
SENATE BILL 5967

State of Washington 62nd Legislature 2011 2nd Special Session

By Senators Murray and Zarelli; by request of Governor Gregoire

Read first time 12/01/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal matters; amending RCW 15.76.115,
2 28B.50.837, 28B.76.565, 28B.76.565, 28B.76.605, 28B.76.605, 39.12.080,
3 43.09.475, 43.21A.660, 43.79.460, 43.320.110, 43.330.250, 43.338.030,
4 47.66.070, 49.70.170, 77.12.203, 79.64.100, 79.105.150, 80.01.080, and
5 90.56.335; amending 2011 1st sp.s. c 50 ss 101, 102, 103, 104, 105,
6 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
7 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,
8 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148,
9 149, 150, 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
10 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303,
11 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504,
12 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 604, 605,
13 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619,
14 620, 621, 622, 701, 703, 704, 713, 801, 802, 803, 805, 910, 920, 921,
15 and 922; reenacting and amending RCW 43.19.791, 70.105D.070, and
16 79.64.040; adding new sections to 2011 1st sp.s. c 50 (uncodified);
17 repealing 2011 1st sp.s. c 50 ss 139, 722, and 725; making
18 appropriations; providing effective dates; providing expiration dates;
19 and declaring an emergency.

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

2 **PART I**

3 **GENERAL GOVERNMENT**

4 **Sec. 101.** 2011 1st sp.s. c 50 s 101 (uncodified) is amended to
5 read as follows:

6 **FOR THE HOUSE OF REPRESENTATIVES**

7	General Fund--State Appropriation (FY 2012)	((\$29,923,000))
8		<u>\$29,956,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$30,444,000))
10		<u>\$30,486,000</u>
11	Motor Vehicle Account--State Appropriation	\$1,316,000
12	TOTAL APPROPRIATION	((\$61,683,000))
13		<u>\$61,758,000</u>

14 **Sec. 102.** 2011 1st sp.s. c 50 s 102 (uncodified) is amended to
15 read as follows:

16 **FOR THE SENATE**

17	General Fund--State Appropriation (FY 2012)	((\$21,772,000))
18		<u>\$21,793,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$23,868,000))
20		<u>\$23,886,000</u>
21	Motor Vehicle Account--State Appropriation	\$1,400,000
22	TOTAL APPROPRIATION	((\$47,040,000))
23		<u>\$47,079,000</u>

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

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

27	General Fund--State Appropriation (FY 2012)	((\$2,680,000))
28		<u>\$2,678,000</u>
29	General Fund--State Appropriation (FY 2013)	((\$2,741,000))
30		<u>\$2,737,000</u>
31	Medical Aid Account--State Appropriation	\$85,000
32	Accident Account--State Appropriation	\$85,000
33	TOTAL APPROPRIATION	((\$5,591,000))
34		<u>\$5,585,000</u>

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

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

7 (2) Within the amounts appropriated in this section, the committee
8 shall conduct a review of the state's workplace safety and health
9 program. The review shall examine workplace safety inspection,
10 enforcement, training, and outreach efforts compared to other states
11 and federal programs; analyze workplace injury and illness rates and
12 trends in Washington; identify factors that may influence workplace
13 safety and health; and identify practices that may improve workplace
14 safety and health and/or impact insurance rates.

15 (3) Within the amounts appropriated in this section, the committee
16 shall conduct a review of marketing and vendor expenditures and
17 incentive payment programs at the state lottery commission to identify
18 cost savings and efficiencies to maximize contributions to
19 beneficiaries under this act. This review shall include examination of
20 the following:

21 (a) An analysis of marketing expenses and the impact on ticket
22 sales; the impact to sales of tickets from the change in lottery
23 beneficiaries; the competitive contracting processes for marketing
24 services and vendors and comparison to other states; identification of
25 whether there are duplicative or unproductive marketing activities; and
26 identification of whether savings may occur from changing vendors.

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

30 (4) \$85,000 of the medical aid account--state appropriation and
31 \$85,000 of the accident account--state appropriation are provided
32 solely for the purposes of House Bill No. 2123 (workers' compensation).
33 If the bill is not enacted by June 30, 2011, the amounts provided in
34 this subsection shall lapse.

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

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

2	General Fund--State Appropriation (FY 2012)	.. . . . ((\$2,027,000))
3		<u>\$2,040,000</u>
4	General Fund--State Appropriation (FY 2013)	.. . . . ((\$2,193,000))
5		<u>\$2,219,000</u>
6	TOTAL APPROPRIATION	.. . . . ((\$4,220,000))
7		<u>\$4,259,000</u>

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

10 **FOR THE OFFICE OF THE STATE ACTUARY**

11	General Fund--State Appropriation (FY 2012)	.. . . . \$24,000
12	General Fund--State Appropriation (FY 2013)	.. . . . \$24,000
13	Department of Retirement Systems Expense	
14	Account--State Appropriation	.. . . . ((\$3,344,000))
15		<u>\$3,402,000</u>
16	TOTAL APPROPRIATION	.. . . . ((\$3,392,000))
17		<u>\$3,450,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$75,000 of the department of retirement
20 services account--state appropriation is for the state actuary to study
21 the issue of merging the law enforcement officers' and fire fighters'
22 retirement system plans 1 and 2 into a single retirement plan. The
23 department of retirement systems shall assist the state actuary by
24 providing such information and advice as the state actuary requests,
25 and the state actuary may contract for services as needed to conduct
26 the study. The results of the study shall be reported to the ways and
27 means committees of the house of representatives and the senate by
28 December 15, 2011.

29 (1) Among the issues related to the merger of the law enforcement
30 officers' and fire fighters' retirement system plans 1 and 2 into a
31 single retirement plan that shall be examined:

32 (a) Changes to the assets available to pay for the benefits of each
33 plan before and after a merger based on a range of possible economic
34 and demographic experience; and

35 (b) Changes to the projected contributions that might be required
36 of members, employers, and the state based on a range of possible
37 economic and demographic experience and a variety of funding policies,

1 including both continued application of current funding policy to the
2 benefit obligations of each plan, and application of the law
3 enforcement officers' and fire fighters' retirement system plan 2
4 funding policies to the combined benefits of both plans;

5 (2) The state actuary shall solicit the input of the law
6 enforcement officers' and fire fighters' retirement system plan 2
7 retirement board and organizations representing members and retirees of
8 the law enforcement officers' and fire fighters' retirement system plan
9 1 on the issue of the merger of the two plans, and include
10 representative submissions of the input of the organizations along with
11 the report.

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

14 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

15	General Fund--State Appropriation (FY 2012)	\$8,016,000
16	General Fund--State Appropriation (FY 2013)	(\$7,911,000)
17		<u>\$7,904,000</u>
18	TOTAL APPROPRIATION	(\$15,927,000)
19		<u>\$15,920,000</u>

20 **Sec. 107.** 2011 1st sp.s. c 50 s 107 (uncodified) is amended to
21 read as follows:

22 **FOR THE STATUTE LAW COMMITTEE**

23	General Fund--State Appropriation (FY 2012)	(\$4,249,000)
24		<u>\$4,248,000</u>
25	General Fund--State Appropriation (FY 2013)	(\$4,691,000)
26		<u>\$4,687,000</u>
27	TOTAL APPROPRIATION	(\$8,940,000)
28		<u>\$8,935,000</u>

29 **Sec. 108.** 2011 1st sp.s. c 50 s 108 (uncodified) is amended to
30 read as follows:

31 **FOR THE REDISTRICTING COMMISSION**

32	General Fund--State Appropriation (FY 2012)	(\$1,627,000)
33		<u>\$1,649,000</u>
34	General Fund--State Appropriation (FY 2013)	(\$154,000)
35		<u>\$198,000</u>

1 TOTAL APPROPRIATION ((~~\$1,781,000~~))
2 \$1,847,000

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

9 **Sec. 109.** 2011 1st sp.s. c 50 s 109 (uncodified) is amended to
10 read as follows:

11 **FOR THE SUPREME COURT**
12 General Fund--State Appropriation (FY 2012) ((~~\$6,714,000~~))
13 \$6,721,000
14 General Fund--State Appropriation (FY 2013) ((~~\$6,729,000~~))
15 \$6,753,000
16 TOTAL APPROPRIATION ((~~\$13,443,000~~))
17 \$13,474,000

18 **Sec. 110.** 2011 1st sp.s. c 50 s 110 (uncodified) is amended to
19 read as follows:

20 **FOR THE LAW LIBRARY**
21 General Fund--State Appropriation (FY 2012) ((~~\$1,472,000~~))
22 \$1,505,000
23 General Fund--State Appropriation (FY 2013) ((~~\$1,466,000~~))
24 \$1,459,000
25 TOTAL APPROPRIATION ((~~\$2,938,000~~))
26 \$2,964,000

27 **Sec. 111.** 2011 1st sp.s. c 50 s 111 (uncodified) is amended to
28 read as follows:

29 **FOR THE COURT OF APPEALS**
30 General Fund--State Appropriation (FY 2012) ((~~\$15,227,000~~))
31 \$15,281,000
32 General Fund--State Appropriation (FY 2013) ((~~\$15,280,000~~))
33 \$15,239,000
34 TOTAL APPROPRIATION ((~~\$30,507,000~~))
35 \$30,520,000

1 **Sec. 112.** 2011 1st sp.s. c 50 s 112 (uncodified) is amended to
2 read as follows:

3 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

4	General Fund--State Appropriation (FY 2012)	((\$1,057,000))
5		<u>\$1,066,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$991,000))
7		<u>\$1,007,000</u>
8	TOTAL APPROPRIATION	((\$2,048,000))
9		<u>\$2,073,000</u>

10 **Sec. 113.** 2011 1st sp.s. c 50 s 113 (uncodified) is amended to
11 read as follows:

12 **FOR THE ADMINISTRATOR FOR THE COURTS**

13	General Fund--State Appropriation (FY 2012)	((\$50,619,000))
14		<u>\$50,757,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$50,174,000))
16		<u>\$50,960,000</u>
17	General Fund--Federal Appropriation	((\$1,551,000))
18		<u>\$2,532,000</u>
19	General Fund--Private/Local Appropriation	((\$248,000))
20		<u>\$390,000</u>
21	Judicial Information Systems Account--State	
22	Appropriation	((\$42,383,000))
23		<u>\$42,388,000</u>
24	Judicial Stabilization Trust Account--State	
25	Appropriation	\$5,414,000
26	TOTAL APPROPRIATION	((\$150,389,000))
27		<u>\$152,441,000</u>

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

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

1 number of petitions filed. This funding includes amounts school
2 districts may expend on the cost of serving petitions filed under RCW
3 28A.225.030 by certified mail or by personal service or for the
4 performance of service of process for any hearing associated with RCW
5 28A.225.030.

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

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

27 (3) The distributions made under this subsection and distributions
28 from the county criminal justice assistance account made pursuant to
29 section 801 of this act constitute appropriate reimbursement for costs
30 for any new programs or increased level of service for purposes of RCW
31 43.135.060.

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

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

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

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

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

26 **FOR THE OFFICE OF PUBLIC DEFENSE**

27	General Fund--State Appropriation (FY 2012)	((\$25,027,000))
28		<u>\$25,028,000</u>
29	General Fund--State Appropriation (FY 2013)	((\$24,966,000))
30		<u>\$24,964,000</u>
31	Judicial Stabilization Trust Account--State	
32	Appropriation	\$2,490,000
33	TOTAL APPROPRIATION	((\$52,483,000))
34		<u>\$52,482,000</u>

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

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

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

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

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

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

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

29 **Sec. 115.** 2011 1st sp.s. c 50 s 115 (uncodified) is amended to
30 read as follows:

31 **FOR THE OFFICE OF CIVIL LEGAL AID**

32	General Fund--State Appropriation (FY 2012)	((\$11,038,000))
33		<u>\$11,037,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$11,048,000))
35		<u>\$11,045,000</u>
36	Judicial Stabilization Trust Account--State	
37	Appropriation	\$1,093,000

1 TOTAL APPROPRIATION (~~(\$23,179,000)~~)
2 \$23,175,000

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

11 **Sec. 116.** 2011 1st sp.s. c 50 s 116 (uncodified) is amended to
12 read as follows:

13 **FOR THE OFFICE OF THE GOVERNOR**
14 General Fund--State Appropriation (FY 2012) (~~(\$5,312,000)~~)
15 \$4,778,000
16 General Fund--State Appropriation (FY 2013) (~~(\$5,293,000)~~)
17 \$4,985,000
18 Economic Development Strategic Reserve Account--State
19 Appropriation \$1,500,000
20 TOTAL APPROPRIATION (~~(\$12,105,000)~~)
21 \$11,263,000

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

24 (1) \$1,500,000 of the economic development strategic reserve
25 account appropriation is provided solely for efforts to assist with
26 currently active industrial recruitment efforts that will bring new
27 jobs to the state or will retain headquarter locations of major
28 companies currently housed in the state.

29 (2) (~~(\$547,000)~~) \$404,000 of the general fund--state appropriation
30 for fiscal year 2012 and (~~(\$547,000)~~) \$418,000 of the general fund--
31 state appropriation for fiscal year 2013 are provided solely for the
32 office of the education ombudsman.

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

35 **FOR THE LIEUTENANT GOVERNOR**
36 General Fund--State Appropriation (FY 2012) (~~(\$687,000)~~)

1		<u>\$662,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$698,000))
3		<u>\$680,000</u>
4	General Fund--Private/Local Appropriation	\$90,000
5	TOTAL APPROPRIATION	((\$1,475,000))
6		<u>\$1,432,000</u>

7 **Sec. 118.** 2011 1st sp.s. c 50 s 118 (uncodified) is amended to
8 read as follows:

9 **FOR THE PUBLIC DISCLOSURE COMMISSION**

10	General Fund--State Appropriation (FY 2012)	((\$2,107,000))
11		<u>\$2,029,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$2,130,000))
13		<u>\$2,005,000</u>
14	TOTAL APPROPRIATION	((\$4,237,000))
15		<u>\$4,034,000</u>

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

22 **Sec. 119.** 2011 1st sp.s. c 50 s 119 (uncodified) is amended to
23 read as follows:

24 **FOR THE SECRETARY OF STATE**

25	General Fund--State Appropriation (FY 2012)	((\$16,710,000))
26		<u>\$15,986,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$14,135,000))
28		<u>\$12,348,000</u>
29	General Fund--Federal Appropriation	((\$7,338,000))
30		<u>\$7,332,000</u>
31	Public Records Efficiency, Preservation, and Access	
32	Account--State Appropriation	((\$7,943,000))
33		<u>\$7,041,000</u>
34	Charitable Organization Education Account--State	
35	Appropriation	((\$452,000))
36		<u>\$362,000</u>

1	Local Government Archives Account--State	
2	Appropriation	((\$10,556,000))
3		<u>\$8,511,000</u>
4	Election Account--Federal Appropriation	((\$17,288,000))
5		<u>\$17,286,000</u>
6	Washington State Heritage Center Account--State	
7	Appropriation	\$1,028,000
8	TOTAL APPROPRIATION	((\$75,450,000))
9		<u>\$69,894,000</u>

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

12 (1) ((~~\$4,101,000~~)) \$3,898,000 of the general fund--state
13 appropriation for fiscal year 2012 is provided solely to reimburse
14 counties for the state's share of primary and general election costs
15 and the costs of conducting mandatory recounts on state measures.
16 Counties shall be reimbursed only for those odd-year election costs
17 that the secretary of state validates as eligible for reimbursement.

18 (2)(a) ((~~\$1,997,000~~)) \$1,847,000 of the general fund--state
19 appropriation for fiscal year 2012 and ((~~\$2,076,000~~)) \$1,926,000 of the
20 general fund--state appropriation for fiscal year 2013 are provided
21 solely for contracting with a nonprofit organization to produce gavel-
22 to-gavel television coverage of state government deliberations and
23 other events of statewide significance during the 2011-2013 biennium.
24 The funding level for each year of the contract shall be based on the
25 amount provided in this subsection. The nonprofit organization shall
26 be required to raise contributions or commitments to make
27 contributions, in cash or in kind, in an amount equal to forty percent
28 of the state contribution. The office of the secretary of state may
29 make full or partial payment once all criteria in this subsection have
30 been satisfactorily documented.

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

36 (c) The nonprofit organization shall prepare an annual independent
37 audit, an annual financial statement, and an annual report, including

1 benchmarks that measure the success of the nonprofit organization in
2 meeting the intent of the program.

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

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

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

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

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

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

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

20	General Fund--State Appropriation (FY 2012)	(((\$259,000))
21		<u>\$256,000</u>
22	General Fund--State Appropriation (FY 2013)	(((\$267,000))
23		<u>\$272,000</u>
24	TOTAL APPROPRIATION	(((\$526,000))
25		<u>\$528,000</u>

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

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

3 **FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**

4	General Fund--State Appropriation (FY 2012)	(((\$232,000))
5		<u>\$235,000</u>
6	General Fund--State Appropriation (FY 2013)	(((\$219,000))
7		<u>\$229,000</u>
8	TOTAL APPROPRIATION	(((\$451,000))
9		<u>\$464,000</u>

10 **Sec. 122.** 2011 1st sp.s. c 50 s 122 (uncodified) is amended to
11 read as follows:

12 **FOR THE STATE TREASURER**

13	State Treasurer's Service Account--State	
14	Appropriation	(((\$14,996,000))
15		<u>\$14,110,000</u>

16 **Sec. 123.** 2011 1st sp.s. c 50 s 123 (uncodified) is amended to
17 read as follows:

18 **FOR THE STATE AUDITOR**

19	State Auditing Services Revolving Account--State	
20	Appropriation	(((\$10,293,000))
21		<u>\$9,231,000</u>
22	Performance Audit of Government Account--State	
23	Appropriation	(((\$1,685,000))
24		<u>\$1,461,000</u>
25	TOTAL APPROPRIATION	(((\$11,978,000))
26		<u>\$10,692,000</u>

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

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

34 (2) \$1,461,000 of the performance audits of government account
35 appropriation is provided solely for staff and related costs to verify
36 the accuracy of reported school district data submitted for state

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

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

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

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

18	General Fund--State Appropriation (FY 2012)	((\$158,000))
19		<u>\$152,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$195,000))
21		<u>\$203,000</u>
22	TOTAL APPROPRIATION	((\$353,000))
23		<u>\$355,000</u>

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

26 **FOR THE ATTORNEY GENERAL**

27	General Fund--State Appropriation (FY 2012)	((\$4,028,000))
28		<u>\$4,512,000</u>
29	General Fund--State Appropriation (FY 2013)	((\$3,997,000))
30		<u>\$1,718,000</u>
31	General Fund--Federal Appropriation	\$8,819,000
32	New Motor Vehicle Arbitration Account--State	
33	Appropriation	((\$972,000))
34		<u>\$970,000</u>
35	Legal Services Revolving Account--State	
36	Appropriation	((\$206,635,000))

1		<u>\$197,211,000</u>
2	Tobacco Prevention and Control Account--State	
3	Appropriation	\$270,000
4	TOTAL APPROPRIATION	((\$227,546,000))
5		<u>\$213,500,000</u>

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **Sec. 126.** 2011 1st sp.s. c 50 s 126 (uncodified) is amended to
2 read as follows:

3 **FOR THE CASELOAD FORECAST COUNCIL**

4	General Fund--State Appropriation (FY 2012)	((\$1,308,000))
5		<u>\$1,255,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$1,305,000))
7		<u>\$1,263,000</u>
8	TOTAL APPROPRIATION	((\$2,613,000))
9		<u>\$2,518,000</u>

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

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

21 (2) \$57,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$57,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for the implementation of Senate
24 Bill No. 5304 (college bound scholarship).

25 **Sec. 127.** 2011 1st sp.s. c 50 s 127 (uncodified) is amended to
26 read as follows:

27 **FOR THE DEPARTMENT OF COMMERCE**

28	General Fund--State Appropriation (FY 2012)	((\$57,271,000))
29		<u>\$45,260,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$72,479,000))
31		<u>\$23,349,000</u>
32	General Fund--Federal Appropriation	((\$282,218,000))
33		<u>\$310,363,000</u>
34	General Fund--Private/Local Appropriation	((\$4,998,000))
35		<u>\$4,937,000</u>
36	Public Works Assistance Account--State	
37	Appropriation	((\$2,767,000))

1		<u>\$2,735,000</u>
2	Drinking Water Assistance Administrative	
3	Account--State Appropriation	\$437,000
4	Lead Paint Account--State Appropriation	\$65,000
5	Building Code Council Account--State Appropriation	\$13,000
6	Home Security Fund Account--State Appropriation	((\$16,655,000))
7		<u>\$16,629,000</u>
8	Affordable Housing for All Account--State	
9	Appropriation	((\$11,902,000))
10		<u>\$11,898,000</u>
11	County Research Services Account--State	
12	Appropriation	((\$1,081,000))
13		<u>\$512,000</u>
14	Financial Fraud and Identity Theft Crimes Investigation	
15	and Prosecution Account--State Appropriation	\$1,166,000
16	Low-Income Weatherization Assistance Account--State	
17	Appropriation	((\$5,778,000))
18		<u>\$2,426,000</u>
19	City and Town Research Services Account--State	
20	Appropriation	((\$5,166,000))
21		<u>\$2,446,000</u>
22	(Manufacturing Innovation and Modernization	
23	Account--State Appropriation	\$61,000)
24	Community and Economic Development Fee Account--State	
25	Appropriation	((\$6,488,000))
26		<u>\$6,932,000</u>
27	Washington Housing Trust Account--State	
28	Appropriation	((\$17,503,000))
29		<u>\$17,447,000</u>
30	Prostitution Prevention and Intervention Account--	
31	State Appropriation	((\$94,000))
32		<u>\$86,000</u>
33	Public Facility Construction Loan Revolving	
34	Account--State Appropriation	((\$755,000))
35		<u>\$748,000</u>
36	Washington Community Technology Opportunity Account--	
37	State Appropriation	\$713,000
38	<u>Liquor Revolving Account--State Appropriation</u>	<u>\$2,802,000</u>

1 TOTAL APPROPRIATION ((~~\$487,610,000~~))
2 \$479,586,000

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

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

12 (2) \$500,000 of the general fund--state appropriation for fiscal
13 year 2012 and \$500,000 of the general fund--state appropriation for
14 fiscal year 2013 are provided solely for a grant to resolution
15 Washington to building statewide capacity for alternative dispute
16 resolution centers and dispute resolution programs that guarantee that
17 citizens have access to low-cost resolution as an alternative to
18 litigation.

19 (3) \$306,000 of the general fund--state appropriation for fiscal
20 year 2012 and \$306,000 of the general fund--state appropriation for
21 fiscal year 2013 are provided solely for a grant to the retired senior
22 volunteer program.

