:

8 Funds in the freshwater aquatic weeds account may be appropriated  
9 to the department of ecology to develop a freshwater aquatic weeds  
10 management program. Funds shall be expended as follows:

11 (1) No less than two-thirds of the appropriated funds shall be  
12 issued as grants to (a) cities, counties, tribes, special purpose  
13 districts, and state agencies to prevent, remove, reduce, or manage  
14 excessive freshwater aquatic weeds; (b) fund demonstration or pilot  
15 projects consistent with the purposes of this section; and (c) fund  
16 hydrilla eradication activities in waters of the state. Except for  
17 hydrilla eradication activities, such grants shall only be issued for  
18 lakes, rivers, or streams with a public boat launching ramp or which  
19 are designated by the department of fish and wildlife for fly-fishing.  
20 The department shall give preference to projects having matching funds  
21 or in-kind services; ~~((and))~~

22 (2) No more than one-third of the appropriated funds shall be  
23 expended to:

24 (a) Develop public education programs relating to preventing the  
25 propagation and spread of freshwater aquatic weeds; and

26 (b) Provide technical assistance to local governments and citizen  
27 groups; and

28 (3) During the 2009-2011 fiscal biennium, the legislature may  
29 transfer from the freshwater aquatic weeds account to the state general  
30 fund such amounts as reflect the excess fund balance of the account.

31 **Sec. 905.** RCW 43.21A.667 and 2009 c 564 s 933 are each amended to  
32 read as follows:

33 (1) The freshwater aquatic algae control account is created in the  
34 state treasury. Moneys directed to the account from RCW ~~((88.02.050))~~  
35 88.02.560 must be deposited in the account. Expenditures from the

1 account may only be used as provided in this section. Moneys in the  
2 account may be spent only after appropriation.

3 (2) Funds in the freshwater aquatic algae control account may be  
4 appropriated to the department to develop a freshwater aquatic algae  
5 control program. Funds must be expended as follows:

6 (a) As grants to cities, counties, tribes, special purpose  
7 districts, and state agencies to manage excessive freshwater algae,  
8 with priority for the treatment of lakes in which harmful algal blooms  
9 have occurred within the past three years; and during the 2009-2011  
10 fiscal biennium to provide grants for sea lettuce research and removal  
11 to assist Puget Sound communities that are impacted by hyperblooms of  
12 sea lettuce; (~~and~~)

13 (b) To provide technical assistance to applicants and the public  
14 about aquatic algae control; and

15 (c) During the 2009-2011 fiscal biennium, the legislature may  
16 transfer from the freshwater aquatic algae control account to the state  
17 general fund such amounts as reflect the excess fund balance of the  
18 account.

19 (3) The department shall submit a biennial report to the  
20 appropriate legislative committees describing the actions taken to  
21 implement this section along with suggestions on how to better fulfill  
22 the intent of chapter 464, Laws of 2005. The first report is due  
23 December 1, 2007.

24 **Sec. 906.** RCW 43.79.460 and 2010 1st sp.s. c 37 s 928 are each  
25 amended to read as follows:

26 (1) The savings incentive account is created in the custody of the  
27 state treasurer. The account shall consist of all moneys appropriated  
28 to the account by the legislature. The account is subject to the  
29 allotment procedures under chapter 43.88 RCW, but no appropriation is  
30 required for expenditures from the account.

31 (2) Within the savings incentive account, the state treasurer may  
32 create subaccounts to be credited with incentive savings attributable  
33 to individual state agencies, as determined by the office of financial  
34 management in consultation with the legislative fiscal committees.  
35 Moneys deposited in the subaccounts may be expended only on the  
36 authorization of the agency's executive head or designee and only for  
37 the purpose of one-time expenditures to improve the quality,



1 efficiency, and effectiveness of services to customers of the state,  
2 such as one-time expenditures for employee training, employee  
3 incentives, technology improvements, new work processes, or performance  
4 measurement. Funds may not be expended from the account to establish  
5 new programs or services, expand existing programs or services, or  
6 incur ongoing costs that would require future expenditures.

7 (3) For purposes of this section, "incentive savings" means state  
8 general fund appropriations that are unspent as of June 30th of a  
9 fiscal year, excluding any amounts included in across-the-board  
10 reductions under RCW 43.88.110 and excluding unspent appropriations  
11 for:

12 (a) Caseload and enrollment in entitlement programs, except to the  
13 extent that an agency has clearly demonstrated that efficiencies have  
14 been achieved in the administration of the entitlement program.  
15 "Entitlement program," as used in this section, includes programs for  
16 which specific sums of money are appropriated for pass-through to third  
17 parties or other entities;

18 (b) Enrollments in state institutions of higher education;

19 (c) A specific amount contained in a condition or limitation to an  
20 appropriation in the biennial appropriations act, if the agency did not  
21 achieve the specific purpose or objective of the condition or  
22 limitation;

23 (d) Debt service on state obligations; and

24 (e) State retirement system obligations.