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

26 (5) \$1,800,000 of the home security fund--state appropriation is
27 provided for transitional housing assistance or partial payments for
28 rental assistance under the independent youth housing program.

29 (6) \$5,000,000 of the home security fund--state appropriation is
30 for the operation, repair, and staffing of shelters in the homeless
31 family shelter program.

32 (7) ((~~\$198,000~~)) \$115,000 of the general fund--state appropriation
33 for fiscal year 2012 ((~~and \$198,000 of the general fund--state~~
34 ~~appropriation for fiscal year 2013 are~~)) is provided solely for the
35 Washington new Americans program.

36 (8) ((~~\$2,949,000~~)) \$1,875,000 of the general fund--state
37 appropriation for fiscal year 2012 ((~~and \$2,949,000 of the general~~

1 ~~fund--state appropriation for fiscal year 2013 are))~~ is provided solely
2 for associate development organizations.

3 (9) \$127,000 of the general fund--federal appropriation is provided
4 solely for implementation of Substitute House Bill No. 1886
5 (Ruckelshaus center process). If the bill is not enacted by June 30,
6 2011, the amount provided in this subsection shall lapse.

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

23 ~~((+12+))~~ (11) Within the appropriations in this section, specific
24 funding is provided to implement Substitute Senate Bill No. 5741
25 (economic development commission).

26 ~~((+13+))~~ (12) \$2,000,000 of the community and economic development
27 fee account appropriation is provided solely for the department of
28 commerce for services to homeless families through the Washington
29 families fund.

30 ~~((+14--\$260,000))~~ (13) \$173,000 of the general fund--state
31 appropriation for fiscal year 2012 ~~((and \$259,000 of the general fund--~~
32 ~~state appropriation for fiscal year 2013 are))~~ is provided solely for
33 the Washington asset building coalitions.

34 ~~((+15--\$1,859,000))~~ (14) \$1,394,000 of the general fund--state
35 appropriation for fiscal year 2012 ~~((and \$1,859,000 of the general~~
36 ~~fund--state appropriation for fiscal year 2013 are))~~ is provided solely
37 for innovative research teams, also known as entrepreneurial STARS, at
38 higher education research institutions, and for entrepreneurs-in-

1 residence programs at higher education research institutions and
2 entrepreneurial assistance organizations. Of ~~((these amounts))~~ this
3 amount no more than \$50,000 in fiscal year 2012 ~~((and no more than~~
4 ~~\$50,000 in fiscal year 2013))~~ may be provided for the operation of
5 entrepreneurs-in-residence programs at entrepreneurial assistance
6 organizations external to higher education research institutions.

7 ~~((+16))~~ (15) Up to \$700,000 of the general fund--private/local
8 appropriation is for pass-through grants to cities in central Puget
9 Sound to plan for transfer of development rights receiving areas under
10 the central Puget Sound regional transfer of development rights
11 program.

12 ~~((+17))~~ (16) \$16,000 of the general fund--state appropriation for
13 fiscal year 2012 is provided solely to implement section 503 of
14 Substitute House Bill No. 1277 (licensed settings for vulnerable
15 adults). The long-term care ombudsman shall convene an adult family
16 home quality assurance panel to review problems concerning the quality
17 of care for residents in adult family homes. If Substitute House Bill
18 No. 1277 (licensed settings for vulnerable adults) is not enacted by
19 June 30, 2011, the amount provided in this subsection shall lapse.

20 ~~((+18) \$24,605,000))~~ (17) \$18,454,000 of the general fund--state
21 appropriation for fiscal year 2012 ~~((and \$39,527,000 of the general~~
22 ~~fund--state appropriation for fiscal year 2013 are))~~ is provided solely
23 for establishment of the essential needs and housing support program
24 created in Engrossed Substitute House Bill No. 2082 (essential needs
25 and assistance program). The department of commerce shall contract for
26 these services with counties or community-based organizations involved
27 in providing essential needs and housing supports to low-income persons
28 who meet eligibility pursuant to Engrossed Substitute House Bill No.
29 2082. The department shall limit the funding used for administration
30 of the program to no more than five percent. Counties and community
31 providers shall limit the funding used for administration of the
32 program to no more than seven percent.

33 ~~((a) Of the amounts provided in this subsection, \$4,000,000 is~~
34 ~~provided solely for essential needs to clients who meet the eligibility~~
35 ~~established in Engrossed Substitute House Bill No. 2082. Counties and~~
36 ~~community-based organizations shall distribute basic essential products~~
37 ~~in a manner that prevents abuse. To the greatest extent possible, the~~

1 ~~counties or community based organizations shall leverage local or~~
2 ~~private funds, and volunteer support to acquire and distribute the~~
3 ~~basic essential products.~~

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

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

13 (18) \$2,500,000 of the general fund--state appropriation for fiscal
14 year 2013 is provided solely for the international trade and economic
15 development grant program.

16 (a) The community and economic revitalization board shall make
17 grants for international trade and economic development purposes based
18 on the application's ability to:

- 19 (i) Create and improve jobs in Washington;
20 (ii) Leverage private investment;
21 (iii) Provide assistance to companies for the purpose of
22 recruitment, expansion, or retention or the export of goods;
23 (iv) Grow employment in high value industries;
24 (v) Encourage collaboration; and
25 (vi) Ensure the delivery of assistance in the most efficient and
26 cost-effective way possible.

27 (b) The board may consider other criteria it deems necessary.

28 (19) \$2,802,000 of the liquor revolving account--state
29 appropriation for fiscal year 2013 is provided solely for the municipal
30 research and services center of Washington.

31 (20) \$42,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$85,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for the developmental disabilities
34 council to contract for a family-to-family mentor program to provide
35 information and support to families and guardians of persons who are
36 transitioning out of residential habilitation centers. To the maximum
37 extent allowable under federal law, these funds shall be matched under

1 medicaid through the department of social and health services and
2 federal funds shall be transferred to the department for the purposes
3 stated in this subsection.

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

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

7	General Fund--State Appropriation (FY 2012)	((\$674,000))
8		<u>\$647,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$728,000))
10		<u>\$707,000</u>
11	Lottery Administrative Account--State Appropriation	\$50,000
12	TOTAL APPROPRIATION	((\$1,452,000))
13		<u>\$1,404,000</u>

14 **Sec. 129.** 2011 1st sp.s. c 50 s 129 (uncodified) is amended to
15 read as follows:

16 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

17	General Fund--State Appropriation (FY 2012)	((\$18,688,000))
18		<u>\$17,216,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$18,547,000))
20		<u>\$16,949,000</u>
21	General Fund--Federal Appropriation	((\$31,534,000))
22		<u>\$31,532,000</u>
23	General Fund--Private/Local Appropriation	((\$1,270,000))
24		<u>\$1,370,000</u>
25	Performance Audits of Government Account--	
26	State Appropriation	((\$25,000))
27		<u>\$198,000</u>
28	Economic Development Strategic Reserve Account--	
29	State Appropriation	\$280,000
30	Department of Personnel Services--State	
31	Appropriation	((\$9,111,000))
32		<u>\$8,574,000</u>
33	Data Processing Revolving Account--State	
34	Appropriation	((\$5,208,000))
35		<u>\$5,914,000</u>
36	Higher Education Personnel Services Account--State	

1	Appropriation	((\$1,581,000))
2		<u>\$1,537,000</u>
3	Aquatic Lands Enhancement Account--State Appropriation	\$100,000
4	TOTAL APPROPRIATION	((\$86,344,000))
5		<u>\$83,670,000</u>

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

8 (1) \$1,210,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$1,210,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for implementation of House Bill
11 No. 1178 (regulatory assistance office). If the bill is not enacted by
12 June 30, 2011, the amounts provided in this subsection shall lapse.

13 (2) \$150,000 of the general fund--state appropriation for fiscal
14 year 2012 is provided solely for the office of financial management to
15 contract with an independent consultant to evaluate and recommend the
16 most cost-effective provision of services required to support the
17 department of social and health services special commitment center on
18 McNeil Island. The evaluation shall include island operation services
19 that include, but are not limited to: (a) Marine transport of
20 passengers and goods; (b) wastewater treatment; (c) fire protection and
21 suppression; (d) electrical supply; (e) water supply; and (f) road
22 maintenance.

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

28 (3) \$100,000 of the aquatic lands enhancement account--state
29 appropriation is provided solely for the office of financial management
30 to prepare a report to be used to initiate a comprehensive, long-range
31 planning process for the future of McNeil Island during the 2013-2015
32 fiscal biennium.

- 33 (a) The report on the initiation of the process must document:
- 34 (i) Ownership issues, including consultation with the federal
 - 35 government about its current legal requirements associated with the
 - 36 island;
 - 37 (ii) Federal and state decision-making processes to change use or
 - 38 ownership;

1 (iii) Tribal treaty interests;
2 (iv) Fish and wildlife species and their habitats;
3 (v) Land use and public safety needs;
4 (vi) Recreational opportunities for the general public;
5 (vii) Historic and archaeological resources; and
6 (viii) Revenue from and necessary to support potential future uses
7 of the island.

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

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

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

17 (i) Federal agencies with relevant responsibilities;

18 (ii) Tribal governments;

19 (iii) State agencies;

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

22 (v) Interested private organizations and individuals.

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

25 ((+7)) (4) The appropriations in this section include funding for
26 activities transferred from the sentencing guidelines commission to the
27 office of financial management pursuant to Engrossed Substitute Senate
28 Bill No. 5891 (criminal justice cost savings). Prior to the effective
29 date of Engrossed Substitute Senate Bill No. 5891, the appropriations
30 in this section may be expended for the continued operations and
31 expenses of the sentencing guidelines commission pursuant to the
32 expenditure authority schedule produced by the office of financial
33 management in accordance with chapter 43.88 RCW.

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

36 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

37 Administrative Hearings Revolving Account--State

1 Appropriation ((~~\$34,040,000~~))
2 \$36,078,000

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

9 **Sec. 131.** 2011 1st sp.s. c 50 s 131 (uncodified) is amended to
10 read as follows:

11 **FOR THE WASHINGTON STATE LOTTERY**
12 Lottery Administrative Account--State
13 Appropriation ((~~\$25,694,000~~))
14 \$25,659,000

15 **Sec. 132.** 2011 1st sp.s. c 50 s 132 (uncodified) is amended to
16 read as follows:

17 **FOR THE COMMISSION ON HISPANIC AFFAIRS**
18 General Fund--State Appropriation (FY 2012) ((~~\$246,000~~))
19 \$243,000
20 General Fund--State Appropriation (FY 2013) ((~~\$250,000~~))
21 \$254,000
22 TOTAL APPROPRIATION ((~~\$496,000~~))
23 \$497,000

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

26 **FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**
27 General Fund--State Appropriation (FY 2012) ((~~\$239,000~~))
28 \$229,000
29 General Fund--State Appropriation (FY 2013) ((~~\$238,000~~))
30 \$248,000
31 TOTAL APPROPRIATION \$477,000

32 **Sec. 134.** 2011 1st sp.s. c 50 s 134 (uncodified) is amended to
33 read as follows:

1 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS**

2 Department of Retirement Systems Expense

3 Account--State Appropriation ((~~\$47,057,000~~))
4 \$46,531,000

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

7 (1) \$146,000 of the department of retirement systems--state
8 appropriation is provided solely for the administrative costs
9 associated with implementation of House Bill No. 2070 (state and local
10 government employees). If the bill is not enacted by June 30, 2011,
11 the amount provided in this subsection shall lapse.

12 (2) \$65,000 of the department of retirement systems--state
13 appropriation is provided solely for the administrative costs
14 associated with implementation of House Bill No. 1625 (plan 3 default
15 investment option). If the bill is not enacted by June 30, 2011, the
16 amount provided in this subsection shall lapse.

17 (3) \$133,000 of the department of retirement systems--state
18 appropriation is provided solely for the administrative costs
19 associated with implementation of Engrossed House Bill No. 1981 as
20 amended (post-retirement employment). If the bill is not enacted by
21 June 30, 2011, the amount provided in this subsection shall lapse.

22 ((+5)) (4) \$15,000 of the department of retirement systems expense
23 account--state appropriation is provided solely for the administrative
24 costs associated with implementation of Substitute House Bill No. 2021
25 (plan 1 annual increase amounts). If the bill is not enacted by June
26 30, 2011, the amount provided in this section shall lapse.

27 **Sec. 135.** 2011 1st sp.s. c 50 s 135 (uncodified) is amended to
28 read as follows:

29 **FOR THE DEPARTMENT OF REVENUE**

30 General Fund--State Appropriation (FY 2012) ((~~\$104,380,000~~))
31 \$100,808,000

32 General Fund--State Appropriation (FY 2013) ((~~\$104,232,000~~))
33 \$99,797,000

34 Timber Tax Distribution Account--State
35 Appropriation ((~~\$5,940,000~~))
36 \$5,909,000

37 Waste Reduction/Recycling/Litter Control--State

1	Appropriation	\$129,000
2	Waste Tire Removal Account--State Appropriation	\$2,000
3	State Toxics Control Account--State Appropriation	\$87,000
4	Oil Spill Prevention Account--State Appropriation	\$19,000
5	Master License Fund--State Appropriation	(\$14,012,000)
6		<u>\$13,966,000</u>
7	Vehicle License Fraud Account--State Appropriation	\$5,000
8	Performance Audits of Government Account--State	
9	Appropriation	\$3,188,000
10	TOTAL APPROPRIATION	(\$231,994,000)
11		<u>\$223,910,000</u>

12 **Sec. 136.** 2011 1st sp.s. c 50 s 136 (uncodified) is amended to
13 read as follows:

14 **FOR THE STATE INVESTMENT BOARD**

15	State Investment Board Expense Account--State	
16	Appropriation	(\$29,256,000)
17		<u>\$29,200,000</u>

18 **Sec. 137.** 2011 1st sp.s. c 50 s 137 (uncodified) is amended to
19 read as follows:

20 **FOR THE BOARD OF TAX APPEALS**

21	General Fund--State Appropriation (FY 2012)	(\$1,241,000)
22		<u>\$1,191,000</u>
23	General Fund--State Appropriation (FY 2013)	(\$1,219,000)
24		<u>\$1,177,000</u>
25	TOTAL APPROPRIATION	(\$2,460,000)
26		<u>\$2,368,000</u>

27 **Sec. 138.** 2011 1st sp.s. c 50 s 138 (uncodified) is amended to
28 read as follows:

29 **FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

30	OMWBE Enterprises Account--State Appropriation	(\$3,266,000)
31		<u>\$3,761,000</u>

32 NEW SECTION. **Sec. 139.** 2011 1st sp.s. c 50 s 139 (uncodified) is
33 repealed.

1 **Sec. 140.** 2011 1st sp.s. c 50 s 140 (uncodified) is amended to
2 read as follows:

3 **FOR THE INSURANCE COMMISSIONER**

4	General Fund--Federal Appropriation	((\$4,452,000))
5		<u>\$4,451,000</u>
6	Insurance Commissioners Regulatory Account--State	
7	Appropriation	((\$47,509,000))
8		<u>\$47,306,000</u>
9	TOTAL APPROPRIATION	((\$51,961,000))
10		<u>\$51,757,000</u>

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

13 (1) \$75,000 of the insurance commissioner's regulatory
14 account--state appropriation is provided solely for the implementation
15 of Substitute Senate Bill No. 5445 (health benefit exchange).

16 (2) \$42,000 of the insurance commissioner's regulatory
17 account--state appropriation is provided solely for the implementation
18 of Senate Bill No. 5213 (insurance statutes).

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

21 **FOR THE BOARD OF ACCOUNTANCY**

22	Certified Public Accountants' Account--State	
23	Appropriation	((\$2,810,000))
24		<u>\$2,785,000</u>

25 **Sec. 142.** 2011 1st sp.s. c 50 s 142 (uncodified) is amended to
26 read as follows:

27 **FOR THE FORENSIC INVESTIGATION COUNCIL**

28	Death Investigations Account--State Appropriation	((\$286,000))
29		<u>\$296,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations: \$250,000 of the death investigations
32 account appropriation is provided solely for providing financial
33 assistance to local jurisdictions in multiple death investigations.
34 The forensic investigation council shall develop criteria for awarding
35 these funds for multiple death investigations involving an

1 unanticipated, extraordinary, and catastrophic event or those involving
2 multiple jurisdictions.

3 **Sec. 143.** 2011 1st sp.s. c 50 s 143 (uncodified) is amended to
4 read as follows:

5 **FOR THE HORSE RACING COMMISSION**

6 Horse Racing Commission Operating Account--State
7 Appropriation ((\$4,040,000))
8 \$4,078,000

9 **Sec. 144.** 2011 1st sp.s. c 50 s 144 (uncodified) is amended to
10 read as follows:

11 **FOR THE LIQUOR CONTROL BOARD**

12 Liquor Control Board Construction and Maintenance
13 Account--State Appropriation ((\$10,081,000))
14 \$10,481,000
15 Liquor Revolving Account--State Appropriation ((\$176,646,000))
16 \$175,335,000
17 General Fund--Federal Appropriation \$120,000
18 TOTAL APPROPRIATION ((\$186,847,000))
19 \$185,936,000

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

22 **Sec. 145.** 2011 1st sp.s. c 50 s 145 (uncodified) is amended to
23 read as follows:

24 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

25 General Fund--Federal Appropriation \$502,000
26 General Fund--Private/Local Appropriation ((\$11,175,000))
27 \$11,169,000
28 Public Service Revolving Account--State
29 Appropriation ((\$30,990,000))
30 \$30,877,000
31 Pipeline Safety Account--State Appropriation ((\$3,201,000))
32 \$3,185,000
33 Pipeline Safety Account--Federal Appropriation ((\$2,848,000))
34 \$2,846,000
35 TOTAL APPROPRIATION ((\$48,716,000))

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

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

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

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

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

Sec. 146. 2011 1st sp.s. c 50 s 146 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2012)	.. . . . ((\$8,010,000))
	<u>\$7,143,000</u>
General Fund--State Appropriation (FY 2013)	.. . . . ((\$8,001,000))
	<u>\$6,904,000</u>
General Fund--Federal Appropriation	.. . . . ((\$159,181,000))
	<u>\$159,128,000</u>
Enhanced 911 Account--State Appropriation	.. . . . ((\$46,556,000))
	<u>\$48,623,000</u>
Disaster Response Account--State Appropriation	.. . . . ((\$17,933,000))
	<u>\$17,928,000</u>
Disaster Response Account--Federal Appropriation	.. . . . \$66,266,000
Military Department Rent and Lease Account--State	
Appropriation	.. . . . \$615,000
Worker and Community Right-to-Know Account--State	
Appropriation	.. . . . ((\$2,165,000))
	<u>\$2,164,000</u>
TOTAL APPROPRIATION	.. . . . ((\$308,727,000))

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

(1) (~~(\$18,018,000)~~) \$17,928,000 of the disaster response account--state appropriation and \$66,266,000 of the disaster response account--federal appropriation may be spent only on disasters declared by the governor and with the approval of the office of financial management. The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2011-2013 biennium based on current revenue and expenditure patterns.

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

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

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

Sec. 147. 2011 1st sp.s. c 50 s 147 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account--State Appropriation (~~(\$1,064,000)~~)
\$1,041,000

Sec. 148. 2011 1st sp.s. c 50 s 148 (uncodified) is amended to read as follows:

1 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

2 General Fund--State Appropriation (FY 2012) ((~~\$2,347,000~~))

3 \$2,126,000

4 General Fund--State Appropriation (FY 2013) ((~~\$2,402,000~~))

5 \$2,168,000

6 Higher Education Personnel Services Account--State

7 Appropriation ((~~\$251,000~~))

8 \$253,000

9 Department of Personnel Service Account--State

10 Appropriation ((~~\$3,309,000~~))

11 \$3,334,000

12 TOTAL APPROPRIATION ((~~\$8,309,000~~))

13 \$7,881,000

14 **Sec. 149.** 2011 1st sp.s. c 50 s 149 (uncodified) is amended to
 15 read as follows:

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

17 Washington State Heritage Center Account--State

18 Appropriation ((~~\$2,517,000~~))

19 \$2,591,000

20 General Fund--Federal Appropriation ((~~\$1,908,000~~))

21 \$1,906,000

22 General Fund--Private/Local Appropriation \$14,000

23 TOTAL APPROPRIATION ((~~\$4,439,000~~))

24 \$4,511,000

25 **Sec. 150.** 2011 1st sp.s. c 50 s 150 (uncodified) is amended to
 26 read as follows:

27 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

28 General Fund--State Appropriation (FY 2012) ((~~\$4,052,000~~))

29 \$3,324,000

30 General Fund--State Appropriation (FY 2013) ((~~\$4,047,000~~))

31 \$3,245,000

32 General Fund--Federal Appropriation \$177,000

33 General Fund--Private/Local Appropriation \$368,000

34 Building Code Council Account--State Appropriation ((~~\$1,185,000~~))

35 \$1,187,000

36 Department of Personnel Service Account--State

1	Appropriation	((\$9,511,000))
2		<u>\$11,119,000</u>
3	((General Administration)) <u>Enterprise Services</u>	
4	Account--State Appropriation	((\$26,524,000))
5		<u>\$26,774,000</u>
6	TOTAL APPROPRIATION	((\$45,864,000))
7		<u>\$46,194,000</u>

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

10 (1) The appropriations in this section are for the operations and
11 expenses of the department of enterprise services as established by
12 Engrossed Substitute Senate Bill No. 5931 (central service functions of
13 state government), effective October 1, 2011. Prior to October 1,
14 2011, the appropriations in this section may be expended for the
15 continued operations and expenses of the office of financial
16 management, the department of general administration, the department of
17 information services, and the department of personnel, pursuant to the
18 expenditure authority schedules produced by the office of financial
19 management, in accordance with chapter 43.88 RCW.

20 (2) ((~~\$3,090,000~~)) \$3,028,000 of the general fund--state
21 appropriation for fiscal year 2012 and ((~~\$3,090,000~~)) \$2,967,000 of the
22 general fund--state appropriation for fiscal year 2013 are provided
23 solely for the payment of facilities and services charges, utilities
24 and contracts charges, public and historic facilities charges, and
25 capital projects surcharges allocable to the senate, house of
26 representatives, statute law committee, and joint legislative systems
27 committee. The department shall allocate charges attributable to these
28 agencies among the affected revolving funds. The department shall
29 maintain an interagency agreement with these agencies to establish
30 performance standards, prioritization of preservation and capital
31 improvement projects, and quality assurance provisions for the delivery
32 of services under this subsection. The legislative agencies named in
33 this subsection shall continue to enjoy all of the same rights of
34 occupancy and space use on the capitol campus as historically
35 established.

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

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

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

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

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

18 **FOR INNOVATE WASHINGTON**

19	General Fund--State Appropriation (FY 2012)	(((\$2,999,000)))
20		<u>\$2,919,000</u>
21	General Fund--State Appropriation (FY 2013)	(((\$3,011,000)))
22		<u>\$2,798,000</u>
23	TOTAL APPROPRIATION	(((\$6,010,000)))
24		<u>\$5,717,000</u>

(End of part)

PART II
HUMAN SERVICES

Sec. 201. 2011 1st sp.s. c 50 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

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

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

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

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

21 (4)(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, 2012, unless
24 specifically prohibited by this act, the department may transfer
25 general fund--state appropriations for fiscal year 2012 among programs
26 after approval by the director of financial management. However, the
27 department shall not transfer state moneys that are provided solely for
28 a specified purpose except as expressly provided in (b) of this
29 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 2012
32 caseload forecasts and utilization assumptions in the long-term care,
33 foster care, adoptions support, medicaid personal care, and child
34 support programs, the department may transfer state moneys that are
35 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 (5) 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 (6) The department shall to the maximum extent practicable use the
20 same system for delivery of spoken-language interpreter services for
21 social services appointments as the one established for medical
22 appointments in section 213 of this act. When contracting directly
23 with an individual to deliver spoken language interpreter services, the
24 department shall only contract with language access providers who are
25 working at a location in the state and who are state-certified or
26 state-authorized, except that when such a provider is not available,
27 the department may use a language access provider who meets other
28 certifications or standards deemed to meet state standards, including
29 interpreters in other states.

30 **Sec. 202.** 2011 1st sp.s. c 50 s 202 (uncodified) is amended to
31 read as follows:

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

34	General Fund--State Appropriation (FY 2012)	((\$301,565,000))
35		<u>\$282,359,000</u>
36	General Fund--State Appropriation (FY 2013)	((\$302,895,000))
37		<u>\$267,339,000</u>

1	General Fund--Federal Appropriation	((\$473,030,000))
2		<u>\$472,641,000</u>
3	General Fund--Private/Local Appropriation	((\$1,358,000))
4		<u>\$1,356,000</u>
5	Home Security Fund--State Appropriation	\$10,741,000
6	Domestic Violence Prevention Account--State	
7	Appropriation	\$1,154,000
8	Education Legacy Trust Account--State Appropriation	((\$725,000))
9		<u>\$362,000</u>
10	TOTAL APPROPRIATION	((\$1,091,468,000))
11		<u>\$1,035,952,000</u>

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

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

19 (2) ((~~\$668,000~~)) \$640,000 of the general fund--state appropriation
20 for fiscal year 2012 and ((~~\$668,000~~)) \$601,000 of the general fund--
21 state appropriation for fiscal year 2013 are provided solely to
22 contract for the operation of one pediatric interim care center. The
23 center shall provide residential care for up to thirteen children
24 through two years of age. Seventy-five percent of the children served
25 by the center must be in need of special care as a result of substance
26 abuse by their mothers. The center shall also provide on-site training
27 to biological, adoptive, or foster parents. The center shall provide
28 at least three months of consultation and support to the parents
29 accepting placement of children from the center. The center may
30 recruit new and current foster and adoptive parents for infants served
31 by the center. The department shall not require case management as a
32 condition of the contract. The department shall collaborate with the
33 pediatric interim care center to determine if and how the center could
34 be appropriately incorporated into the performance-based contract model
35 and report its findings to the legislature by December 1, 2012.

36 (3)(a) ((~~\$85,114,000~~)) \$76,488,000 of the general fund--state
37 appropriation for fiscal year 2012, ((~~\$85,409,000~~)) \$72,765,000 of the
38 general fund--state appropriation for fiscal year 2013, and

1 (~~(\$79,166,000)~~) \$70,704,000 of the general fund--federal appropriation
2 are provided solely for services for children and families subject to
3 RCW 74.13.360 (~~(and House Bill No. 2122 (child welfare))~~). Prior to
4 approval of contract services pursuant to RCW 74.13.360 (~~(and House~~
5 ~~Bill No. 2122)~~), the amounts provided in this section shall be allotted
6 on a monthly basis and expenditures shall not exceed allotments based
7 on a three month rolling average without approval of the office of
8 financial management following notification to the legislative fiscal
9 committees.

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

18 (4) (~~(\$176,000)~~) \$103,000 of the general fund--state appropriation
19 for fiscal year 2012, (~~(\$177,000 of the general fund state~~
20 ~~appropriation for fiscal year 2013,)~~) \$656,000 of the general fund--
21 private/local appropriation, \$253,000 of the general fund--federal
22 appropriation, and (~~(\$725,000)~~) \$362,000 of the education legacy trust
23 account--state appropriation are provided solely for children's
24 administration to contract with an educational advocacy provider with
25 expertise in foster care educational outreach. The amounts in this
26 subsection are provided solely for contracted education coordinators to
27 assist foster children in succeeding in K-12 and higher education
28 systems and to assure a focus on education during the transition to
29 performance based contracts. Funding shall be prioritized to regions
30 with high numbers of foster care youth and/or regions where backlogs
31 of youth that have formerly requested educational outreach services
32 exist. The department shall utilize private matching funds to maintain
33 educational advocacy services.

34 (5) (~~(\$670,000)~~) \$388,000 of the general fund--state appropriation
35 for fiscal year 2012 (~~(and \$670,000 of the general fund state~~
36 ~~appropriation for fiscal year 2013 are)~~) is provided solely for
37 services provided through children's advocacy centers.

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

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

29 ~~((+9))~~ (8) \$47,000 of the general fund--state appropriation for
30 fiscal year 2012, \$14,000 of the general fund--state appropriation for
31 fiscal year 2013, and \$40,000 of the general fund--federal
32 appropriation are provided solely to implement Substitute House Bill
33 No. 1697 (dependency system). If the bill is not enacted by June 30,
34 2011, the amounts provided in this subsection shall lapse.

35 ~~((+10))~~ (9) \$564,000 of the general fund--federal appropriation is
36 provided solely to implement Second Substitute House Bill No. 1128
37 (extended foster care). If the bill is not enacted by June 30, 2011,
38 the amount provided in this subsection shall lapse.

1 **Sec. 203.** 2011 1st sp.s. c 50 s 203 (uncodified) is amended to
2 read as follows:

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

5	General Fund--State Appropriation (FY 2012)	((\$87,025,000))
6		<u>\$83,583,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$86,803,000))
8		<u>\$80,197,000</u>
9	General Fund--Federal Appropriation	((\$702,000))
10		<u>\$3,758,000</u>
11	General Fund--Private/Local Appropriation	((\$1,903,000))
12		<u>\$1,902,000</u>
13	Washington Auto Theft Prevention Authority Account--	
14	State Appropriation	\$196,000
15	Juvenile Accountability Incentive Account--Federal	
16	Appropriation	\$2,801,000
17	TOTAL APPROPRIATION	((\$179,430,000))
18		<u>\$172,437,000</u>

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

21 (1) ((~~\$331,000~~)) \$298,000 of the general fund--state appropriation
22 for fiscal year 2012 and ((~~\$331,000~~)) \$265,000 of the general fund--
23 state appropriation for fiscal year 2013 are provided solely for
24 deposit in the county criminal justice assistance account for costs to
25 the criminal justice system associated with the implementation of
26 chapter 338, Laws of 1997 (juvenile code revisions). The amounts
27 provided in this subsection are intended to provide funding for county
28 adult court costs associated with the implementation of chapter 338,
29 Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

30 (2) ((~~\$2,716,000~~)) \$2,444,000 of the general fund--state
31 appropriation for fiscal year 2012 and ((~~\$2,716,000~~)) \$2,173,000 of the
32 general fund--state appropriation for fiscal year 2013 are provided
33 solely for the implementation of chapter 338, Laws of 1997 (juvenile
34 code revisions). The amounts provided in this subsection are intended
35 to provide funding for county impacts associated with the
36 implementation of chapter 338, Laws of 1997 and shall be distributed to
37 counties as prescribed in the current consolidated juvenile services
38 (CJS) formula.

1 (3) (~~(\$3,482,000)~~) \$3,134,000 of the general fund--state
2 appropriation for fiscal year 2012 and (~~(\$3,482,000)~~) \$2,786,000 of the
3 general fund--state appropriation for fiscal year 2013 are provided
4 solely to implement community juvenile accountability grants pursuant
5 to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided
6 in this subsection may be used solely for community juvenile
7 accountability grants, administration of the grants, and evaluations of
8 programs funded by the grants.

9 (4) (~~(\$1,130,000)~~) \$1,017,000 of the general fund--state
10 appropriation for fiscal year 2012 and (~~(\$1,130,000)~~) \$904,000 of the
11 general fund--state appropriation for fiscal year 2013 are provided
12 solely to implement alcohol and substance abuse treatment programs for
13 locally committed offenders. The juvenile rehabilitation
14 administration shall award these moneys on a competitive basis to
15 counties that submitted a plan for the provision of services approved
16 by the division of alcohol and substance abuse. The juvenile
17 rehabilitation administration shall develop criteria for evaluation of
18 plans submitted and a timeline for awarding funding and shall assist
19 counties in creating and submitting plans for evaluation.

20 (5) (~~(\$3,123,000)~~) \$2,760,000 of the general fund--state
21 appropriation for fiscal year 2012 and (~~(\$3,123,000)~~) \$2,423,000 of the
22 general fund--state appropriation for fiscal year 2013 are provided
23 solely for grants to county juvenile courts for the following programs
24 identified by the Washington state institute for public policy
25 (institute) in its October 2006 report: "Evidence-Based Public Policy
26 Options to Reduce Future Prison Construction, Criminal Justice Costs
27 and Crime Rates": Functional family therapy, multi-systemic therapy,
28 aggression replacement training and interagency coordination programs,
29 or other programs with a positive benefit-cost finding in the
30 institute's report. County juvenile courts shall apply to the juvenile
31 rehabilitation administration for funding for program-specific
32 participation and the administration shall provide grants to the courts
33 consistent with the per-participant treatment costs identified by the
34 institute.

35 (6) (~~(\$1,537,000)~~) \$1,202,000 of the general fund--state
36 appropriation for fiscal year 2012 and (~~(\$1,537,000)~~) \$1,077,000 of the
37 general fund--state appropriation for fiscal year 2013 are provided
38 solely for expansion of the following treatments and therapies in

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

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

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

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

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

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

33 **Sec. 204.** 2011 1st sp.s. c 50 s 204 (uncodified) is amended to
34 read as follows:

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**
36 **PROGRAM**

37 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

1	General Fund--State Appropriation (FY 2012)	((\$322,704,000))
2		<u>\$314,824,000</u>
3	General Fund--State Appropriation (FY 2013)	((\$327,615,000))
4		<u>\$310,843,000</u>
5	General Fund--Federal Appropriation	((\$456,691,000))
6		<u>\$443,218,000</u>
7	General Fund--Private/Local Appropriation	((\$17,604,000))
8		<u>\$17,864,000</u>
9	Hospital Safety Net Assessment Fund--State	
10	Appropriation	\$6,802,000
11	TOTAL APPROPRIATION	((\$1,131,416,000))
12		<u>\$1,093,551,000</u>

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

15 (a) ((~~\$109,342,000~~)) \$107,571,000 of the general fund--state
16 appropriation for fiscal year 2012 and ((~~\$109,341,000~~)) \$104,544,000 of
17 the general fund--state appropriation for fiscal year 2013 are provided
18 solely for persons and services not covered by the medicaid program.
19 This is a reduction of ((~~\$4,348,000 each fiscal year~~)) \$6,119,000 in
20 fiscal year 2012 and \$9,145,000 in fiscal year 2013 from the
21 nonmedicaid funding that was allocated for expenditure by regional
22 support networks during fiscal year 2011 prior to supplemental budget
23 reductions. This ((~~\$4,348,000~~)) reduction shall be distributed among
24 regional support networks proportional to each network's share of the
25 total state population. To the extent possible, levels of regional
26 support network spending shall be maintained in the following priority
27 order: (i) Crisis and commitment services; (ii) community inpatient
28 services; and (iii) residential care services, including personal care
29 and emergency housing assistance.

30 (b) \$6,590,000 of the general fund--state appropriation for fiscal
31 year 2012, \$6,590,000 of the general fund--state appropriation for
32 fiscal year 2013, and \$7,620,000 of the general fund--federal
33 appropriation are provided solely for the department and regional
34 support networks to continue to contract for implementation of high-
35 intensity programs for assertive community treatment (PACT) teams. In
36 determining the proportion of medicaid and nonmedicaid funding provided
37 to regional support networks with PACT teams, the department shall
38 consider the differences between regional support networks in the

1 percentages of services and other costs associated with the teams that
2 are not reimbursable under medicaid. The department may allow regional
3 support networks which have nonmedicaid reimbursable costs that are
4 higher than the nonmedicaid allocation they receive under this section
5 to supplement these funds with local dollars or funds received under
6 section 204(1)(a) of this act. The department and regional support
7 networks shall maintain consistency with all essential elements of the
8 PACT evidence-based practice model in programs funded under this
9 section.

10 (c) \$5,850,000 of the general fund--state appropriation for fiscal
11 year 2012, \$5,850,000 of the general fund--state appropriation for
12 fiscal year 2013, and \$1,300,000 of the general fund--federal
13 appropriation are provided solely for the western Washington regional
14 support networks to provide either community- or hospital campus-based
15 services for persons who require the level of care previously provided
16 by the program for adaptive living skills (PALS) at western state
17 hospital.

18 ~~((The number of nonforensic beds allocated for use by regional
19 support networks at eastern state hospital shall be 192 per day. The
20 number of nonforensic beds allocated for use by regional support
21 networks at western state hospital shall be 557 per day.~~

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

28 ~~((f))~~ (e) \$4,582,000 of the general fund--state appropriation for
29 fiscal year 2012 and \$4,582,000 of the general fund--state
30 appropriation for fiscal year 2013 are provided solely for mental
31 health services for mentally ill offenders while confined in a county
32 or city jail and for facilitating access to programs that offer mental
33 health services upon release from confinement.

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

37 ~~((h))~~ (g) \$750,000 of the general fund--state appropriation for
38 fiscal year 2012 and \$750,000 of the general fund--state appropriation

1 for fiscal year 2013 are provided solely to continue performance-based
2 incentive contracts to provide appropriate community support services
3 for individuals with severe mental illness who were discharged from the
4 state hospitals as part of the expanding community services initiative.
5 These funds will be used to enhance community residential and support
6 services provided by regional support networks through other state and
7 federal funding.

8 ~~((i))~~ ~~(\$1,125,000))~~ (h) \$891,000 of the general fund--state
9 appropriation for fiscal year 2012 and ~~((i))~~ ~~(\$1,125,000))~~ \$562,000 of the
10 general fund--state appropriation for fiscal year 2013 are provided
11 solely for the Spokane regional support network to implement services
12 to reduce utilization and the census at eastern state hospital. Such
13 services shall include:

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

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

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

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

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

28 ~~((j))~~ (i) \$1,529,000 of the general fund--state appropriation for
29 fiscal year 2012 and \$1,529,000 of the general fund--state
30 appropriation for fiscal year 2013 are provided solely to reimburse
31 Pierce and Spokane counties for the cost of conducting 180-day
32 commitment hearings at the state psychiatric hospitals.

33 ~~((k))~~ (j) Regional support networks may use local funds to earn
34 additional federal medicaid match, provided the locally matched rate
35 does not exceed the upper-bound of their federally allowable rate
36 range, and provided that the enhanced funding is used only to provide
37 medicaid state plan or waiver services to medicaid clients.
38 Additionally, regional support networks may use a portion of the state

1 funds allocated in accordance with (a) of this subsection to earn
2 additional medicaid match, but only to the extent that the application
3 of such funds to medicaid services does not diminish the level of
4 crisis and commitment, community inpatient, residential care, and
5 outpatient services presently available to persons not eligible for
6 medicaid.

7 ~~((l))~~ (k) Given the recent approval of federal medicaid matching
8 funds for the disability lifeline and the alcohol and drug abuse
9 treatment support act programs, the department shall charge regional
10 support networks for only the state share rather than the total cost of
11 community psychiatric hospitalization for persons enrolled in those
12 programs.

13 ~~((m))~~ (l) \$750,000 of the general fund--state appropriation for
14 fiscal year 2012, \$750,000 of the general fund--state appropriation for
15 fiscal year 2013, and \$1,500,000 of the general fund--federal
16 appropriation are provided solely to adjust regional support network
17 capitation rates to account for the per diem rates actually paid for
18 psychiatric care provided at hospitals participating in the certified
19 public expenditure program operated pursuant to section 213 of this
20 act.

21 (2) INSTITUTIONAL SERVICES

22	General Fund--State Appropriation (FY 2012)	(((\$114,686,000))
23		<u>\$116,475,000</u>
24	General Fund--State Appropriation (FY 2013)	(((\$113,766,000))
25		<u>\$106,805,000</u>
26	General Fund--Federal Appropriation	(((\$150,767,000))
27		<u>\$152,025,000</u>
28	General Fund--Private/Local Appropriation	(((\$65,834,000))
29		<u>\$61,904,000</u>
30	TOTAL APPROPRIATION	(((\$445,053,000))
31		<u>\$437,209,000</u>

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

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

37 (b) \$231,000 of the general fund--state appropriation for fiscal
38 year 2012 and \$231,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for a community partnership
2 between western state hospital and the city of Lakewood to support
3 community policing efforts in the Lakewood community surrounding
4 western state hospital. The amounts provided in this subsection (2)(b)
5 are for the salaries, benefits, supplies, and equipment for one full-
6 time investigator, one full-time police officer, and one full-time
7 community service officer at the city of Lakewood.

8 (c) \$45,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$45,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for payment to the city of
11 Lakewood for police services provided by the city at western state
12 hospital and adjacent areas.

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

18 (3) SPECIAL PROJECTS

19	General Fund--State Appropriation (FY 2012)	(\$1,457,000)
20		<u>\$1,168,000</u>
21	General Fund--State Appropriation (FY 2013)	(\$1,462,000)
22		<u>\$1,164,000</u>
23	General Fund--Federal Appropriation	(\$2,682,000)
24		<u>\$4,109,000</u>
25	General Fund--Private/Local Appropriation	\$700,000
26	TOTAL APPROPRIATION	(\$6,301,000)
27		<u>\$7,141,000</u>

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

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

35 (b) \$700,000 of the general fund--private/local appropriation is
36 provided solely for the University of Washington's evidence based
37 practice institute which supports the identification, evaluation, and
38 implementation of evidence-based or promising practices for serving

1 children and youth with mental health disorders. The department shall
2 enter into an interagency agreement with the office of the attorney
3 general for expenditure of \$700,000 of the state's proceeds of the cy
4 pres settlement in *State of Washington v. AstraZeneca* (Seroquel) for
5 this purpose.

6 (4) PROGRAM SUPPORT

7	General Fund--State Appropriation (FY 2012)	((\$4,276,000))
8		<u>\$4,476,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$4,102,000))
10		<u>\$4,248,000</u>
11	General Fund--Federal Appropriation	((\$6,894,000))
12		<u>\$7,220,000</u>
13	General Fund--Private/Local Appropriation . . . . .	.\$446,000
14	TOTAL APPROPRIATION	((\$15,718,000))
15		<u>\$16,390,000</u>

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

34 **Sec. 205.** 2011 1st sp.s. c 50 s 205 (uncodified) is amended to
35 read as follows:

36 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**

1 **DISABILITIES PROGRAM**

2 (1) COMMUNITY SERVICES

3	General Fund--State Appropriation (FY 2012)	((\$418,664,000))
4		<u>\$410,742,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$422,393,000))
6		<u>\$394,833,000</u>
7	General Fund--Federal Appropriation	((\$726,897,000))
8		<u>\$726,736,000</u>
9	General Fund--Private/Local Appropriation	((\$184,000))
10		<u>\$341,000</u>
11	TOTAL APPROPRIATION	((\$1,568,138,000))
12		<u>\$1,532,652,000</u>

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

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

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

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

35 ~~(d) ((\$944,000 of the general fund--state appropriation for fiscal~~
36 ~~year 2012, \$944,000 of the general fund--state appropriation for fiscal~~
37 ~~year 2013, and \$1,888,000 of the general fund--federal appropriation~~
38 ~~are provided solely for state contributions for individual provider~~

1 ~~health care benefits.))~~ Pursuant to the collective bargaining
2 agreement negotiated with the exclusive bargaining representative of
3 individual providers established under RCW 74.39A.270, the state shall
4 contribute to the multiemployer health benefits trust fund (~~(\$1.96)~~)
5 \$2.21 per paid hour worked by individual providers.

6 ~~(e) (\$1,871,000 of the general fund state appropriation for~~
7 ~~fiscal year 2012, \$1,995,000 of the general fund state appropriation~~
8 ~~for fiscal year 2013, and \$3,865,000 of the general fund federal~~
9 ~~appropriation are provided solely for home care agencies to purchase~~
10 ~~health coverage for home care providers. The department shall~~
11 ~~calculate and distribute payments for health care benefits to home care~~
12 ~~agencies at \$558 per month for each worker who cares for publicly~~
13 ~~funded clients at 86 hours or more per month. In order to negotiate~~
14 ~~the most comprehensive health benefits package for its employees, each~~
15 ~~agency may determine benefit levels according to the hours an employee~~
16 ~~works providing state-funded personal care. Health benefits shall be~~
17 ~~offered to all employees who care for publicly funded clients for 86~~
18 ~~hours per month or more. At a minimum, employees who care for publicly~~
19 ~~funded clients at 140 hours a month or greater must receive a~~
20 ~~comprehensive medical benefit. Benefits shall not be provided to~~
21 ~~employees who care for publicly funded clients at 85 hours or less per~~
22 ~~month or as interim respite workers. The department shall not pay an~~
23 ~~agency for benefits provided to an employee who otherwise receives~~
24 ~~health care coverage through other family members, other~~
25 ~~employment-based coverage, or military or veteran's coverage. The~~
26 ~~department shall require annually, each home care agency to review each~~
27 ~~of its employee's available health coverage and to provide a written~~
28 ~~declaration to the department verifying that health benefits purchased~~
29 ~~with public funds are solely for employees that do not have other~~
30 ~~available coverage. Home care agencies may determine a reasonable~~
31 ~~employee co-premium not to exceed 20 percent of the total benefit cost.~~

32 ~~(f) \$1,127,000 of the general fund state appropriation for fiscal~~
33 ~~year 2012, \$1,199,000 of the general fund state appropriation for~~
34 ~~fiscal year 2013, and \$2,322,000 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, for instructional~~
37 ~~costs associated with the training of individual providers.))~~ House
38 Bill No. 1548 and Senate Bill No. 5473 (long-term care worker

1 requirements) make statutory changes to the increased training
2 requirements and therefore the state shall contribute to the
3 partnership \$0.17 per paid hour worked by all home care workers. This
4 amount is pursuant to the collective bargaining agreement negotiated
5 with the exclusive bargaining representative of individual providers
6 established under RCW 74.39A.270. Expenditures for ~~((the purposes
7 specified in this subsection shall not exceed the amounts provided in
8 this subsection))~~ that purpose shall not exceed that hourly rate.