25 (4) The office of financial management, after consulting with the  
26 legislative fiscal committees, shall report the amount of savings  
27 incentives achieved.

28 (5) (~~For fiscal year 2009, the legislature may transfer from the~~  
29 ~~savings incentive account to the state general fund such amounts as~~  
30 ~~reflect the fund balance of the account attributable to unspent state~~  
31 ~~general fund appropriations for fiscal year 2008.)) For fiscal year  
32 2010, the legislature may transfer from the savings incentive account  
33 to the state general fund such amounts as reflect the fund balance of  
34 the account attributable to unspent state general fund appropriations  
35 for fiscal year 2009. For fiscal year 2011, the legislature may  
36 transfer from the savings incentive account to the state general fund  
37 such amounts as reflect the fund balance of the account attributable to  
38 unspent state general fund appropriations for fiscal year 2010. For~~

1 fiscal year 2011, the legislature may transfer from the savings  
2 incentive account to the state general fund eight million dollars or as  
3 much as reflects the fund balance of the account attributable to  
4 unspent agency credits prior to fiscal year 2009. Credits for  
5 legislative and judicial agencies are not included in this action, with  
6 the exception and upon consent of the supreme court, court of appeals,  
7 office of public defense, and office of civil legal aid.

8 **Sec. 907.** RCW 43.79.465 and 2010 1st sp.s. c 37 s 929 are each  
9 amended to read as follows:

10 The education savings account is created in the state treasury.  
11 The account shall consist of all moneys appropriated to the account by  
12 the legislature.

13 (1) Ten percent of legislative appropriations to the education  
14 savings account shall be distributed as follows: (a) Fifty percent to  
15 the distinguished professorship trust fund under RCW 28B.76.565; (b)  
16 seventeen percent to the graduate fellowship trust fund under RCW  
17 28B.76.610; and (c) thirty-three percent to the college faculty awards  
18 trust fund under RCW 28B.50.837.

19 (2) The remaining moneys in the education savings account may be  
20 appropriated solely for (a) common school construction projects that  
21 are eligible for funding from the common school construction account,  
22 (b) technology improvements in the common schools, (c) during the 2001-  
23 03 fiscal biennium, technology improvements in public higher education  
24 institutions, (d) during the 2007-2009 fiscal biennium, the legislature  
25 may transfer from the education savings account to the state general  
26 fund such amounts as reflect the excess fund balance of the account  
27 attributable to unspent state general fund appropriations for fiscal  
28 year 2008, and (e) for fiscal year ((2010)) 2011, the legislature may  
29 transfer from the education savings account to the state general fund  
30 such amounts as reflect the fund balance of the account attributable to  
31 unspent general fund appropriations for fiscal year ((2009)) 2010.

32 **Sec. 908.** RCW 43.83B.430 and 2002 c 371 s 910 are each amended to  
33 read as follows:

34 The state drought preparedness account is created in the state  
35 treasury. All receipts from appropriated funds designated for the  
36 account and funds transferred from the state emergency water projects

1 revolving account must be deposited into the account. Moneys in the  
2 account may be spent only after appropriation. Expenditures from the  
3 account may be used only for drought preparedness. During the ((2001-  
4 2003)) 2009-2011 fiscal biennium, the legislature may transfer from the  
5 state drought preparedness account to the state general fund such  
6 amounts as reflect the excess fund balance of the account.

7 **Sec. 909.** RCW 51.44.170 and 2003 1st sp.s. c 25 s 926 are each  
8 amended to read as follows:

9 The industrial insurance premium refund account is created in the  
10 custody of the state treasurer. All industrial insurance refunds  
11 earned by state agencies or institutions of higher education under the  
12 state fund retrospective rating program shall be deposited into the  
13 account. The account is subject to the allotment procedures under  
14 chapter 43.88 RCW, but no appropriation is required for expenditures  
15 from the account. Only the executive head of the agency or institution  
16 of higher education, or designee, may authorize expenditures from the  
17 account. No agency or institution of higher education may make an  
18 expenditure from the account for an amount greater than the refund  
19 earned by the agency. If the agency or institution of higher education  
20 has staff dedicated to workers' compensation claims management,  
21 expenditures from the account must be used to pay for that staff, but  
22 additional expenditure from the account may be used for any program  
23 within an agency or institution of higher education that promotes or  
24 provides incentives for employee workplace safety and health and early,  
25 appropriate return-to-work for injured employees. During the ((2003-  
26 2005)) 2009-2011 fiscal biennium, the legislature may transfer from the  
27 industrial insurance premium refund account to the state general fund  
28 such amounts as reflect the excess fund balance of the account.