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

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

31 (iii) The appropriation in this subsection includes funding to
32 provide employment or community access services to 168 medicaid
33 eligible young adults with developmental disabilities living with their
34 families who need employment opportunities and assistance after high
35 school graduation.

36 ~~((h))~~ (g) \$75,000 of the general fund--state appropriation for
37 fiscal year 2012 and \$75,000 of the general fund--state appropriation
38 for fiscal year 2013 are provided solely for the restoration of direct

1 support to local organizations that utilize parent-to-parent networks
2 and communication to promote access and quality of care for individuals
3 with developmental disabilities and their families.

4 ~~((+i))~~ (h) In accordance with Engrossed Substitute House Bill No.
5 1277 (licensed settings for vulnerable adults), adult family home
6 license fees are increased in fiscal years 2012 and 2013 to support the
7 costs of conducting licensure, inspection, and regulatory programs.

8 (i) The current annual renewal license fee for adult family homes
9 shall be increased to \$100 per bed beginning in fiscal year 2012 and
10 ~~((+\$175))~~ \$375 per bed beginning in fiscal year 2013. Adult family
11 homes shall receive a corresponding vendor rate increase per medicaid
12 patient day of \$0.22 in fiscal year 2012 and ~~((+\$0.43))~~ \$0.98 in fiscal
13 year 2013 to cover the cost of the license fee increase for publicly
14 funded beds.

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

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

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

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

4
5 (2) INSTITUTIONAL SERVICES

6	General Fund--State Appropriation (FY 2012)	((\$80,256,000))
7		<u>\$80,815,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$79,288,000))
9		<u>\$73,100,000</u>
10	General Fund--Federal Appropriation	((\$153,007,000))
11		<u>\$156,183,000</u>
12	General Fund--Private/Local Appropriation	((\$22,043,000))
13		<u>\$22,042,000</u>
14	<u>State Efficiency and Restructuring Account--State</u>	
15	<u>Appropriation</u>	<u>\$8,491,000</u>
16	TOTAL APPROPRIATION	((\$334,594,000))
17		<u>\$340,631,000</u>

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

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

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

31 (3) PROGRAM SUPPORT

32	General Fund--State Appropriation (FY 2012)	((\$1,383,000))
33		<u>\$1,380,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$1,376,000))
35		<u>\$1,367,000</u>
36	General Fund--Federal Appropriation	((\$1,326,000))
37		<u>\$1,321,000</u>
38	TOTAL APPROPRIATION	((\$4,085,000))

1		<u>\$4,068,000</u>
2	(4) SPECIAL PROJECTS	
3	General Fund--State Appropriation (FY 2012)	((\$4,659,000))
4		<u>\$4,648,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$4,659,000))
6		<u>\$4,597,000</u>
7	General Fund--Federal Appropriation	((\$9,590,000))
8		<u>\$9,575,000</u>
9	General Fund--Private/Local Appropriation	\$998,000
10	TOTAL APPROPRIATION	((\$19,906,000))
11		<u>\$19,818,000</u>

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

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

33 **Sec. 206.** 2011 1st sp.s. c 50 s 206 (uncodified) is amended to
34 read as follows:

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
36 **SERVICES PROGRAM**

37	General Fund--State Appropriation (FY 2012)	((\$783,305,000))
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1		<u>\$780,176,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$811,670,000))
3		<u>\$787,780,000</u>
4	General Fund--Federal Appropriation	((\$1,686,010,000))
5		<u>\$1,675,737,000</u>
6	General Fund--Private/Local Appropriation	((\$27,517,000))
7		<u>\$30,728,000</u>
8	Traumatic Brain Injury Account--State Appropriation	\$3,388,000
9	Nursing Facility Quality Assurance Account--State	
10	Appropriation	((\$88,000,000))
11		<u>\$102,044,000</u>
12	TOTAL APPROPRIATION	((\$3,399,890,000))
13		<u>\$3,379,853,000</u>

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

16 (1) For purposes of implementing chapter 74.46 RCW, the weighted
17 average nursing facility payment rate shall not exceed \$170.37 for
18 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,
19 including the rate add-ons described in (a) and (b) of this subsection.
20 However, if the waiver requested from the federal centers for medicare
21 and medicaid services in relation to the safety net assessment created
22 by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is
23 for any reason not approved and implemented, the weighted average
24 nursing facility payment rate shall not exceed \$159.87 for fiscal year
25 2012 and shall not exceed \$160.93 for fiscal year 2013. There will be
26 no adjustments for economic trends and conditions in fiscal years 2012
27 and 2013. The economic trends and conditions factor or factors defined
28 in the biennial appropriations act shall not be compounded with the
29 economic trends and conditions factor or factors defined in any other
30 biennial appropriations acts before applying it to the component rate
31 allocations established in accordance with chapter 74.46 RCW. When no
32 economic trends and conditions factor for either fiscal year is defined
33 in a biennial appropriations act, no economic trends and conditions
34 factor or factors defined in any earlier biennial appropriations act
35 shall be applied solely or compounded to the component rate allocations
36 established in accordance with chapter 74.46 RCW.

37 (a) Within the funds provided, the department shall continue to
38 provide an add-on per medicaid resident day per facility not to exceed

1 \$1.57. The add-on shall be used to increase wages, benefits, and/or
2 staffing levels for certified nurse aides; or to increase wages and/or
3 benefits for dietary aides, housekeepers, laundry aides, or any other
4 category of worker whose statewide average dollars-per-hour wage was
5 less than \$15 in calendar year 2008, according to cost report data.
6 The add-on may also be used to address resulting wage compression for
7 related job classes immediately affected by wage increases to low-wage
8 workers. The department shall continue reporting requirements and a
9 settlement process to ensure that the funds are spent according to this
10 subsection.

11 (b) The department shall do a comparative analysis of the facility-
12 based payment rates calculated on July 1, 2011, using the payment
13 methodology defined in Engrossed Substitute Senate Bill No. 5581
14 (nursing home payments), to the facility-based payment rates in effect
15 June 30, 2010. If the facility-based payment rate calculated on July
16 1, 2011, is smaller than the facility-based payment rate on June 30,
17 2010, then the difference shall be provided to the individual nursing
18 facilities as an add-on payment per medicaid resident day.

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

26 (d) The department shall provide a medicaid rate add-on to
27 reimburse the medicaid share of the skilled nursing facility safety net
28 assessment as a medicaid allowable cost. The nursing facility safety
29 net rate add-on may not be included in the calculation of the annual
30 statewide weighted average nursing facility payment rate.

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

36 (2) After examining actual nursing facility cost information, the
37 legislature finds that the medicaid nursing facility rates calculated
38 pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home

1 payments) provide sufficient reimbursement to efficiently and
2 economically operating nursing facilities and bear a reasonable
3 relationship to costs.

4 (3) In accordance with chapter 74.46 RCW, the department shall
5 issue no additional certificates of capital authorization for fiscal
6 year 2012 and no new certificates of capital authorization for fiscal
7 year 2013 and shall grant no rate add-ons to payment rates for capital
8 improvements not requiring a certificate of need and a certificate of
9 capital authorization for fiscal years 2012 and 2013.

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

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

22 (6) (~~(\$1,883,000 of the general fund state appropriation for~~
23 ~~fiscal year 2012, \$1,883,000 of the general fund state appropriation~~
24 ~~for fiscal year 2013, and \$3,766,000 of the general fund federal~~
25 ~~appropriation are provided solely for state contributions for~~
26 ~~individual provider health care benefits.)) Pursuant to the collective
27 bargaining agreement negotiated with the exclusive bargaining
28 representative of individual providers established under RCW
29 74.39A.270, the state shall contribute to the multiemployer health
30 benefits trust fund (~~(\$1.96)~~) \$2.21 per paid hour worked by individual
31 providers.~~

32 (7) (~~(\$16,835,000 of the general fund state appropriation for~~
33 ~~fiscal year 2012, \$17,952,000 of the general fund state appropriation~~
34 ~~for fiscal year 2013, and \$34,786,000 of the general fund federal~~
35 ~~appropriation are provided solely for home care agencies to purchase~~
36 ~~health coverage for home care providers. The department shall~~
37 ~~calculate and distribute payments for health care benefits to home care~~
38 ~~agencies at \$558 per month for each worker who cares for publicly~~

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

20 ~~(8) \$2,063,000 of the general fund state appropriation for fiscal~~
21 ~~year 2012, \$2,195,000 of the general fund state appropriation for~~
22 ~~fiscal year 2013, and \$4,260,000 of the general fund federal~~
23 ~~appropriation are provided solely for the state's contribution to the~~
24 ~~training partnership, as provided in RCW 74.39A.360, for instructional~~
25 ~~costs associated with the training of individual providers.))~~ House
26 Bill No. 1548 and Senate Bill No. 5473 (long-term care worker
27 requirements) make statutory changes to the increased training
28 requirements and therefore the state shall contribute to the
29 partnership \$0.17 per paid hour worked by all home care workers. This
30 amount is pursuant to the collective bargaining agreement negotiated
31 with the exclusive bargaining representative of individual providers
32 established under RCW 74.39A.270. Expenditures for ~~((the purposes~~
33 ~~specified in this subsection shall not exceed the amounts provided in~~
34 ~~this subsection)) that purpose shall not exceed that hourly rate.~~

35 ~~((+9))~~ (8) Individuals receiving services as supplemental security
36 income (SSI) state supplemental payments shall not become eligible for
37 medical assistance under RCW 74.09.510 due solely to the receipt of SSI
38 state supplemental payments.

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

4 ~~(11))~~ (9) \$4,588,000 of the general fund--state appropriation for
5 fiscal year 2012, \$4,559,000 of the general fund--state appropriation
6 for fiscal year 2013, and \$9,237,000 of the general fund--federal
7 appropriation are provided solely for the continued operation of
8 community residential and support services for persons who are older
9 adults or who have co-occurring medical and behavioral disorders and
10 who have been discharged or diverted from a state psychiatric hospital.
11 These funds shall be used to serve individuals whose treatment needs
12 constitute substantial barriers to community placement, who no longer
13 require active psychiatric treatment at an inpatient hospital level of
14 care, and who no longer meet the criteria for inpatient involuntary
15 commitment.

16 ~~((12))~~ (10) \$1,840,000 of the general fund--state appropriation
17 for fiscal year 2012 and \$1,877,000 of the general fund--state
18 appropriation for fiscal year 2013 are provided solely for operation
19 of the volunteer services program. Funding shall be prioritized
20 towards serving populations traditionally served by long-term care
21 services to include senior citizens and persons with disabilities.

22 ~~((13))~~ (11) In accordance with Engrossed Substitute House Bill
23 No. 1277 (licensed settings for vulnerable adults), nursing facility
24 fees are increased in fiscal year 2012 and adult family home fees are
25 increased in fiscal year 2012 and fiscal year 2013 to support the costs
26 of conducting licensure, inspection, and regulatory programs.

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

33 (b) The current annual renewal license fee for adult family homes
34 shall be increased to \$100 per bed beginning in fiscal year 2012 and
35 assumes \$1,449,000 of the general fund--private/local appropriation;
36 and ~~((175))~~ \$375 per bed beginning in fiscal year 2013 and assumes
37 \$2,463,000 of the general fund--private/local appropriation. Adult
38 family homes shall receive a corresponding vendor rate increase per

1 medicaid patient day of \$0.22 in fiscal year 2012 and (~~(\$0.43)~~) \$0.98
2 in fiscal year 2013 to cover the license fee increase for publicly
3 funded beds.

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

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

20 (~~(+14)~~) (12) \$3,316,000 of the traumatic brain injury account--
21 state appropriation is provided solely to continue services for persons
22 with traumatic brain injury (TBI) as defined in chapter 143, Laws of
23 2011 (traumatic brain injury strategic partnership).

24 (~~(+15)~~) (13) The department is authorized to place long-term care
25 clients residing in nursing homes and paid for with state only funds
26 into less restrictive community care settings while continuing to meet
27 the client's care needs.

28 **Sec. 207.** 2011 1st sp.s. c 50 s 207 (uncodified) is amended to
29 read as follows:

30 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
31 **PROGRAM**

32	General Fund--State Appropriation (FY 2012)	((\$506,611,000))
33		<u>\$462,039,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$500,003,000))
35		<u>\$422,044,000</u>
36	General Fund--Federal Appropriation	((\$1,115,799,000))
37		<u>\$1,167,076,000</u>

1 General Fund--Private/Local Appropriation \$30,592,000
2 TOTAL APPROPRIATION (~~(\$2,153,005,000)~~)
3 \$2,081,751,000

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

6 (1) (~~(\$297,623,000)~~) \$237,661,000 of the general fund--state
7 appropriation for fiscal year 2012, (~~(\$297,623,000)~~) \$238,509,000 of
8 the general fund--state appropriation for fiscal year 2013, and
9 (~~(\$672,443,000)~~) \$710,843,000 of the general fund--federal
10 appropriation are provided solely for all components of the WorkFirst
11 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921
12 (social services programs), the amounts in this subsection assume that
13 any participant in the temporary assistance for needy families where
14 their participation is suspended and does not volunteer to participate
15 in WorkFirst services or unsubsidized employment does not receive child
16 care subsidies or WorkFirst subsidies as a condition of the suspension.
17 Within the amounts provided for the WorkFirst program, the department
18 may provide assistance using state-only funds for families eligible for
19 temporary assistance for needy families.

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

24 (b) The department may establish a career services work transition
25 program.

26 (c) Within the amounts provided in this subsection, \$1,414,000 of
27 the general fund--state appropriation for fiscal year 2012 and
28 \$5,150,000 of the general fund--state appropriation for fiscal year
29 2013 are provided solely for the implementation and administration of
30 the electronic benefit transfer system under section 12 of Engrossed
31 Substitute Senate Bill No. 5921 (social services programs). The
32 department shall transfer these amounts to the department of early
33 learning for the implementation and administration of the project.

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

1 (e) The department shall create a temporary assistance for needy
2 families budget structure that allows for more transparent tracking of
3 budget units and subunits of expenditures where these units and
4 subunits are mutually exclusive from other department budget units.
5 The budget structure shall include budget units for the following:
6 Grants, child care, WorkFirst activities, and administration of the
7 program.

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

16 ~~(b) If sufficient savings in subsection (1) of this section are~~
17 ~~achieved, the department of early learning shall increase the number of~~
18 ~~child care slots available for the working connections child care~~
19 ~~program.~~

20 ~~(3)---\$31,960,000))~~ \$23,494,000 of the general fund--state
21 appropriation for fiscal year 2012, in addition to supplemental
22 security income recoveries, is provided solely for financial assistance
23 and other services to recipients in the program established in section
24 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates
25 on October 31, 2011.

26 ~~((4)(a) \$11,690,000))~~ (3)(a) \$13,086,000 of the general fund--
27 state appropriation for fiscal year 2012 and ~~((21,494,000))~~
28 \$24,788,000 of the general fund--state appropriation for fiscal year
29 2013, in addition to supplemental security income recoveries, are
30 provided solely for the programs created in Engrossed Substitute House
31 Bill No. 2082 (essential needs and assistance program) beginning
32 November 1, 2011.

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

1 (c) The department shall continue the interagency agreement with
2 the department of veterans' affairs to establish a process for referral
3 of veterans who may be eligible for veterans' services. This agreement
4 must include out-stationing department of veterans' affairs staff in
5 selected community service office locations in King and Pierce counties
6 to facilitate applications for veterans' services.

7 ~~((5) \$1,657,000))~~ (4) \$1,333,000 of the general fund--state
8 appropriation for fiscal year 2012 and ~~(((\$1,657,000))~~ \$878,000 of the
9 general fund--state appropriation for fiscal year 2013 are provided
10 solely for naturalization services to clients who receive services
11 through the aged, blind, or disabled assistance program who would be
12 eligible to receive federal supplemental security income.

13 ~~((6) \$2,366,000))~~ (5) \$1,873,000 of the general fund--state
14 appropriation for fiscal year 2012 is provided solely for refugee
15 employment services, of which ~~(((\$1,774,000))~~ \$1,404,000 is provided
16 solely for the department to pass through to statewide refugee
17 assistance organizations for limited English proficiency pathway
18 services; and ~~(((\$2,366,000))~~ \$1,183,000 of the general fund--state
19 appropriation for fiscal year 2013 is provided solely for refugee
20 employment services, of which ~~(((\$1,774,000))~~ \$887,000 is provided
21 solely for the department to pass through to statewide refugee
22 assistance organizations for limited English proficiency pathway
23 services.

24 ~~((7))~~ (6) On December 1, 2011, and annually thereafter, the
25 department must report to the legislature on all sources of funding
26 available for both refugee and immigrant services and naturalization
27 services during the current fiscal year and the amounts expended to
28 date by service type and funding source. The report must also include
29 the number of clients served and outcome data for the clients.

30 ~~((8) To ensure expenditures remain within available funds~~
31 ~~appropriated in this section, the legislature establishes the benefit~~
32 ~~under the state food assistance program, pursuant to RCW 74.08A.120, to~~
33 ~~be fifty percent of the federal supplemental nutrition assistance~~
34 ~~program benefit amount.))~~

35 **Sec. 208.** 2011 1st sp.s. c 50 s 208 (uncodified) is amended to
36 read as follows:

1 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
2 **SUBSTANCE ABUSE PROGRAM**

3	General Fund--State Appropriation (FY 2012)	((\$75,785,000))
4		<u>\$65,735,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$75,924,000))
6		<u>\$56,532,000</u>
7	General Fund--Federal Appropriation	((\$141,516,000))
8		<u>\$126,189,000</u>
9	General Fund--Private/Local Appropriation	\$2,086,000
10	Criminal Justice Treatment Account--State	
11	Appropriation	((\$17,748,000))
12		<u>\$17,747,000</u>
13	Problem Gambling Account--State Appropriation	\$1,448,000
14	TOTAL APPROPRIATION	((\$314,507,000))
15		<u>\$269,737,000</u>

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

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

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

28 (3) In accordance with RCW 70.96A.090 and 43.135.055, the
29 department is authorized to increase fees for the review and approval
30 of treatment programs in fiscal years 2012 and 2013 as necessary to
31 support the costs of the regulatory program. The department's fee
32 schedule shall have differential rates for providers with proof of
33 accreditation from organizations that the department has determined to
34 have substantially equivalent standards to those of the department,
35 including but not limited to the joint commission on accreditation of
36 health care organizations, the commission on accreditation of
37 rehabilitation facilities, and the council on accreditation. To
38 reflect the reduced costs associated with regulation of accredited

1 programs, the department's fees for organizations with such proof of
2 accreditation must reflect the lower cost of licensing for these
3 programs than for other organizations which are not accredited.

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

8 (5) State chemical dependency funds will be distributed directly to
9 counties as a block grant to maximize efficiency and local flexibility
10 in meeting chemical dependency needs. Counties will be accountable to
11 serve eligible clients within the funding provided and shall meet
12 federal substance abuse prevention and treatment grant requirements.
13 Counties will report performance data to the state through the TARGET
14 data tracking system. The county administration rate will remain at
15 eight percent. Counties will prioritize the following client
16 populations: Pregnant and parenting women, parents and children
17 involved with the child welfare system, and youth populations. DSHS
18 will continue to contract directly with Tribal chemical dependency
19 providers.

20 **Sec. 209.** 2011 1st sp.s. c 50 s 209 (uncodified) is amended to
21 read as follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**
23 **REHABILITATION PROGRAM**

24	General Fund--State Appropriation (FY 2012)	((\$10,852,000))
25		<u>\$9,789,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$10,861,000))
27		<u>\$9,678,000</u>
28	General Fund--Federal Appropriation	((\$102,622,000))
29		<u>\$105,091,000</u>
30	Telecommunications Devices for the Hearing and	
31	Speech Impaired--State Appropriation	((\$2,766,000))
32		<u>\$2,765,000</u>
33	TOTAL APPROPRIATION	((\$127,101,000))
34		<u>\$127,323,000</u>

35 The appropriations in this section are subject to the following
36 conditions and limitations: ((+2+)) \$480,000 of the telecommunications
37 devices for the hearing and speech impaired account--state

1 appropriation is provided solely for the office of deaf and hard of
2 hearing to contract for services that provide employment support and
3 help with life activities for deaf-blind individuals in King county.

4 **Sec. 210.** 2011 1st sp.s. c 50 s 210 (uncodified) is amended to
5 read as follows:

6 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**
7 **PROGRAM**

8	General Fund--State Appropriation (FY 2012)	((\$47,779,000))
9		<u>\$48,126,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$47,609,000))
11		<u>\$45,853,000</u>
12	TOTAL APPROPRIATION	((\$95,388,000))
13		<u>\$93,979,000</u>

14 **Sec. 211.** 2011 1st sp.s. c 50 s 211 (uncodified) is amended to
15 read as follows:

16 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**
17 **SUPPORTING SERVICES PROGRAM**

18	General Fund--State Appropriation (FY 2012)	((\$25,698,000))
19		<u>\$25,464,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$23,960,000))
21		<u>\$23,250,000</u>
22	General Fund--Federal Appropriation	((\$38,917,000))
23		<u>\$39,059,000</u>
24	General Fund--Private/Local Appropriation	\$2,116,000
25	Performance Audits of State Government--State	
26	Appropriation	\$4,812,000
27	TOTAL APPROPRIATION	((\$95,503,000))
28		<u>\$94,701,000</u>

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

31 (1) ((~~\$300,000~~)) \$150,000 of the general fund--state appropriation
32 for fiscal year 2012 ((~~and \$300,000 of the general fund state~~
33 ~~appropriation for fiscal year 2013 are~~)) is provided solely for the
34 Washington state mentors program to continue its public-private
35 partnerships to provide technical assistance and training to mentoring
36 programs that serve at-risk youth.

1 (2) (~~(\$445,000)~~) \$223,000 of the general fund--state appropriation
2 for fiscal year 2012 and (~~(\$445,000 of the general fund--state~~
3 ~~appropriation for fiscal year 2013 are)) is provided solely for funding
4 of the teamchild project.~~

5 (3) (~~(\$178,000)~~) \$89,000 of the general fund--state appropriation
6 for fiscal year 2012 (~~(and \$178,000 of the general fund--state~~
7 ~~appropriation for fiscal year 2013 are)) is provided solely for the
8 juvenile detention alternatives initiative.~~

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

14 (5) (~~(\$1,400,000)~~) \$1,200,000 of the general fund--state
15 appropriation for fiscal year 2012 is provided solely for the
16 department to distribute as support to community public health and
17 safety networks that have a history of providing training and services
18 related to adverse childhood experiences. Distribution of these funds
19 is contingent upon securing funding from a private entity or entities
20 to provide one dollar in matching funds for each dollar in state funds
21 received by a network so that the funding received by a community
22 public health and safety network will be equal portions of state and
23 private funding.

24 **Sec. 212.** 2011 1st sp.s. c 50 s 212 (uncodified) is amended to
25 read as follows:

26 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
27 **AGENCIES PROGRAM**

28	General Fund--State Appropriation (FY 2012)	((\$66,410,000))
29		<u>\$60,070,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$63,304,000))
31		<u>\$51,524,000</u>
32	General Fund--Federal Appropriation	((\$60,313,000))
33		<u>\$52,659,000</u>
34	TOTAL APPROPRIATION	((\$190,027,000))
35		<u>\$164,253,000</u>

36 The appropriations in this section are subject to the following
37 conditions and limitations: \$469,000 of the general fund--state

1 appropriation for fiscal year 2011 and \$270,000 of the general fund--
2 state appropriation for fiscal year 2012 are provided solely for
3 implementation of Engrossed Substitute Senate Bill No. 5921 (social
4 services programs). If the bill is not enacted by June 30, 2011, the
5 amounts provided in this subsection shall lapse.

6 **Sec. 213.** 2011 1st sp.s. c 50 s 213 (uncodified) is amended to
7 read as follows:

8 **FOR THE STATE HEALTH CARE AUTHORITY**

9	General Fund--State Appropriation (FY 2012)	((\$2,195,580,000))
10		<u>\$2,042,543,000</u>
11	General Fund--State Appropriation (FY 2013)	((\$2,263,679,000))
12		<u>\$2,026,284,000</u>
13	General Fund--Federal Appropriation	((\$5,608,085,000))
14		<u>\$5,343,165,000</u>
15	General Fund--Private/Local Appropriation	((\$60,277,000))
16		<u>\$49,164,000</u>
17	Emergency Medical Services and Trauma Care Systems	
18	Trust Account--State Appropriation	((\$15,077,000))
19		<u>\$14,298,000</u>
20	Hospital Safety Net Assessment Fund--State	
21	Appropriation	((\$404,438,000))
22		<u>\$395,256,000</u>
23	State Health Care Authority Administration Account--	
24	State Appropriation	((\$34,476,000))
25		<u>\$33,843,000</u>
26	Basic Health Plan Stabilization Account--	
27	State Appropriation	((\$44,000,000))
28		<u>\$22,000,000</u>
29	Medical Aid Account--State Appropriation	\$529,000
30	TOTAL APPROPRIATION	((\$10,643,180,000))
31		<u>\$9,927,082,000</u>

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

34 (1) ~~((Within amounts appropriated in this section and sections 205~~
35 ~~and 206 of this act, the health care authority shall continue to~~
36 ~~provide an enhanced basic health plan subsidy for foster parents~~
37 ~~licensed under chapter 74.15 RCW and workers in state funded home care~~

1 ~~programs. Under this enhanced subsidy option, foster parents eligible~~
2 ~~to participate in the basic health plan as subsidized enrollees and~~
3 ~~home care workers with family incomes below 200 percent of the federal~~
4 ~~poverty level shall be allowed to enroll in the basic health plan at~~
5 ~~the minimum premium amount charged to enrollees with incomes below~~
6 ~~sixty-five percent of the federal poverty level.~~

7 ~~(2) The health care authority shall require organizations and~~
8 ~~individuals that are paid to deliver basic health plan services and~~
9 ~~that choose to sponsor enrollment in the subsidized basic health plan~~
10 ~~to pay 133 percent of the premium amount which would otherwise be due~~
11 ~~from the sponsored enrollees.~~

12 ~~(3))~~ After approval of the director of financial management, the
13 department may:

14 (a) Transfer state moneys that are provided solely for a specified
15 purpose to fund excess caseload forecast and utilization costs in
16 fiscal year 2012; and

17 (b) Expend state funding from the fiscal year 2013 appropriation
18 solely for excess caseload forecast and utilization costs in fiscal
19 year 2012.

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

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

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

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

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

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

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

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

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

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

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

12 (iv) Recommendations of ways to limit administrative duplication
13 and costs, improve transparency to employees, the legislature, and the
14 public and assure equity among beneficiaries of publicly provided
15 employee health benefits;

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

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

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

25 (viii) Recommendations regarding methods to reduce inequities
26 between individual and family coverage;

27 (ix) Consolidation of the purchasing and budget accountability for
28 school employee benefits to maximize administrative efficiency and
29 leverage existing skills and resources; and

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

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

36 (B) The structure of a permanent governing group to provide ongoing
37 oversight to the consolidated pool, in a manner similar to the public

1 employees benefits board functions for employee health benefits,
2 including statutory duties and authorities of the board; and

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

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

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

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

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

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

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

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

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

9 ~~(6))~~ (3) \$23,700,000 of the general fund--federal appropriation is
10 provided solely for planning and implementation of a health benefit
11 exchange under the federal patient protection and affordable care act.
12 Within the amounts provided in this subsection, funds used by the
13 authority for information technology projects are conditioned on the
14 authority satisfying the requirements of Engrossed Second Substitute
15 Senate Bill No. 5931 (central service agencies).

16 ~~((7))~~ (4) Based on quarterly expenditure reports and caseload
17 forecasts, if the health care authority estimates that expenditures for
18 the medical assistance program will exceed the appropriations, the
19 health care authority shall take steps including but not limited to
20 reduction of rates or elimination of optional services to reduce
21 expenditures so that total program costs do not exceed the annual
22 appropriation authority.

23 ~~((8))~~ (5) In determining financial eligibility for medicaid-
24 funded services, the health care authority is authorized to disregard
25 recoveries by Holocaust survivors of insurance proceeds or other
26 assets, as defined in RCW 48.104.030.

27 ~~((9))~~ (6) The legislature affirms that it is in the state's
28 interest for Harborview medical center to remain an economically viable
29 component of the state's health care system.

30 ~~((10))~~ (7) When a person is ineligible for medicaid solely by
31 reason of residence in an institution for mental diseases, the health
32 care authority shall provide the person with the same benefits as he or
33 she would receive if eligible for medicaid, using state-only funds to
34 the extent necessary.

35 ~~((11))~~ (8) \$4,261,000 of the general fund--state appropriation
36 for fiscal year 2012, \$4,261,000 of the general fund--state
37 appropriation for fiscal year 2013, and \$8,522,000 of the general

1 fund--federal appropriation are provided solely for low-income
2 disproportionate share hospital payments under RCW 74.09.730(1)(a).

3 ~~((12) \$5,905,000 of the general fund state appropriation for~~
4 ~~fiscal year 2012, \$5,905,000 of the general fund state appropriation~~
5 ~~for fiscal year 2013, and \$11,810,000 of the general fund federal~~
6 ~~appropriation are provided solely for nonrural indigent assistance~~
7 ~~disproportionate share hospital payments in accordance with RCW~~
8 ~~74.09.730(1)).~~

9 ~~(13) \$665,000 of the general fund state appropriation for fiscal~~
10 ~~year 2012, \$665,000 of the general fund state appropriation for fiscal~~
11 ~~year 2013, and \$1,330,000 of the general fund federal appropriation~~
12 ~~are provided solely for small rural indigent assistance~~
13 ~~disproportionate share hospital payments in accordance with RCW~~
14 ~~74.09.730(1)).~~

15 ~~(14))~~ (9) \$6,000,000 of the general fund--federal appropriation is
16 provided solely for supplemental payments to nursing homes operated by
17 public hospital districts. The public hospital district shall be
18 responsible for providing the required nonfederal match for the
19 supplemental payment, and the payments shall not exceed the maximum
20 allowable under federal rules. It is the legislature's intent that the
21 payments shall be supplemental to and shall not in any way offset or
22 reduce the payments calculated and provided in accordance with part E
23 of chapter 74.46 RCW. It is the legislature's further intent that
24 costs otherwise allowable for rate-setting and settlement against
25 payments under chapter 74.46 RCW shall not be disallowed solely because
26 such costs have been paid by revenues retained by the nursing home from
27 these supplemental payments. The supplemental payments are subject to
28 retrospective interim and final cost settlements based on the nursing
29 homes' as-filed and final medicare cost reports. The timing of the
30 interim and final cost settlements shall be at the health care
31 authority's discretion. During either the interim cost settlement or
32 the final cost settlement, the health care authority shall recoup from
33 the public hospital districts the supplemental payments that exceed the
34 medicaid cost limit and/or the medicare upper payment limit. The
35 health care authority shall apply federal rules for identifying the
36 eligible incurred medicaid costs and the medicare upper payment limit.

37 ~~((15))~~ (10) The health care authority shall continue the
38 inpatient hospital certified public expenditures program for the 2011-

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

1 the hospital can certify allowable match. If payments during the
2 fiscal year are less than the baseline amount, the hospital will be
3 paid a state grant equal to the difference between payments during the
4 fiscal year and the applicable baseline amount. Payment of the state
5 grant shall be made in the applicable fiscal year and distributed in
6 monthly payments. The grants will be recalculated and redistributed as
7 the baseline is updated during the fiscal year. The grant payments are
8 subject to an interim settlement within eleven months after the end of
9 the fiscal year. A final settlement shall be performed. To the extent
10 that either settlement determines that a hospital has received funds in
11 excess of what it would have received as described in this subsection,
12 the hospital must repay the excess amounts to the state when requested.
13 (~~(\$32,673,000)~~) \$11,177,000 of the general fund--state appropriation
14 for fiscal year 2012, of which \$6,570,000 is appropriated in section
15 204(1) of this act, and (~~(\$29,693,000)~~) \$8,531,000 of the general
16 fund--state appropriation for fiscal year 2013, of which \$6,570,000 is
17 appropriated in section 204(1) of this act, are provided solely for
18 state grants for the participating hospitals. CPE hospitals will
19 receive the inpatient and outpatient reimbursement rate restorations in
20 RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the
21 hospital safety net assessment fund rather than through the baseline
22 mechanism specified in this subsection.

23 (~~(+18)~~) (11) The health care authority shall seek public-private
24 partnerships and federal funds that are or may become available to
25 provide on-going support for outreach and education efforts under the
26 federal children's health insurance program reauthorization act of
27 2009.

28 (~~(+19)~~) (12) The health care authority shall target funding for
29 maternity support services towards pregnant women with factors that
30 lead to higher rates of poor birth outcomes, including hypertension, a
31 preterm or low birth weight birth in the most recent previous birth, a
32 cognitive deficit or developmental disability, substance abuse, severe
33 mental illness, unhealthy weight or failure to gain weight, tobacco
34 use, or African American or Native American race. The health care
35 authority shall prioritize evidence-based practices for delivery of
36 maternity support services. To the extent practicable, the health care
37 authority shall develop a mechanism to increase federal funding for

1 maternity support services by leveraging local public funding for those
2 services.

3 ~~((+20))~~ (13) For children with family incomes above 200 percent of
4 the federal poverty level in the state-funded children's health program
5 for children who are not eligible for coverage under the federally
6 funded children's health insurance program, premiums shall be set every
7 two years in an amount equal to the average state-only share of the per
8 capita cost of coverage in the state-funded children's health program
9 for children in families with incomes at or less than two hundred
10 percent of the federal poverty level.

11 ~~((+21))~~ (14) \$704,000 of the general fund--state appropriation for
12 fiscal year 2012, \$726,000 of the general fund--state appropriation for
13 fiscal year 2013, and \$1,431,000 of the general fund--federal
14 appropriation are provided solely for disproportionate share hospital
15 payments to hospitals that provide services to children in the
16 children's health program who are not eligible for services under Title
17 XIX or XXI of the federal social security act due to their citizenship
18 status.

19 ~~((+22)---\$998,000))~~ (15) \$859,000 of the general fund--state
20 appropriation for fiscal year 2012, \$979,000 of the general fund--state
21 appropriation for fiscal year 2013, and ~~((+\$1,980,000))~~ \$1,841,000 of
22 the general fund--federal appropriation are provided solely to increase
23 prior authorization activities for advanced imaging procedures.

24 ~~((+23)---\$249,000))~~ (16) \$196,000 of the general fund--state
25 appropriation for fiscal year 2012, \$246,000 of the general fund--state
26 appropriation for fiscal year 2013, and ~~((+\$495,000))~~ \$442,000 of the
27 general fund--federal appropriation are provided solely to increase
28 prior authorization activities for surgical procedures, which may
29 include orthopedic procedures, spinal procedures and interventions, and
30 nerve procedures.

31 ~~((+24))~~ (17) \$300,000 of the general fund--private/local
32 appropriation and \$300,000 of the general fund--federal appropriation
33 are provided solely for a prescriptive practices improvement
34 collaborative focusing upon atypical antipsychotics and other
35 medications commonly used in the treatment of severe and persistent
36 mental illnesses among adults. The project shall promote collaboration
37 among community mental health centers, other major prescribers of
38 atypical antipsychotic medications to adults enrolled in state medical

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

16 ~~((+25))~~ (18) \$570,000 of the general fund--private/local
17 appropriation is provided solely for continued operation of the
18 partnership access line for child mental health consultations. The
19 health care authority shall enter into an interagency agreement with
20 the office of the attorney general for expenditure of \$570,000 of the
21 state's proceeds of the *cy pres* settlement in *State of Washington v.*
22 *AstraZeneca (Seroquel)* for this purpose.

23 ~~((+26))~~ (19) \$80,000 of the general fund--state appropriation for
24 fiscal year 2012, \$80,000 of the general fund--state appropriation for
25 fiscal year 2013, and \$160,000 of the general fund--federal
26 appropriation are provided solely to fund the Tacoma-Pierce county
27 health department for access and outreach activities to reduce infant
28 mortality.

29 ~~((+27))~~ (20) \$75,000 of the general fund--state appropriation for
30 fiscal year 2012, \$75,000 of the general fund--state appropriation for
31 fiscal year 2013, and \$150,000 of the general fund--federal
32 appropriation are provided solely to assist with development and
33 implementation of evidence-based strategies regarding the appropriate,
34 safe, and effective role of C-section surgeries and early induced labor
35 in births and neonatal care. The strategies shall be identified and
36 implemented in consultation with clinical research specialists,
37 physicians, hospitals, advanced registered nurse practitioners, and
38 organizations concerned with maternal and child health.

1 ~~((28) \$4,126,000))~~ (21) \$1,445,000 of the general fund--state
2 appropriation for fiscal year 2012, ~~((\$4,268,000 of the general fund--~~
3 ~~state appropriation for fiscal year 2013, \$11,816,000))~~ \$10,702,000 of
4 the general fund--private/local appropriation, and ~~((\$20,207,000))~~
5 \$12,971,000 of the general fund--federal appropriation are provided
6 solely for continued provision of school-based medical services by
7 means of an intergovernmental transfer arrangement. Under the
8 arrangement, the ~~((state shall provide forty percent and school~~
9 ~~districts sixty))~~ school districts shall provide one hundred percent of
10 the nonfederal matching funds required for receipt of federal medicaid
11 funding for the service.

12 ~~((29))~~ (22) \$263,000 of the general fund--state appropriation for
13 fiscal year 2012, \$88,000 of the general fund--state appropriation for
14 fiscal year 2013, and \$351,000 of the general fund--federal
15 appropriation are provided solely for development and submission to the
16 federal government by October 1, 2011, of a demonstration project
17 proposal as provided in Substitute Senate Bill No. 5596 (medicaid
18 demonstration waiver).

19 ~~((30))~~ (23) \$19,000 of the general fund--state appropriation for
20 fiscal year 2012, \$17,000 of the general fund--state appropriation for
21 fiscal year 2013, and \$34,000 of the general fund--federal
22 appropriation are provided solely to support a partnership among the
23 department of social and health services, the department of health, and
24 agencies that deliver medical care and behavioral health services in
25 Cowlitz county. The partnership shall identify and recommend
26 strategies for resolving regulatory, licensing, data management,
27 reporting, and funding barriers to more effective integration of
28 primary medical and behavioral health care services in the county.

29 ~~((31) \$4,761,000))~~ (24) \$2,794,000 of the general fund--state
30 appropriation for fiscal year 2012 ~~((, \$4,066,000 of the general fund--~~
31 ~~state appropriation for fiscal year 2013,))~~ and ~~((\$10,902,000))~~
32 \$3,213,000 of the general fund--federal appropriation are provided
33 solely for spoken-language interpreter services. ~~((The authority shall~~
34 ~~develop and implement a new model for delivery of such services no~~
35 ~~later than January 1, 2012. The model shall include:~~

36 ~~(a) Development by the authority in consultation with subject area~~
37 ~~experts of guidelines to assist medical practitioners identify the~~

1 ~~circumstances under which it is appropriate to use telephonic or video-~~
2 ~~remote interpreting;~~

3 ~~(b) The requirement that the state contract with delivery~~
4 ~~organizations, including foreign language agencies, who employ or~~
5 ~~subcontract only with language access providers or interpreters working~~
6 ~~in the state who are certified or authorized by the state. When a~~
7 ~~state-certified or state-authorized in-state language access provider~~
8 ~~or interpreter is not available, the delivery organization, including~~
9 ~~foreign language agencies, may use a provider with other certifications~~
10 ~~or qualifications deemed to meet state standards, including~~
11 ~~interpreters in other states; and~~

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

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

22 ~~(+32+))~~ (25) In its procurement of contractors for delivery of
23 medical managed care services for nondisabled, nonelderly persons, the
24 medical assistance program shall (a) place substantial emphasis upon
25 price competition in the selection of successful bidders; and (b) not
26 require delivery of any services that would increase the actuarial cost
27 of service beyond the levels included in current healthy options
28 contracts.

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

1 ~~((+35+))~~ (27) \$280,000 of the general fund--state appropriation for
2 fiscal year 2012 and \$282,000 of the general fund--federal
3 appropriation are provided solely to increase utilization management of
4 drugs and drug classes for which there is evidence of over-utilization,
5 off-label use, excessive dosing, duplicative therapy, or opportunities
6 to shift utilization to less expensive, equally effective formulations.

7 ~~((+36+))~~ (28) \$70,000 of the general fund--state appropriation for
8 fiscal year 2012, \$70,000 of the general fund--state appropriation for
9 fiscal year 2013, and \$140,000 of the general fund--federal
10 appropriation are provided solely to continue operation by a nonprofit
11 organization of a toll-free hotline that assists families to learn
12 about and enroll in the apple health for kids program.

13 ~~((+37+))~~ (29) \$400,000 of the general fund--state appropriation for
14 fiscal year 2012 and \$400,000 of the general fund--state appropriation
15 for fiscal year 2013 is provided solely for the local outreach, case
16 management, and coordination with dental providers needed to execute
17 the access to baby and child dentistry program, which provides dental
18 care to Medicaid eligible children up to age six.

19 ~~((+39)---\$1,555,000))~~ (30) \$778,000 of the general fund--state
20 appropriation for fiscal year 2012(~~(, \$1,580,000 of the general fund--~~
21 ~~state appropriation for fiscal year 2013,)~~) and ~~(((\$2,171,000))~~ \$543,000
22 of the general fund--federal appropriation are provided solely to
23 continue to provide dental services to pregnant women. Services shall
24 include preventive, routine, and emergent dental care.

25 ~~((+40)---\$395,000))~~ (31) \$198,000 of the general fund--state
26 appropriation for fiscal year 2012(~~(, \$395,000 of the general fund--~~
27 ~~state appropriation for fiscal year 2013,)~~) and ~~(((\$790,000))~~ \$198,000
28 of the general fund--federal appropriation are provided solely for
29 continued operation of the dental education in care of persons with
30 disabilities (DECOD) program at the University of Washington.

31 ~~((+41+))~~ (32) \$112,000 of the general fund--state appropriation for
32 fiscal year 2012, \$112,000 of the general fund--state appropriation for
33 fiscal year 2013, and \$1,928,000 of the general fund--federal
34 appropriation are provided solely for the provider incentive program
35 and other initiatives related to the health information technology
36 Medicaid plan.

37 ~~((+42+))~~ (33) \$1,373,000 of the general fund--state appropriation
38 for fiscal year 2012, \$2,105,000 of the ~~((medicaid fraud penalty~~

1 ~~account~~) general fund--state appropriation, and \$3,701,000 of the
2 general fund--federal appropriation are provided solely for efforts to
3 reduce Medicaid fraud and abuse and to seek coverage or recovery from
4 other medical payers.

5 ~~((+43+))~~ (34) \$2,926,000 of the general fund--local appropriation
6 and \$2,928,000 of the general fund--federal appropriation are provided
7 solely to support medical airlift services.

8 ~~((+44+))~~ (35) The authority shall collect data on enrollment and
9 utilization to study whether the expansion of family planning coverage
10 under Substitute Senate Bill No. 5912 is reducing state medical
11 expenditures by reducing unwanted pregnancies. The authority shall
12 report its findings to the legislature by December 1, 2012.

13 ~~((+45+))~~ (36) \$480,000 of the general fund--state appropriation for
14 fiscal year 2012, \$480,000 of the general fund--state appropriation for
15 fiscal year 2013, and \$824,000 of the general fund--federal
16 appropriation are provided solely for customer services staff. The
17 authority will attempt to improve the phone answer rate to 40 percent
18 and reduce the response times to written questions to ten days for
19 clients and 25 days for providers. The authority will report to the
20 legislature on its progress toward achieving these goals by January 1,
21 2012. ~~((If the authority has not achieved these goals by July 1, 2012,
22 then the authority shall reduce expenditures on management staff in
23 order to increase expenditures on customer service staff until the
24 goals are achieved.~~

25 ~~(+46+))~~ (37) The department shall purchase a brand name drug when it
26 determines that the cost of the brand name drug after rebates is less
27 than the cost of generic alternatives and that purchase of the brand
28 rather than generic version can save at least \$250,000. The department
29 may purchase generic alternatives when changes in market prices make
30 the price of the brand name drug after rebates more expensive than the
31 generic alternatives.