29 **Sec. 910.** RCW 66.08.235 and 2005 c 151 s 4 are each amended to  
30 read as follows:

31 The liquor control board construction and maintenance account is  
32 created within the state treasury. The liquor control board shall  
33 deposit into this account a portion of the board's markup, as  
34 authorized by chapter 66.16 RCW, placed upon liquor as determined by  
35 the board. Moneys in the account may be spent only after  
36 appropriation. The liquor control board shall use deposits to this

1 account to fund construction and maintenance of a centralized  
2 distribution center for liquor products intended for sale through the  
3 board's liquor store and contract liquor store system. During the  
4 ~~((2001-2003))~~ 2009-2011 fiscal biennium, the legislature may transfer  
5 from the liquor control board construction and maintenance account to  
6 the state general fund such amounts as reflect the ~~((appropriations  
7 reductions made by the 2002 supplemental appropriations act for  
8 administrative efficiencies and savings))~~ excess fund balance in the  
9 account.

10 **Sec. 911.** RCW 82.14.380 and 1999 c 311 s 201 are each amended to  
11 read as follows:

12 (1) The distressed county assistance account is created in the  
13 state treasury. Into this account shall be placed a portion of all  
14 motor vehicle excise tax receipts as provided in RCW 82.44.110. At  
15 such times as distributions are made under RCW 82.44.150, the state  
16 treasurer shall distribute the funds in the distressed county  
17 assistance account to each county imposing the sales and use tax  
18 authorized under RCW 82.14.370 as of January 1, 1999, in the same  
19 proportions as distributions of the tax imposed under RCW 82.14.370 for  
20 these counties for the previous quarter.

21 (2) Funds distributed from the distressed county assistance account  
22 shall be expended by the counties for criminal justice and other  
23 purposes. During the 2009-2011 fiscal biennium, the legislature may  
24 transfer from the distressed county assistance account to the state  
25 general fund such amounts as reflect the excess fund balance of the  
26 account.

27 **Sec. 912.** RCW 90.56.500 and 2009 c 11 s 9 are each amended to read  
28 as follows:

29 (1) The state oil spill response account is created in the state  
30 treasury. All receipts from RCW 82.23B.020(1) shall be deposited in  
31 the account. All costs reimbursed to the state by a responsible party  
32 or any other person for responding to a spill of oil shall also be  
33 deposited in the account. Moneys in the account shall be spent only  
34 after appropriation. The account is subject to allotment procedures  
35 under chapter 43.88 RCW.

36 (2) The account shall be used exclusively to pay for:

1 (a) The costs associated with the response to spills of crude oil  
2 or petroleum products into the navigable waters of the state; and

3 (b) The costs associated with the department's use of the emergency  
4 response towing vessel as described in RCW 88.46.135.

5 (3) Except during the 2009-2011 fiscal biennium, payment of  
6 response costs under subsection (2)(a) of this section shall be limited  
7 to spills which the director has determined are likely to exceed fifty  
8 thousand dollars. In addition, during the 2009-2011 fiscal biennium,  
9 payment of response costs under subsection (2)(a) of this section may  
10 also be used for spills of hazardous substances, as defined in RCW  
11 70.105D.002(10).

12 (4) Before expending moneys from the account, the director shall  
13 make reasonable efforts to obtain funding for response costs under  
14 subsection (2) of this section from the person responsible for the  
15 spill and from other sources, including the federal government.

16 (5) Reimbursement for response costs shall be allowed only for  
17 costs which are not covered by funds appropriated to the agencies  
18 responsible for response activities. Costs associated with the  
19 response to spills of crude oil or petroleum products shall include:

20 (a) Natural resource damage assessment and related activities;

21 (b) Spill related response, containment, wildlife rescue, cleanup,  
22 disposal, and associated costs;

23 (c) Interagency coordination and public information related to a  
24 response; and

25 (d) Appropriate travel, goods and services, contracts, and  
26 equipment.

27 NEW SECTION. Sec. 913. If any provision of this act or its  
28 application to any person or circumstance is held invalid, the  
29 remainder of the act or the application of the provision to other  
30 persons or circumstances is not affected.

31 NEW SECTION. Sec. 914. This act is necessary for the immediate  
32 preservation of the public peace, health, or safety, or support of the  
33 state government and its existing public institutions, and takes effect  
34 immediately.

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