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

1 **Sec. 214.** 2011 1st sp.s. c 50 s 214 (uncodified) is amended to
2 read as follows:

3 **FOR THE HUMAN RIGHTS COMMISSION**

4	General Fund--State Appropriation (FY 2012)	(((\$2,240,000)))
5		<u>\$2,036,000</u>
6	General Fund--State Appropriation (FY 2013)	(((\$2,242,000)))
7		<u>\$2,041,000</u>
8	General Fund--Federal Appropriation	(((\$1,903,000)))
9		<u>\$1,898,000</u>
10	TOTAL APPROPRIATION	(((\$6,385,000)))
11		<u>\$5,975,000</u>

12 **Sec. 215.** 2011 1st sp.s. c 50 s 215 (uncodified) is amended to
13 read as follows:

14 **FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

15	Worker and Community Right-to-Know Account--State	
16	Appropriation	\$10,000
17	Accident Account--State Appropriation	(((\$19,685,000)))
18		<u>\$19,749,000</u>
19	Medical Aid Account--State Appropriation	(((\$19,685,000)))
20		<u>\$19,750,000</u>
21	TOTAL APPROPRIATION	(((\$39,380,000)))
22		<u>\$39,509,000</u>

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

25 (1) \$36,000 of the accident account--state appropriation and
26 \$36,000 of the medical aid account--state appropriation are solely
27 provided for Engrossed Substitute Senate Bill No. 5068 (industrial
28 safety and health act). If the bill is not enacted by June 30, 2011,
29 the amounts provided in this subsection shall lapse.

30 (2) \$16,000 of the accident account--state appropriation and
31 \$16,000 of the medical aid account--state appropriation are solely
32 provided for Substitute Senate Bill No. 5801 (industrial insurance
33 system). If the bill is not enacted by June 30, 2011, the amounts
34 provided in this subsection shall lapse.

35 (3) \$1,893,000 of the accident account--state appropriation and
36 \$1,893,000 of the medical aid account--state appropriation are provided

1 solely for implementation of House Bill No. 2123 (workers'
2 compensation). If the bill is not enacted by June 30, 2011, the
3 amounts provided in this subsection shall lapse.

4 **Sec. 216.** 2011 1st sp.s. c 50 s 216 (uncodified) is amended to
5 read as follows:

6 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

7	General Fund--State Appropriation (FY 2012)	((\$15,165,000))
8		<u>\$14,428,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$15,140,000))
10		<u>\$11,701,000</u>
11	General Fund--Federal Appropriation	\$456,000
12	General Fund--Private/Local Appropriation	((\$4,048,000))
13		<u>\$6,187,000</u>
14	Death Investigations Account--State Appropriation	\$148,000
15	Municipal Criminal Justice Assistance Account--	
16	State Appropriation	\$460,000
17	Washington Auto Theft Prevention Authority Account--	
18	State Appropriation	\$8,597,000
19	TOTAL APPROPRIATION	((\$44,014,000))
20		<u>\$41,977,000</u>

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

23 (1) \$5,000,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$5,000,000 of the general fund--state appropriation for
25 fiscal year 2013, are provided to the Washington association of
26 sheriffs and police chiefs solely to verify the address and residency
27 of registered sex offenders and kidnapping offenders under RCW
28 9A.44.130.

29 ~~(2) ((\$321,000 of the general fund--local appropriation is provided~~
30 ~~solely to purchase ammunition for the basic law enforcement academy.))~~
31 In fiscal year 2012, jurisdictions shall reimburse to the criminal
32 justice training commission the costs of ammunition, based on the
33 average cost of ammunition per cadet, for cadets that they enroll in
34 the basic law enforcement academy.

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

1 ~~(4))~~ \$100,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$100,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for a school safety program. The
4 commission, in collaboration with the school safety center advisory
5 committee, shall provide the school safety training for all school
6 administrators and school safety personnel hired after the effective
7 date of this section.

8 ~~((5))~~ (4) \$96,000 of the general fund--state appropriation for
9 fiscal year 2012 and ~~((90,000))~~ \$96,000 of the general fund--state
10 appropriation for fiscal year 2013 are provided solely for the school
11 safety center within the commission. The safety center shall act as an
12 information dissemination and resource center when an incident occurs
13 in a school district in Washington or in another state, coordinate
14 activities relating to school safety, and review and approve manuals
15 and curricula used for school safety models and training. Through an
16 interagency agreement, the commission shall provide funding for the
17 office of the superintendent of public instruction to continue to
18 develop and maintain a school safety information web site. The school
19 safety center advisory committee shall develop and revise the training
20 program, using the best practices in school safety, for all school
21 safety personnel. The commission shall provide research-related
22 programs in school safety and security issues beneficial to both law
23 enforcement and schools.

24 ~~((6)---\$1,000,000))~~ (5) \$500,000 of the general fund--state
25 appropriation for fiscal year 2012 ~~((and \$1,000,000 of the general~~
26 ~~fund--state appropriation for fiscal year 2013 are))~~ is provided solely
27 for grants to counties enforcing illegal drug laws and which have been
28 underserved by federally funded state narcotics task forces. The
29 Washington association of sheriffs and police chiefs, the Washington
30 association of prosecuting attorneys, and the Washington association of
31 county officials shall jointly develop funding allocations for the
32 offices of the county sheriff, county prosecutor, and county clerk in
33 qualifying counties. The commission shall not impose an administrative
34 cost on this program.

35 **Sec. 217.** 2011 1st sp.s. c 50 s 217 (uncodified) is amended to
36 read as follows:

1	FOR THE DEPARTMENT OF LABOR AND INDUSTRIES	
2	General Fund--State Appropriation (FY 2012)	((\$18,605,000))
3		<u>\$17,408,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$19,513,000))
5		<u>\$17,949,000</u>
6	General Fund--Federal Appropriation	((\$10,100,000))
7		<u>\$11,636,000</u>
8	Asbestos Account--State Appropriation	((\$395,000))
9		<u>\$377,000</u>
10	Electrical License Account--State Appropriation	((\$37,019,000))
11		<u>\$36,371,000</u>
12	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
13	Worker and Community Right-to-Know Account--	
14	State Appropriation	((\$949,000))
15		<u>\$919,000</u>
16	Public Works Administration Account--State	
17	Appropriation	((\$6,814,000))
18		<u>\$6,960,000</u>
19	Manufactured Home Installation Training Account--	
20	State Appropriation	((\$151,000))
21		<u>\$334,000</u>
22	Accident Account--State Appropriation	((\$252,689,000))
23		<u>\$250,643,000</u>
24	Accident Account--Federal Appropriation	\$13,622,000
25	Medical Aid Account--State Appropriation	((\$264,070,000))
26		<u>\$262,666,000</u>
27	Medical Aid Account--Federal Appropriation	\$3,186,000
28	Plumbing Certificate Account--State Appropriation	((\$1,688,000))
29		<u>\$1,678,000</u>
30	Pressure Systems Safety Account--State Appropriation	((\$4,068,000))
31		<u>\$4,055,000</u>
32	TOTAL APPROPRIATION	((\$632,897,000))
33		<u>\$627,832,000</u>

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

- 36 (1) Pursuant to RCW 43.135.055, the department is authorized to
37 increase fees related to factory assembled structures, contractor
38 registration, electricians, plumbers, asbestos removal, boilers,

1 elevators, and manufactured home installers. Plumber fees may be
2 increased each year of the biennium. These increases are necessary to
3 support expenditures authorized in this section, consistent with
4 chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW 49.26.130, and
5 chapters 70.79, 70.87, and 43.22A RCW.

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

20 ((+4)) (3) \$1,281,000 of the accident account--state appropriation
21 and \$1,281,000 of the medical aid account--state appropriation are
22 provided solely for implementation of Engrossed Substitute House Bill
23 No. 1725 (workers' compensation). If the bill is not enacted by June
24 30, 2011, the amounts provided in this subsection shall lapse.

25 ((+5)) (4) \$51,000 of the accident account--state appropriation
26 and \$51,000 of the medical aid account--state appropriation are
27 provided solely for implementation of Engrossed Substitute House Bill
28 No. 1367 (for hire vehicles, operators). If the bill is not enacted by
29 June 30, 2011, the amounts provided in this subsection shall lapse.

30 ((+6)) (5) \$8,727,000 of the medical aid account--state
31 appropriation is provided solely for implementation of Substitute
32 Senate Bill No. 5801 (industrial insurance system). If the bill is not
33 enacted by June 30, 2011, the amount provided in this subsection shall
34 lapse.

35 ((+7)) (6) \$625,000 of the general fund--state appropriation for
36 fiscal year 2012, \$625,000 of the general fund--state appropriation for
37 fiscal year 2013, \$1,250,000 of the public works administration
38 account--state appropriation, \$708,000 of the accident account--state

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

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

13 **Sec. 218.** 2011 1st sp.s. c 50 s 218 (uncodified) is amended to
14 read as follows:

15 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

16 (1) HEADQUARTERS

17	General Fund--State Appropriation (FY 2012)	(\$1,832,000)
18		<u>\$1,831,000</u>
19	General Fund--State Appropriation (FY 2013)	(\$1,826,000)
20		<u>\$1,805,000</u>
21	Charitable, Educational, Penal, and Reformatory	
22	Institutions Account--State Appropriation	\$10,000
23	TOTAL APPROPRIATION	(\$3,668,000)
24		<u>\$3,646,000</u>

25 (2) FIELD SERVICES

26	General Fund--State Appropriation (FY 2012)	(\$5,006,000)
27		<u>\$5,005,000</u>
28	General Fund--State Appropriation (FY 2013)	(\$5,001,000)
29		<u>\$4,968,000</u>
30	General Fund--Federal Appropriation	(\$2,704,000)
31		<u>\$3,352,000</u>
32	General Fund--Private/Local Appropriation	(\$4,161,000)
33		<u>\$4,727,000</u>
34	Veterans Innovations Program Account--State	
35	Appropriation	(\$812,000)
36		<u>\$811,000</u>
37	Veteran Estate Management Account--Private/Local	

1	Appropriation	((\$1,083,000))
2		<u>\$1,081,000</u>
3	TOTAL APPROPRIATION	((\$18,767,000))
4		<u>\$19,944,000</u>

5 The appropriations in this subsection are subject to the following
6 conditions and limitations: ((~~b~~)) \$821,000 of the veterans
7 innovations program account--state appropriation is provided solely for
8 the department to continue support for returning combat veterans
9 through the veterans innovation program, including emergency financial
10 assistance through the defenders' fund and long-term financial
11 assistance through the competitive grant program.

12 (3) INSTITUTIONAL SERVICES

13	General Fund--State Appropriation (FY 2012)	((\$1,693,000))
14		<u>\$895,000</u>
15	((General Fund--State Appropriation (FY 2013)	(\$903,000))
16	General Fund--Federal Appropriation	((\$56,141,000))
17		<u>\$58,976,000</u>
18	General Fund--Private/Local Appropriation	((\$33,630,000))
19		<u>\$31,935,000</u>
20	TOTAL APPROPRIATION	((\$92,367,000))
21		<u>\$91,806,000</u>

22 **Sec. 219.** 2011 1st sp.s. c 50 s 219 (uncodified) is amended to
23 read as follows:

24 **FOR THE DEPARTMENT OF HEALTH**

25	General Fund--State Appropriation (FY 2012)	((\$80,370,000))
26		<u>\$74,702,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$80,177,000))
28		<u>\$71,396,000</u>
29	General Fund--Federal Appropriation	((\$533,065,000))
30		<u>\$552,306,000</u>
31	General Fund--Private/Local Appropriation	((\$148,386,000))
32		<u>\$148,088,000</u>
33	Hospital Data Collection Account--State Appropriation	\$214,000
34	Health Professions Account--State Appropriation	((\$94,505,000))
35		<u>\$99,318,000</u>
36	Aquatic Lands Enhancement Account--State Appropriation	\$604,000
37	Emergency Medical Services and Trauma Care Systems	

1	Trust Account--State Appropriation	(\$12,302,000)
2		<u>\$12,301,000</u>
3	Safe Drinking Water Account--State Appropriation	(\$4,480,000)
4		<u>\$4,468,000</u>
5	Drinking Water Assistance Account--Federal	
6	Appropriation	(\$22,884,000)
7		<u>\$22,812,000</u>
8	Waterworks Operator Certification--State	
9	Appropriation	(\$1,532,000)
10		<u>\$1,530,000</u>
11	Drinking Water Assistance Administrative Account--	
12	State Appropriation	\$326,000
13	Site Closure Account--State Appropriation	(\$349,000)
14		<u>\$79,000</u>
15	Biotoxin Account--State Appropriation	\$1,167,000
16	State Toxics Control Account--State Appropriation	(\$3,649,000)
17		<u>\$3,632,000</u>
18	Medical Test Site Licensure Account--State	
19	Appropriation	(\$2,321,000)
20		<u>\$2,313,000</u>
21	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
22	Community and Economic Development Fee Account--State	
23	Appropriation	(\$596,000)
24		<u>\$149,000</u>
25	Public Health Supplemental Account--Private/Local	
26	Appropriation	\$3,598,000
27	Accident Account--State Appropriation	(\$297,000)
28		<u>\$296,000</u>
29	Medical Aid Account--State Appropriation	\$50,000
30	Tobacco Prevention and Control Account--State	
31	Appropriation	(\$4,037,000)
32		<u>\$1,733,000</u>
33	TOTAL APPROPRIATION	(\$996,421,000)
34		<u>\$1,002,594,000</u>

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

37 (1) The department of health shall not initiate any services that
38 will require expenditure of state general fund moneys unless expressly

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

20 (2) In accordance with RCW 43.70.250 and 43.135.055, the department
21 is authorized to establish and raise fees in fiscal year 2012 as
22 necessary to meet the actual costs of conducting business and the
23 appropriation levels in this section. This authorization applies to
24 fees required for: The review of health care facility construction;
25 review of health facility requests for certificate of need; the
26 regulation and inspection of farm worker housing, hospital licensing,
27 in-home health service agencies, and producers of radioactive waste;
28 the regulation and inspection of shellfish sanitary control, surgical
29 facility licensing, and; fees associated with the following
30 professions: Dietitians and nutritionists, occupational therapists,
31 pharmacy, veterinarian, orthotics and prosthetics, surgical
32 technicians, nursing home administrators, health care assistants,
33 hearing and speech, psychology, hypnotherapy, chiropractic, social
34 workers, physicians, and physician assistants.

35 (3) Pursuant to RCW 18.130.250, the department is authorized to
36 establish a lower cost fee category for retired licensed practical
37 nurses and registered nurses.

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

4 (5) \$1,969,000 of the health professions account--state
5 appropriation is provided solely to implement online licensing for
6 health care providers. The department must submit a detailed
7 investment plan for this project to the office of financial management.
8 The office of financial management must review and approve this plan
9 before funding may be expended. The department of health must
10 successfully implement online application and renewal for at least one
11 profession as a pilot project before pursuing additional professions.
12 The department must report to the office of financial management on the
13 outcome of the pilot project.

14 ~~((+4))~~ (6) \$16,000 of the health professions account--state
15 appropriation is provided solely for the implementation of House Bill
16 No. 1181 (board of naturopathy). If the bill is not enacted by June
17 30, 2011, the amount provided in this subsection shall lapse.

18 ~~((+5))~~ (7) \$21,000 of the health professions account--state
19 appropriation is provided solely for the implementation of Substitute
20 House Bill No. 1304 (health care assistants). If the bill is not
21 enacted by June 30, 2011, the amount provided in this subsection shall
22 lapse.

23 ~~((+6))~~ (8) \$54,000 of the health professions account--state
24 appropriation is provided solely for the implementation of House Bill
25 No. 1353 (pharmacy technicians). If the bill is not enacted by June
26 30, 2011, the amount provided in this subsection shall lapse.

27 ~~((+7))~~ (9) \$142,000 of the health professions account--state
28 appropriation is provided solely for the implementation of Engrossed
29 Substitute Senate Bill No. 5020 (social workers). If the bill is not
30 enacted by June 30, 2011, the amount provided in this subsection shall
31 lapse.

32 ~~((+8))~~ (10) \$336,000 of the health professions account--state
33 appropriation is provided solely for the implementation of Senate Bill
34 No. 5480 (physicians and physician assistants). If the bill is not
35 enacted by June 30, 2011, the amount provided in this subsection shall
36 lapse.

37 ~~((+9))~~ (11) \$46,000 of the health professions account--state
38 appropriation is provided solely for the implementation of Substitute

1 Senate Bill No. 5071 (online access for midwives and marriage and
2 family therapists). If the bill is not enacted by June 30, 2011, the
3 amount provided in this subsection shall lapse.

4 ~~((10))~~ (12) \$137,000 of the health professions account--state
5 appropriation is provided solely for implementation of Substitute House
6 Bill No. 1133 (massage practitioner license). If the bill is not
7 enacted by June 30, 2011, the amount provided in this subsection shall
8 lapse.

9 ~~((12) \$85,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$85,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely for the developmental disabilities
12 council to contract for a family-to-family mentor program to provide
13 information and support to families and guardians of persons who are
14 transitioning out of residential habilitation centers. To the maximum
15 extent allowable under federal law, these funds shall be matched under
16 medicaid through the department of social and health services and
17 federal funds shall be transferred to the department for the purposes
18 stated in this subsection. If Second Substitute Senate Bill No. 5459
19 (people with developmental disabilities) is not enacted by June 30,
20 2011, the amounts provided in this subsection shall lapse.))~~

21 (13) \$57,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$58,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for the midwifery licensure and
24 regulatory program to offset a reduction in revenue from fees. There
25 shall be no change to the current annual fees for new or renewed
26 licenses for the midwifery program, except from online access to HEAL-
27 WA. The department shall convene the midwifery advisory committee on
28 a quarterly basis to address issues related to licensed midwifery.

29 ~~((15) \$118,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$118,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for prevention of youth suicides.~~

32 ~~(16) \$87,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$87,000 of the general fund--state appropriation for
34 fiscal year 2013 are provided solely for the senior falls prevention
35 program.))~~ (14) Appropriations for fiscal year 2013 include funding for
36 consolidation of the department of ecology's low-level radioactive
37 waste site use permit program in the department of health.

1 (15) \$162,000 of the health professions account--state
2 appropriation is provided solely to maintain the prescription
3 monitoring program.

4 **Sec. 220.** 2011 1st sp.s. c 50 s 220 (uncodified) is amended to
5 read as follows:

6 **FOR THE DEPARTMENT OF CORRECTIONS**

7 The appropriations to the department of corrections in this act
8 shall be expended for the programs and in the amounts specified in this
9 section. However, after May 1, 2012, after approval by the director of
10 financial management and unless specifically prohibited by this act,
11 the department may transfer general fund--state appropriations for
12 fiscal year 2012 between programs. The department shall not transfer
13 funds, and the director of financial management shall not approve the
14 transfer, unless the transfer is consistent with the objective of
15 conserving, to the maximum extent possible, the expenditure of state
16 funds. The director of financial management shall notify the
17 appropriate fiscal committees of the senate and house of
18 representatives in writing seven days prior to approving any deviations
19 from appropriation levels. The written notification shall include a
20 narrative explanation and justification of the changes, along with
21 expenditures and allotments by budget unit and appropriation, both
22 before and after any allotment modifications or transfers.

23 (1) ADMINISTRATION AND SUPPORT SERVICES

24	General Fund--State Appropriation (FY 2012)	. . . . . (((\$54,895,000))
25		<u>\$54,361,000</u>
26	General Fund--State Appropriation (FY 2013)	. . . . . (((\$54,044,000))
27		<u>\$52,265,000</u>
28	TOTAL APPROPRIATION	. . . . . (((\$108,939,000))
29		<u>\$106,626,000</u>

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

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

6 (2) CORRECTIONAL OPERATIONS

7	General Fund--State Appropriation (FY 2012)	((\$612,803,000))
8		<u>\$602,478,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$577,647,000))
10		<u>\$576,174,000</u>
11	General Fund--Federal Appropriation	((\$3,398,000))
12		<u>\$3,324,000</u>
13	((General Fund--Private/Local Appropriation	\$2,336,000))
14	Washington Auto Theft Prevention Authority Account--	
15	State Appropriation	\$14,079,000
16	TOTAL APPROPRIATION	((\$1,210,263,000))
17		<u>\$1,196,055,000</u>

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

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

30 ~~((c))~~ (b) The Harborview medical center and the University of
31 Washington medical center shall provide inpatient and outpatient
32 hospital services to offenders confined in department of corrections
33 facilities at a rate no greater than the average rate that the
34 department has negotiated with other community hospitals in Washington
35 state.

36 ~~((d))~~ (c) \$102,000 of the general fund--state appropriation for
37 fiscal year 2012 and \$102,000 of the general fund--state appropriation

1 for fiscal year 2013 are provided solely to implement House Bill No.
2 1290 (health care employee overtime). If the bill is not enacted by
3 June 30, 2011, the amounts provided in this subsection shall lapse.

4 ~~((+e))~~ (d) \$32,000 of the general fund--state appropriation for
5 fiscal year 2012 and \$33,000 of the general fund--state appropriation
6 for fiscal year 2013 are provided solely to implement Substitute House
7 Bill No. 1718 (offenders with developmental disabilities). If the bill
8 is not enacted by June 30, 2011, the amounts provided in this
9 subsection shall lapse.

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

20 (f) Pursuant to RCW 43.135.055, the department is authorized to
21 increase fees related to offender health care copayments. To
22 discourage unwarranted use of health care services caused by
23 unnecessary visits to health care providers, offenders shall
24 participate in the costs of their health care services by paying a
25 nominal amount of no less than four dollars per visit, as determined by
26 the secretary. Under the authority granted in RCW 72.01.050(2), the
27 secretary may authorize the superintendent to collect this amount
28 directly from an offender's institution account. All copayments
29 collected from offenders' institution accounts shall be deposited into
30 the general fund.

31 (3) COMMUNITY SUPERVISION

32	General Fund--State Appropriation (FY 2012)	((\$128,403,000))
33		<u>\$127,998,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$124,709,000))
35		<u>\$121,654,000</u>
36	<u>Federal Seizure Account--Federal Appropriation</u>	<u>\$372,000</u>
37	<u>State Seizure Account--State Appropriation</u>	<u>\$32,000</u>
38	TOTAL APPROPRIATION	((\$253,112,000))

1 \$250,056,000

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

8 (4) CORRECTIONAL INDUSTRIES

9 General Fund--State Appropriation (FY 2012) (~~(\$3,598,000)~~)
10 \$3,535,000
11 General Fund--State Appropriation (FY 2013) (~~(\$3,589,000)~~)
12 \$3,456,000
13 TOTAL APPROPRIATION (~~(\$7,187,000)~~)
14 \$6,991,000

15 The appropriations in this subsection are subject to the following
16 conditions and limitations: (~~(\$132,000)~~) \$66,000 of the general fund--
17 state appropriation for fiscal year 2012 (~~(and \$132,000 of the general~~
18 ~~fund--state appropriation for fiscal year 2013 are)~~) is provided solely
19 for transfer to the jail industries board. The board shall use the
20 amounts provided only for administrative expenses, equipment purchases,
21 and technical assistance associated with advising cities and counties
22 in developing, promoting, and implementing consistent, safe, and
23 efficient offender work programs.

24 (5) INTERAGENCY PAYMENTS

25 General Fund--State Appropriation (FY 2012) (~~(\$39,765,000)~~)
26 \$36,380,000
27 General Fund--State Appropriation (FY 2013) (~~(\$36,035,000)~~)
28 \$28,447,000
29 TOTAL APPROPRIATION (~~(\$75,800,000)~~)
30 \$64,827,000

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

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

36 (b) The state prison medical facilities may use funds appropriated

1 in this subsection to purchase goods and supplies through hospital or
2 other group purchasing organizations when it is cost effective to do
3 so.

4 (c) The department shall reduce payments to the department of
5 information services or its successor by \$213,000 in fiscal year 2012
6 and by \$1,150,000 in fiscal year 2013. The reduction in payment shall
7 be related to the elimination of the offender base tracking system,
8 including moving remaining portions of the offender base tracking
9 system into the offender management network information system.

10 **221.** 2011 1st sp.s. c 50 s 221 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

13	General Fund--State Appropriation (FY 2012)	((\$2,278,000))
14		<u>\$2,059,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$2,264,000))
16		<u>\$2,024,000</u>
17	General Fund--Federal Appropriation	((\$19,082,000))
18		<u>\$19,616,000</u>
19	General Fund--Private/Local Appropriation	\$30,000
20	TOTAL APPROPRIATION	((\$23,654,000))
21		<u>\$23,729,000</u>

22 **Sec. 222.** 2011 1st sp.s. c 50 s 222 (uncodified) is amended to
23 read as follows:

24 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

25	(General Fund--State Appropriation (FY 2012)	\$43,000
26	General Fund--State Appropriation (FY 2013)	\$26,000)
27	General Fund--Federal Appropriation	((\$267,328,000))
28		<u>\$267,168,000</u>
29	General Fund--Private/Local Appropriation	((\$33,937,000))
30		<u>\$33,888,000</u>
31	Unemployment Compensation Administration Account--	
32	Federal Appropriation	((\$359,598,000))
33		<u>\$349,746,000</u>
34	Administrative Contingency Account--State	
35	Appropriation	((\$20,429,000))
36		<u>\$20,942,000</u>
37	Employment Service Administrative Account--State	

1	Appropriation	((\$33,738,000))
2		<u>\$33,654,000</u>
3	TOTAL APPROPRIATION	((\$715,099,000))
4		<u>\$705,398,000</u>

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

7 (1) \$39,666,000 of the unemployment compensation administration
8 account--federal appropriation is from amounts made available to the
9 state by section 903 (d), (f), and (g) of the social security act (Reed
10 act). This amount is provided solely for continuing current
11 unemployment insurance functions and department services to employers
12 and job seekers.

13 (2) \$35,584,000 of the unemployment compensation administration
14 account--federal appropriation is from amounts made available to the
15 state by section 903 (d), (f), and (g) of the social security act (Reed
16 act). This amount is provided solely for the replacement of the
17 unemployment insurance tax information system for the employment
18 security department. The employment security department shall support
19 the department of revenue and department of labor and industries to
20 develop a common vision to ensure technological compatibility between
21 the three agencies to facilitate a coordinated business tax system for
22 the future that improves services to business customers. The amounts
23 provided in this subsection are conditioned on the department
24 satisfying the requirements of the project management oversight
25 standards and policies established by the office of the chief
26 information officer created in Engrossed Substitute Senate Bill No.
27 5931 (information technology management).

28 (3) \$25,000 of the unemployment compensation administration
29 account--federal appropriation is from amounts made available to the
30 state by section 903 (d), (f), and (g) of the social security act (Reed
31 act). This amount is provided solely for implementation of system
32 changes to the unemployment insurance tax information system required
33 under chapter 4, Laws of 2011 (unemployment insurance program).

34 (4) \$1,459,000 of the unemployment compensation administration
35 account--federal appropriation is from amounts available to the state
36 by section 903 (d), (f), and (g) of the social security act (Reed act).
37 This amount is provided solely for implementation of chapter 4, Laws of
38 2011 (unemployment insurance program).

1 (5) \$60,000 of the unemployment compensation administration
2 account--federal appropriation is provided solely for costs associated
3 with the initial review and evaluation of the training benefits program
4 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment
5 insurance program). The initial review shall be developed by the joint
6 legislative audit and review committee. This appropriation is provided
7 from funds made available to the state by section 903 (d), (f), and (g)
8 of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

Sec. 301. 2011 1st sp.s. c 50 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2012)	(\$364,000)
	<u>\$392,000</u>
<u>General Fund--State Appropriation (FY 2013)</u>	<u>\$426,000</u>
General Fund--Federal Appropriation	(\$16,000)
	<u>\$31,000</u>
General Fund--Private/Local Appropriation	(\$386,000)
	<u>\$788,000</u>
TOTAL APPROPRIATION	(\$766,000)
	<u>\$1,637,000</u>

Sec. 302. 2011 1st sp.s. c 50 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2012)	(\$49,002,000)
	<u>\$47,394,000</u>
General Fund--State Appropriation (FY 2013)	(\$47,789,000)
	<u>\$45,183,000</u>
General Fund--Federal Appropriation	(\$77,467,000)
	<u>\$100,265,000</u>
General Fund--Private/Local Appropriation	(\$17,005,000)
	<u>\$16,723,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	(\$3,642,000)
	<u>\$3,637,000</u>
Flood Control Assistance Account--State Appropriation	(\$1,940,000)
	<u>\$1,938,000</u>
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000
Waste Reduction/Recycling/Litter Control--State	

1	Appropriation	((\$11,475,000))
2		<u>\$11,426,000</u>
3	State Drought Preparedness Account--State	
4	Appropriation	((\$118,000))
5		<u>\$204,000</u>
6	State and Local Improvements Revolving Account	
7	(Water Supply Facilities)--State Appropriation	\$423,000
8	Freshwater Aquatic Algae Control Account--State	
9	Appropriation	\$509,000
10	Water Rights Tracking System Account--State Appropriation	\$46,000
11	Site Closure Account--State Appropriation	((\$354,000))
12		<u>\$623,000</u>
13	Wood Stove Education and Enforcement Account--State	
14	Appropriation	((\$612,000))
15		<u>\$724,000</u>
16	Worker and Community Right-to-Know Account--State	
17	Appropriation	((\$1,668,000))
18		<u>\$1,665,000</u>
19	Water Rights Processing Account--State Appropriation	((\$136,000))
20		<u>\$135,000</u>
21	State Toxics Control Account--State Appropriation	((\$112,512,000))
22		<u>\$106,389,000</u>
23	State Toxics Control Account--Private/Local	
24	Appropriation	((\$968,000))
25		<u>\$967,000</u>
26	Local Toxics Control Account--State Appropriation	((\$27,384,000))
27		<u>\$26,173,000</u>
28	Water Quality Permit Account--State Appropriation	((\$37,730,000))
29		<u>\$38,914,000</u>
30	Underground Storage Tank Account--State	
31	Appropriation	((\$3,251,000))
32		<u>\$3,222,000</u>
33	Biosolids Permit Account--State Appropriation	((\$1,805,000))
34		<u>\$1,802,000</u>
35	Hazardous Waste Assistance Account--State	
36	Appropriation	((\$5,854,000))
37		<u>\$5,808,000</u>
38	Air Pollution Control Account--State Appropriation	((\$2,468,000))

1		<u>\$2,552,000</u>
2	Oil Spill Prevention Account--State Appropriation . . .	((\$5,563,000))
3		<u>\$7,010,000</u>
4	Air Operating Permit Account--State Appropriation . . .	((\$2,744,000))
5		<u>\$2,721,000</u>
6	Freshwater Aquatic Weeds Account--State Appropriation . . .	\$1,700,000
7	Oil Spill Response Account--State Appropriation	\$7,076,000
8	Metals Mining Account--State Appropriation	\$14,000
9	(Pollution Liability Insurance Account--State	
10	Appropriation	\$333,000)
11	Water Pollution Control Revolving Account--State	
12	Appropriation	((\$611,000))
13		<u>\$610,000</u>
14	Water Pollution Control Revolving Account--Federal	
15	Appropriation	((\$2,517,000))
16		<u>\$2,513,000</u>
17	TOTAL APPROPRIATION	((\$424,989,000))
18		<u>\$438,639,000</u>

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

21 (1) \$170,000 of the oil spill prevention account--state
22 appropriation is provided solely for a contract with the University of
23 Washington's sea grant program to continue an educational program
24 targeted to small spills from commercial fishing vessels, ferries,
25 cruise ships, ports, and marinas.

26 (2) Pursuant to RCW 43.135.055, the department is authorized to
27 increase the following fees as necessary to meet the actual costs of
28 conducting business and the appropriation levels in this section:
29 Wastewater discharge permit, not more than 4.34 percent in fiscal year
30 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
31 more than 10 percent during the biennium; and air contaminate source
32 registration fee, not more than 36 percent during the biennium;
33 agricultural burning acreage and pile burning fees, not more than 25
34 percent and 100 percent respectively, in fiscal year 2013; and dam
35 safety and inspection fees, not more than 35 percent in fiscal year
36 2012 and 4.62 percent in fiscal year 2013. Any fee increase
37 implemented to offset general fund--state reductions in the 2011-2013
38 fiscal biennium may be made effective on or before July 1, 2012.

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

6 (4) \$463,000 of the state toxics control account--state
7 appropriation is provided solely for implementation of Engrossed Second
8 Substitute House Bill No. 1186 (state's oil spill program). If the
9 bill is not enacted by June 30, 2011, the amount provided in this
10 subsection shall lapse.

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

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

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

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

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

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

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

23 ~~(11))~~ \$1,075,000 of the general fund--state appropriation for
24 fiscal year 2012 and \$1,075,000 of the general fund--state
25 appropriation for fiscal year 2013 are provided solely for processing
26 the backlog of pending water rights permit applications in the water
27 resources program.

28 (9) In accordance with RCW 43.135.055, the department is approved
29 to adopt fees set forth in and previously authorized by the following
30 statutes:

31 (a) RCW 70.275.120, mercury light generation fee; and

32 (b) RCW 70.94.151, gasoline vapor registration fee and greenhouse
33 gas emission reporting fee.

34 (10) The appropriations in this section for the low-level
35 radioactive waste site use permit program are for fiscal year 2012.
36 Appropriations for fiscal year 2013 are contained in section 219 of
37 this act.

1 **Sec. 303.** 2011 1st sp.s. c 50 s 303 (uncodified) is amended to
 2 read as follows:

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

4	General Fund--State Appropriation (FY 2012)	\$8,955,000
5	General Fund--State Appropriation (FY 2013)	\$8,379,000
6	General Fund--Federal Appropriation	\$5,905,000
7	Winter Recreation Program Account--State	
8	Appropriation	((\$1,761,000))
9		<u>\$1,760,000</u>
10	ORV and Nonhighway Vehicle Account--State Appropriation	\$224,000
11	Snowmobile Account--State Appropriation	((\$4,848,000))
12		<u>\$4,846,000</u>
13	Aquatic Lands Enhancement Account--State Appropriation	\$363,000
14	Parks Renewal and Stewardship Account--State	
15	Appropriation	((\$115,779,000))
16		<u>\$115,334,000</u>
17	Parks Renewal and Stewardship Account--Private/Local	
18	Appropriation	\$300,000
19	TOTAL APPROPRIATION	((\$146,514,000))
20		<u>\$146,066,000</u>

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

23 (1) \$8,876,000 of the general fund--state appropriation for fiscal
 24 year 2012 and \$8,300,000 of the general fund--state appropriation for
 25 fiscal year 2013 are provided solely to operate and maintain state
 26 parks as the commission implements a new fee structure. The goal of
 27 this structure is to make the parks system self-supporting. By August
 28 1, 2012, state parks must submit a report to the office of financial
 29 management detailing its progress toward this goal and outlining any
 30 additional statutory changes needed for successful implementation.

31 (2) \$79,000 of the general fund--state appropriation for fiscal
 32 year 2012 and \$79,000 of the general fund--state appropriation for
 33 fiscal year 2013 are provided solely for a grant for the operation of
 34 the Northwest avalanche center.

35 (3) \$53,928,000 of the parks renewal and stewardship account--state
 36 appropriation is provided solely for implementation of Second
 37 Substitute Senate Bill No. 5622 (state land recreation access). If the

1 bill is not enacted by June 30, 2011, the amount provided in this
2 subsection shall lapse.

3 ((+5)) (4) Prior to closing any state park, the commission must
4 notify all affected local governments and relevant nonprofit
5 organizations of the intended closure and provide an opportunity for
6 the notified local governments and nonprofit organizations to elect to
7 acquire, or enter into, a maintenance and operating contract with the
8 commission that would allow the park to remain open.

9 **Sec. 304.** 2011 1st sp.s. c 50 s 304 (uncodified) is amended to
10 read as follows:

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

12	General Fund--State Appropriation (FY 2012)	((\$953,000))
13		<u>\$923,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$972,000))
15		<u>\$944,000</u>
16	General Fund--Federal Appropriation	((\$3,299,000))
17		<u>\$3,297,000</u>
18	General Fund--Private/Local Appropriation	((\$274,000))
19		<u>\$24,000</u>
20	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
21	Vessel Response Account--State Appropriation	\$100,000
22	Firearms Range Account--State Appropriation	\$37,000
23	Recreation Resources Account--State Appropriation	((\$2,874,000))
24		<u>\$2,962,000</u>
25	NOVA Program Account--State Appropriation	\$900,000
26	TOTAL APPROPRIATION	((\$9,687,000))
27		<u>\$9,465,000</u>

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

1 **Sec. 305.** 2011 1st sp.s. c 50 s 305 (uncodified) is amended to
2 read as follows:

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

4	General Fund--State Appropriation (FY 2012)	((\$2,419,000))
5		<u>\$2,183,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$2,422,000))
7		<u>\$2,088,000</u>
8	TOTAL APPROPRIATION	((\$4,841,000))
9		<u>\$4,271,000</u>

10 **Sec. 306.** 2011 1st sp.s. c 50 s 306 (uncodified) is amended to
11 read as follows:

12 **FOR THE CONSERVATION COMMISSION**

13	General Fund--State Appropriation (FY 2012)	((\$6,790,000))
14		<u>\$6,118,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$6,793,000))
16		<u>\$6,118,000</u>
17	General Fund--Federal Appropriation	\$1,301,000
18	TOTAL APPROPRIATION	((\$14,884,000))
19		<u>\$13,537,000</u>

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

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

26 (2) \$122,000 of the general fund--federal appropriation is provided
27 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center
28 process). If the bill is not enacted by June 30, 2011, the amount
29 provided in this subsection shall lapse.

30 **Sec. 307.** 2011 1st sp.s. c 50 s 307 (uncodified) is amended to
31 read as follows:

32 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

33	General Fund--State Appropriation (FY 2012)	((\$35,721,000))
34		<u>\$32,958,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$33,666,000))
36		<u>\$29,470,000</u>

1	General Fund--Federal Appropriation	((\$105,717,000))
2		<u>\$105,599,000</u>
3	General Fund--Private/Local Appropriation	((\$50,711,000))
4		<u>\$57,475,000</u>
5	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
6	Aquatic Lands Enhancement Account--State	
7	Appropriation	((\$6,856,000))
8		<u>\$8,221,000</u>
9	Recreational Fisheries Enhancement--State	
10	Appropriation	((\$3,550,000))
11		<u>\$2,797,000</u>
12	Warm Water Game Fish Account--State Appropriation . . .	((\$3,051,000))
13		<u>\$2,846,000</u>
14	Eastern Washington Pheasant Enhancement Account--State	
15	Appropriation	\$849,000
16	Aquatic Invasive Species Enforcement Account--State	
17	Appropriation	\$204,000
18	Aquatic Invasive Species Prevention Account--State	
19	Appropriation	((\$719,000))
20		<u>\$717,000</u>
21	State Wildlife Account--State Appropriation	((\$100,169,000))
22		<u>\$102,467,000</u>
23	Special Wildlife Account--State Appropriation	((\$2,384,000))
24		<u>\$2,383,000</u>
25	Special Wildlife Account--Federal Appropriation	((\$3,428,000))
26		<u>\$500,000</u>
27	Special Wildlife Account--Private/Local Appropriation . .	((\$487,000))
28		<u>\$3,415,000</u>
29	Wildlife Rehabilitation Account--State Appropriation	\$259,000
30	Regional Fisheries Enhancement Salmonid Recovery	
31	Account--Federal Appropriation	\$5,001,000
32	Oil Spill Prevention Account--State Appropriation	((\$887,000))
33		<u>\$885,000</u>
34	Oyster Reserve Land Account--State Appropriation	((\$921,000))
35		<u>\$920,000</u>
36	<u>Hydraulic Project Approval Account--State Appropriation . .</u>	<u>\$1,013,000</u>
37	TOTAL APPROPRIATION	((\$354,971,000))
38		<u>\$358,370,000</u>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (10) \$18,514,000 of the state wildlife account--state appropriation
37 is provided solely for the implementation of Second Substitute Senate

1 Bill No. 5385 (state wildlife account). If the bill is not enacted by
2 June 30, 2011, the amount provided in this subsection shall lapse.

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

8 (12) \$1,013,000 of the hydraulic project approval account--state
9 appropriation is provided solely for the implementation of new
10 hydraulic project approval permit application fees. If fees are not
11 enacted by June 30, 2012, the amount provided in this subsection shall
12 lapse.

13 (13) \$117,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$117,000 of the general fund--state appropriation for
15 fiscal year 2013 are provided solely to pay for emergency fire
16 suppression costs. None of the general fund amounts provided in this
17 subsection may be used to fund agency indirect and administrative
18 expenses.

19 **Sec. 308.** 2011 1st sp.s. c 50 s 308 (uncodified) is amended to
20 read as follows:

21 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

22	General Fund--State Appropriation (FY 2012)	((\$33,856,000))
23		<u>\$31,515,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$35,057,000))
25		<u>\$35,141,000</u>
26	General Fund--Federal Appropriation	((\$27,919,000))
27		<u>\$27,896,000</u>
28	General Fund--Private/Local Appropriation	((\$2,374,000))
29		<u>\$2,373,000</u>
30	Forest Development Account--State Appropriation	((\$41,507,000))
31		<u>\$44,213,000</u>
32	ORV and Nonhighway Vehicle Account--State	
33	Appropriation	((\$4,387,000))
34		<u>\$4,380,000</u>
35	Surveys and Maps Account--State Appropriation	((\$2,346,000))
36		<u>\$2,121,000</u>
37	Aquatic Lands Enhancement Account--State	

1	Appropriation	((\$7,218,000))
2		<u>\$2,869,000</u>
3	Resources Management Cost Account--State	
4	Appropriation	((\$81,800,000))
5		<u>\$87,514,000</u>
6	Surface Mining Reclamation Account--State	
7	Appropriation	((\$3,484,000))
8		<u>\$3,470,000</u>
9	Disaster Response Account--State Appropriation	\$5,000,000
10	Forest and Fish Support Account--State	
11	Appropriation	((\$7,933,000))
12		<u>\$9,484,000</u>
13	Aquatic Land Dredged Material Disposal Site	
14	Account--State Appropriation	\$838,000
15	Natural Resources Conservation Areas Stewardship	
16	Account--State Appropriation	\$34,000
17	State Toxics Control Account--State Appropriation	\$80,000
18	Air Pollution Control Account--State Appropriation	((\$1,319,000))
19		<u>\$540,000</u>
20	NOVA Program Account--State Appropriation	((\$639,000))
21		<u>\$637,000</u>
22	Derelict Vessel Removal Account--State Appropriation	\$1,761,000
23	Agricultural College Trust Management Account--State	
24	Appropriation	((\$1,854,000))
25		<u>\$1,851,000</u>
26	TOTAL APPROPRIATION	((\$259,406,000))
27		<u>\$261,717,000</u>

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

30 (1) ((~~\$977,000~~)) \$710,000 of the general fund--state appropriation
31 for fiscal year 2012 and \$915,000 of the general fund--state
32 appropriation for fiscal year 2013 are provided solely for deposit into
33 the agricultural college trust management account and are provided
34 solely to manage approximately 70,700 acres of Washington State
35 University's agricultural college trust lands.

36 (2) ((~~\$10,037,000~~)) \$8,517,000 of the general fund--state
37 appropriation for fiscal year 2012, \$10,037,000 of the general fund--
38 state appropriation for fiscal year 2013, and \$5,000,000 of the

1 disaster response account--state appropriation are provided solely for
2 emergency fire suppression. None of the general fund and disaster
3 response account amounts provided in this subsection may be used to
4 fund agency indirect and administrative expenses. Agency indirect and
5 administrative costs shall be allocated among the agency's remaining
6 accounts and appropriations. The department of natural resources shall
7 submit a quarterly report to the office of financial management and the
8 legislative fiscal committees detailing information on current and
9 planned expenditures from the disaster response account. This work
10 shall be done in coordination with the military department.

11 ~~(3) ((\$4,000,000 of the forest and fish support account--state~~
12 ~~appropriation is provided solely for adaptive management, monitoring,~~
13 ~~and participation grants to tribes. If federal funding for this~~
14 ~~purpose is reinstated, the amount provided in this subsection shall~~
15 ~~lapse.~~

16 ~~(4) \$333,000 of the forest and fish support account--state~~
17 ~~appropriation is provided solely for adaptive management, monitoring,~~
18 ~~and participation grants to nongovernmental organizations.))~~ \$4,250,000
19 of the forest and fish support account--state appropriation is provided
20 solely for outcome-based, performance contracts with tribes to
21 participate in the implementation of the forest practices program.
22 Contracts awarded in fiscal year 2013 may only contain indirect cost
23 set at or below the rate in the contracting tribe's indirect cost
24 agreement with the federal government. If federal funding for this
25 purpose is reinstated, the amount provided in this subsection shall
26 lapse.

27 (4) \$468,000 of the forest and fish support account--state
28 appropriation is provided solely for outcome-based performance
29 contracts with nongovernmental organizations to participate in the
30 implementation of the forest practices program. Contracts awarded in
31 fiscal year 2013 may only contain indirect cost set at or below a rate
32 of eighteen percent.

33 (5) (\$487,000)) \$717,000 of the ((general fund)) forest and fish
34 support account--state appropriation is provided solely to fund
35 interagency agreements with the department of ecology and the
36 department of fish and wildlife as part of the adaptive management
37 process.

1 (6) \$1,000,000 of the general fund--federal appropriation and
2 \$1,000,000 of the forest and fish support account--state appropriation
3 are provided solely for continuing scientific studies already underway
4 as part of the adaptive management process. Funds may not be used to
5 initiate new studies unless the department secures new federal funding
6 for the adaptive management process.

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

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

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

21 (10) In partnership with the department of ecology, the department
22 shall deliver a report to the governor, the appropriate committees of
23 the legislature, and the forest practices board by September 1, 2012,
24 documenting: (a) Forest practices adaptive management program reforms
25 implemented, or recommended, that streamline existing processes to
26 increase program efficiencies and effectiveness; (b) the short and long
27 term funding necessary to support the forest practices habitat
28 conservation plan and clean water act assurances; and (c)
29 recommendations for funding those needs. The departments shall
30 collaborate with interested adaptive management program participants in
31 the development and implementation of the reforms, funding needs, and
32 recommendations.

33 **Sec. 309.** 2011 1st sp.s. c 50 s 309 (uncodified) is amended to
34 read as follows:

35 **FOR THE DEPARTMENT OF AGRICULTURE**

36 General Fund--State Appropriation (FY 2012) ((\$15,729,000))
37 \$15,477,000

1	General Fund--State Appropriation (FY 2013)	((\$15,371,000))
2		<u>\$16,262,000</u>
3	General Fund--Federal Appropriation	((\$22,925,000))
4		<u>\$22,860,000</u>
5	General Fund--Private/Local Appropriation	\$190,000
6	Aquatic Lands Enhancement Account--State	
7	Appropriation	((\$2,074,000))
8		<u>\$2,551,000</u>
9	State Toxics Control Account--State Appropriation . . .	((\$5,116,000))
10		<u>\$5,101,000</u>
11	Water Quality Permit Account--State Appropriation	\$60,000
12	<u>Freshwater Aquatic Weeds Account--State Appropriation</u>	<u>\$280,000</u>
13	TOTAL APPROPRIATION	((\$61,465,000))
14		<u>\$62,781,000</u>

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

17 (1) \$5,308,445 of the general fund--state appropriation for fiscal
18 year 2012 and ((~~\$5,302,905~~)) \$6,802,905 of the general fund--state
19 appropriation for fiscal year 2013 are provided solely for implementing
20 the food assistance program as defined in RCW 43.23.290.

21 (2) Pursuant to RCW 43.135.055, the department is authorized to
22 increase the following fees in the 2011-2013 fiscal biennium as
23 necessary to meet the actual costs of conducting business: Fruit and
24 vegetable platform inspections; grain program services; warehouse
25 audits; requested inspections; seed inspections, testing, sampling and
26 certifications; phytosanitary certifications for seed; commission
27 merchants; and sod quality seed tags and tagging. In addition,
28 pursuant to RCW 43.135.055, 17.21.134, and 15.58.240, the department is
29 authorized to establish pesticide license examination fees.

30 **Sec. 310.** 2011 1st sp.s. c 50 s 310 (uncodified) is amended to
31 read as follows:

32 **FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

33 Pollution Liability Insurance Program Trust

34	Account--State Appropriation	((\$335,000))
35		<u>\$679,000</u>

1 **Sec. 311.** 2011 1st sp.s. c 50 s 311 (uncodified) is amended to
2 read as follows:

3 **FOR THE PUGET SOUND PARTNERSHIP**

4	General Fund--State Appropriation (FY 2012)	((\$2,545,000))
5		<u>\$2,287,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$2,520,000))
7		<u>\$2,294,000</u>
8	General Fund--Federal Appropriation	((\$9,581,000))
9		<u>\$12,523,000</u>
10	General Fund--Private/Local Appropriation	\$25,000
11	Aquatic Lands Enhancement Account--State Appropriation	\$493,000
12	State Toxics Control Account--State Appropriation	\$665,000
13	TOTAL APPROPRIATION	((\$15,829,000))
14		<u>\$18,287,000</u>

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

17 (1) ((~~\$706,000~~)) \$665,000 of the state toxics control account--
18 state appropriation is provided solely for activities that contribute
19 to Puget Sound protection and recovery, including provision of
20 independent advice and assessment of the state's oil spill prevention,
21 preparedness, and response programs, including review of existing
22 activities and recommendations for any necessary improvements. The
23 partnership may carry out this function through an existing committee,
24 such as the ecosystem coordination board or the leadership council, or
25 may appoint a special advisory council. Because this is a unique
26 statewide program, the partnership may invite participation from
27 outside the Puget Sound region.

28 (2) Within the amounts appropriated in this section, the Puget
29 Sound partnership shall facilitate an ongoing monitoring consortium to
30 integrate monitoring efforts for storm water, water quality, watershed
31 health, and other indicators to enhance monitoring efforts in Puget
32 Sound.

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2011 1st sp.s. c 50 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2012)	((\$1,265,000))
	<u>\$1,164,000</u>
General Fund--State Appropriation (FY 2013)	((\$1,508,000))
	<u>\$1,284,000</u>
Architects' License Account--State Appropriation	((\$1,084,000))
	<u>\$1,078,000</u>
Professional Engineers' Account--State Appropriation	((\$3,524,000))
	<u>\$3,494,000</u>
Real Estate Commission Account--State Appropriation	((\$9,843,000))
	<u>\$9,721,000</u>
Uniform Commercial Code Account--State Appropriation	((\$3,126,000))
	<u>\$3,107,000</u>
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State Appropriation	((\$1,687,000))
	<u>\$1,663,000</u>
Business and Professions Account--State Appropriation	((\$15,646,000))
	<u>\$15,493,000</u>
Real Estate Research Account--State Appropriation	\$622,000
Geologists' Account--State Appropriation	\$51,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	((\$38,663,000))
	<u>\$37,984,000</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 collection agencies and the camping resorts program.

1 This increase is necessary to support the expenditures authorized in
2 this section, consistent with RCW 43.24.086.

3 (2) \$8,000 of the business and professions account--state
4 appropriation is provided solely to implement Substitute Senate Bill
5 No. 5574 (collection agencies).

6 **Sec. 402.** 2011 1st sp.s. c 50 s 402 (uncodified) is amended to
7 read as follows:

8 **FOR THE STATE PATROL**

9	General Fund--State Appropriation (FY 2012)	((\$38,921,000))
10		<u>\$37,320,000</u>
11	General Fund--State Appropriation (FY 2013)	((\$36,578,000))
12		<u>\$34,468,000</u>
13	General Fund--Federal Appropriation	\$16,081,000
14	General Fund--Private/Local Appropriation	\$3,021,000
15	Death Investigations Account--State Appropriation . . .	((\$5,572,000))
16		<u>\$5,544,000</u>
17	County Criminal Justice Assistance Account--State	
18	Appropriation	((\$3,215,000))
19		<u>\$3,211,000</u>
20	Municipal Criminal Justice Assistance Account--State	
21	Appropriation	((\$1,290,000))
22		<u>\$1,288,000</u>
23	Fire Service Trust Account--State Appropriation	\$131,000
24	Disaster Response Account--State Appropriation	\$8,002,000
25	Fire Service Training Account--State Appropriation . . .	((\$9,010,000))
26		<u>\$9,390,000</u>
27	Aquatic Invasive Species Enforcement Account--State	
28	Appropriation	\$54,000
29	State Toxics Control Account--State Appropriation	\$505,000
30	Fingerprint Identification Account--State	
31	Appropriation	((\$8,788,000))
32		<u>\$10,079,000</u>
33	Vehicle License Fraud Account--State Appropriation	((\$339,000))
34		<u>\$438,000</u>
35	TOTAL APPROPRIATION	((\$131,507,000))
36		<u>\$129,532,000</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) \$400,000 of the fire service training account--state
19 appropriation is provided solely for the firefighter apprenticeship
20 training program.

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

25 (5) \$59,000 of the fingerprint identification account--state
26 appropriation is provided solely for implementation of Engrossed Second
27 Substitute House Bill No. 1776 (child care center licensing). If the
28 bill is not enacted by June 30, 2011, the amount provided in this
29 subsection shall lapse.

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

(End of part)

PART V
EDUCATION

Sec. 501. 2011 1st sp.s. c 50 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	((\$25,701,000))
	<u>\$25,104,000</u>
General Fund--State Appropriation (FY 2013)	((\$23,052,000))
	<u>\$21,662,000</u>
General Fund--Federal Appropriation	((\$81,065,000))
	<u>\$77,038,000</u>
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	((\$133,818,000))
	<u>\$127,804,000</u>

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

(1) A maximum of ((~~\$16,450,000~~)) \$15,837,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,889,000~~)) \$12,974,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) ((~~\$9,365,000~~)) \$9,375,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$8,451,000~~)) \$8,034,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

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

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

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

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

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

30 (d) ~~(\$1,744,000)~~ \$1,885,000 of the general fund--state
31 appropriation for fiscal year 2012 and ~~(\$1,362,000)~~ \$1,584,000 of the
32 general fund--state appropriation for fiscal year 2013 are provided
33 solely to the professional educator standards board for the following:

34 (i) ~~(\$1,050,000)~~ \$1,364,000 in fiscal year 2012 and
35 ~~(\$1,050,000)~~ \$1,364,000 in fiscal year 2013 are for the operation
36 and expenses of the Washington professional educator standards board;
37 and

1 (ii) (~~(\$694,000)~~) \$521,000 of the general fund--state appropriation
2 for fiscal year 2012 and (~~(\$312,000)~~) \$220,000 of the general
3 fund--state appropriation for fiscal year 2013 are for conditional
4 scholarship loans and mentor stipends provided through the alternative
5 routes to certification program administered by the professional
6 educator standards board, including the pipeline for paraeducators
7 program and the retooling to teach conditional loan programs.
8 (~~Funding within this subsection (1)(d)(ii) is also provided for the~~
9 ~~recruiting Washington teachers program. Funding reductions in this~~
10 ~~subsection (1)(d)(ii) in the 2011-2013 fiscal biennium are intended to~~
11 ~~be one-time.~~)

12 (e) \$133,000 of the general fund--state appropriation for fiscal
13 year 2012 and \$133,000 of the general fund--state appropriation for
14 fiscal year 2013 are provided solely for the implementation of chapter
15 240, Laws of 2010, including staffing the office of equity and civil
16 rights.

17 (f) \$50,000 of the general fund--state appropriation for fiscal
18 year 2012 and \$50,000 of the general fund--state appropriation for
19 fiscal year 2013 are provided solely for the ongoing work of the
20 achievement gap oversight and accountability committee.

21 (g) \$45,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$45,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for the implementation of chapter
24 380, Laws of 2009 (enacting the interstate compact on educational
25 opportunity for military children).

26 (h) \$159,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$93,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely for the implementation of chapter
29 185, Laws of 2011 (bullying prevention), which requires the office of
30 the superintendent of public instruction to convene an ongoing
31 workgroup on school bullying and harassment prevention. Within the
32 amounts provided, \$140,000 is for youth suicide prevention activities.

33 (~~(+)~~) (i) \$1,227,000 of the general fund--state appropriation for
34 fiscal year 2012 and \$1,227,000 of the general fund--state
35 appropriation for fiscal year 2013 are provided solely for implementing
36 a comprehensive data system to include financial, student, and educator
37 data, including development and maintenance of the comprehensive
38 education data and research system (CEDARS).

1 ~~((k))~~ (j) \$25,000 of the general fund--state appropriation for
2 fiscal year 2012 and \$25,000 of the general fund--state appropriation
3 for fiscal year 2013 are provided solely for project citizen, a program
4 sponsored by the national conference of state legislatures and the
5 center for civic education to promote participation in government by
6 middle school students.

7 ~~((l))~~ (k) \$166,000 of the general fund--state appropriation for
8 fiscal year 2012 is provided solely for the implementation of chapter
9 192, Laws of 2011 (school district insolvency). Funding is provided to
10 develop a clear legal framework and process for dissolution of a school
11 district.

12 (2) \$9,267,000 of the general fund--state appropriation for fiscal
13 year 2012 and ~~(\$9,167,000)~~ \$8,688,000 of the general fund--state
14 appropriation for fiscal year 2013 are for statewide programs.

15 (a) HEALTH AND SAFETY

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

23 (ii) \$50,000 of the general fund--state appropriation for fiscal
24 year 2012 ~~((and \$50,000 of the general fund--state appropriation for
25 fiscal year 2013 are))~~ is provided solely for a nonviolence and
26 leadership training program provided by the institute for community
27 leadership.

28 (b) TECHNOLOGY

29 \$1,221,000 of the general fund--state appropriation for fiscal year
30 2012 and \$1,221,000 of the general fund--state appropriation for fiscal
31 year 2013 are provided solely for K-20 telecommunications network
32 technical support in the K-12 sector to prevent system failures and
33 avoid interruptions in school utilization of the data processing and
34 video-conferencing capabilities of the network. These funds may be
35 used to purchase engineering and advanced technical support for the
36 network.

37 (c) GRANTS AND ALLOCATIONS

1 (i) \$675,000 of the general fund--state appropriation for fiscal
2 year 2012 and (~~(\$675,000)~~) \$540,000 of the general fund--state
3 appropriation for fiscal year 2013 are provided solely for the
4 Washington state achievers scholarship program. The funds shall be
5 used to support community involvement officers that recruit, train, and
6 match community volunteer mentors with students selected as achievers
7 scholars.

8 (ii) \$1,000,000 of the general fund--state appropriation for fiscal
9 year 2012 and (~~(\$1,000,000)~~) \$800,000 of the general fund--state
10 appropriation for fiscal year 2013 are provided solely for contracting
11 with a college scholarship organization with expertise in conducting
12 outreach to students concerning eligibility for the Washington college
13 bound scholarship consistent with chapter 405, Laws of 2007.

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

27 (iv) \$337,000 of the general fund--state appropriation for fiscal
28 year 2012 and (~~(\$337,000)~~) \$270,000 of the general fund--state
29 appropriation for fiscal year 2013 are provided solely for
30 implementation of the building bridges statewide program for
31 comprehensive dropout prevention, intervention, and reengagement
32 strategies.

33 (v) \$135,000 of the general fund--state appropriation for fiscal
34 year 2012 and (~~(\$135,000)~~) \$108,000 of the general fund--state
35 appropriation for fiscal year 2013 are provided solely for dropout
36 prevention programs at the office of the superintendent of public
37 instruction, including the jobs for America's graduates (JAG) program.

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

7 **Sec. 502.** 2011 1st sp.s. c 50 s 502 (uncodified) is amended to
8 read as follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
10 **APPORTIONMENT**

11	General Fund--State Appropriation (FY 2012)	((\$5,242,704,000))
12		<u>\$5,248,905,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$5,217,070,000))
14		<u>\$4,784,770,000</u>
15	<u>General Fund--Federal Appropriation</u>	<u>\$22,078,000</u>
16	TOTAL APPROPRIATION	((\$10,459,774,000))
17		<u>\$10,055,753,000</u>

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

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

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

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

31 (d) The appropriations in this section include federal funds
32 provided through section 101 of P.L. No. 111-226 (education jobs fund),
33 which shall be used to support general apportionment program funding.
34 In distributing general apportionment allocations under this section
35 for the 2011-12 school year, the superintendent shall include the
36 additional amount of \$3,078,000 allocated by the United States

1 department of education on September 16, 2011, provided through 101 of
2 P.L. No. 111-226 (education jobs fund) as part of each district's
3 general apportionment allocation.

4 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

5 Allocations for certificated instructional staff salaries for the
6 2011-12 and 2012-13 school years are determined using formula-generated
7 staff units calculated pursuant to this subsection.

8 (a) Certificated instructional staff units, as defined in RCW
9 28A.150.410, shall be allocated to reflect the minimum class size
10 allocations, requirements, and school prototypes assumptions as
11 provided in RCW 28A.150.260. The superintendent shall adjust
12 allocations to school districts based on the district's annual average
13 full-time equivalent student enrollment in each grade.

14 (b) Additional certificated instructional staff units provided in
15 this subsection (2) that exceed the minimum requirements in RCW
16 28A.150.260 are enhancements outside the program of basic education,
17 except as otherwise provided in this section.

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

22 General education class size:	RCW 28A.150.260
23 Grade	
24 Grades K-3	25.23
25 Grade 4	27.00
26 Grades 5-6	27.00
27 Grades 7-8	28.53
28 Grades 9-12	28.74

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

32 (ii) For each level of prototypical school at which more than fifty
33 percent of the students were eligible for free and reduced-price meals
34 in the prior school year, the superintendent shall allocate funding

1 based on the following average class size of full-time equivalent
2 students per teacher:

3 General education class size in high poverty
4 school:

5 Grades K-3	24.10
6 Grade 4	27.00
7 Grades 5-6	27.00
8 Grades 7-8	28.53
9 Grades 9-12	28.74

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

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

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

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

26 Career and Technical Education

27 students	2.02 per 1000 student FTE's
28 Skill Center students	2.36 per 1000 student FTE's

29 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

5 Career and Technical Education students 2.5 percent
6 Skill Center students 19.75 percent

7 (4) CLASSIFIED STAFF ALLOCATIONS

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

13 (5) CENTRAL OFFICE ALLOCATIONS
14

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

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

25 (b) Of the central office staff units calculated in (a) of this
26 subsection, 74.53 percent are allocated as classified staff units, as
27 generated in subsection (4) of this section, and 25.47 percent shall be
28 allocated as administrative staff units, as generated in subsection (3)
29 of this section.

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

35 (d) For students in approved career-technical and skill center
36 programs, central office classified units are allocated at the same
37 staff unit per student rate as those generated for general education
38 students of the same grade in this subsection (5), and central office

1 administrative staff units are allocated at staff unit per student
2 rates that exceed the general education rate established for students
3 in the same grade in this subsection (5) by 3.69 percent for career and
4 technical education students, and 21.92 percent for skill center
5 students.

6 (6) FRINGE BENEFIT ALLOCATIONS

7 Fringe benefit allocations shall be calculated at a rate of
8 ((~~16.49~~)) 16.33 percent in the 2011-12 school year and ((~~16.50~~)) 16.34
9 percent in the 2012-13 school year for certificated salary allocations
10 provided under subsections (2), (3), and (5) of this section, and a
11 rate of ((~~18.86~~)) 18.72 percent in the 2011-12 school year and
12 ((~~18.88~~)) 18.73 percent in the 2012-13 school year for classified
13 salary allocations provided under subsections (4) and (5) of this
14 section. Rates reflect a weighted average for school year 2011-12 to
15 account for adjustments provided by section 910 of this act.

16 (7) INSURANCE BENEFIT ALLOCATIONS

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

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

22 (b) The number of classified staff units determined in subsections
23 (4) and (5) of this section multiplied by 1.152. This factor is
24 intended to adjust allocations so that, for the purposes of
25 distributing insurance benefits, full-time equivalent classified
26 employees may be calculated on the basis of 1440 hours of work per
27 year, with no individual employee counted as more than one full-time
28 equivalent.
29

30 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

31 Funding is allocated per annual average full-time equivalent
32 student for the materials, supplies, and operating costs (MSOC)
33 incurred by school districts, consistent with the requirements of RCW
34 28A.150.260.

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

MSOC RATES/STUDENT FTE

MSOC Component	2011-12 SCHOOL YEAR	2012-13 SCHOOL YEAR
Technology	\$57.02	(\$57.99) \$56.65
Utilities and Insurance	\$154.93	(\$157.56) \$153.94
Curriculum and Textbooks	\$61.22	(\$62.26) \$60.83
Other Supplies and Library Materials		(\$132.18) \$129.14
Instructional Professional Development for Certificated and Classified Staff	\$9.47	(\$9.63) \$9.41
Facilities Maintenance	\$76.75	(\$78.06) \$76.26
Security and Central Office	\$53.17	(\$54.08) \$52.83
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$542.53	(\$551.76) \$539.05

(b) Students in approved skill center programs generate per student FTE MSOC allocations which equal the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.187 for school year 2011-12 and by a factor of 2.171 for school year 2012-13.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation that is equal to the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.459 for school year 2011-12 and by a factor of 2.442 for school year 2012-13.

(d) Students in laboratory science courses generate per student FTE

1 MSOC allocations which equal the per student FTE rate for general
2 education students established in (a) of this subsection.

3 (9) SUBSTITUTE TEACHER ALLOCATIONS

4 (~~For the 2011-12 and 2012-13 school years,~~) Funding for
5 substitute costs for classroom teachers is based on four (4) funded
6 substitute days per classroom teacher unit generated under subsection
7 (2) of this section, at a daily substitute rate of \$151.86 for school
8 year 2011-12 and \$147.31 for school year 2012-13.

9 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

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

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

22 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

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

36 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
37 NECESSARY PLANTS

1 For small school districts and remote and necessary school plants
2 within any district which have been judged to be remote and necessary
3 by the superintendent of public instruction, additional staff units are
4 provided to ensure a minimum level of staffing support. Additional
5 administrative and certificated instructional staff units provided to
6 districts in this subsection shall be reduced by the general education
7 staff units, excluding career and technical education and skills center
8 enhancement units, otherwise provided in subsections (2) through (5) of
9 this section on a per district basis.

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

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

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

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

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

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

1 (c) For districts operating no more than two high schools with
2 enrollments of less than (~~three~~) two hundred forty average annual
3 full-time equivalent students, for enrollment in grades 9-12 in each
4 such school, other than alternative schools:

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

10 (ii) For all other small high schools under this subsection,
11 (~~nine~~) eight certificated instructional staff units and one-half of
12 a certificated administrative staff unit for the first sixty average
13 annual full-time equivalent students, and additional staff units based
14 on a ratio of (~~0.8732~~) 0.7762 certificated instructional staff units
15 and 0.1268 certificated administrative staff units per each additional
16 forty-three and one-half average annual full-time equivalent students;

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

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

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

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

35 (g) School districts receiving additional staff units to support
36 small student enrollments and remote and necessary plants under
37 subsection (12) of this section shall generate additional MSOC
38 allocations consistent with the nonemployee related costs (NERC)

1 allocation formula in place for the 2010-11 school year as provided
2 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
3 budget), adjusted annually for inflation.

4 (13) Any school district board of directors may petition the
5 superintendent of public instruction by submission of a resolution
6 adopted in a public meeting to reduce or delay any portion of its basic
7 education allocation for any school year. The superintendent of public
8 instruction shall approve such reduction or delay if it does not impair
9 the district's financial condition. Any delay shall not be for more
10 than two school years. Any reduction or delay shall have no impact on
11 levy authority pursuant to RCW 84.52.0531 and local effort assistance
12 pursuant to chapter 28A.500 RCW.

13 (14) The superintendent may distribute funding for the following
14 programs outside the basic education formula during fiscal years 2012
15 and 2013 as follows:

16 (a) \$589,000 of the general fund--state appropriation for fiscal
17 year 2012 and (~~(\$599,000)~~) \$595,000 of the general fund--state
18 appropriation for fiscal year 2013 are provided solely for fire
19 protection for school districts located in a fire protection district
20 as now or hereafter established pursuant to chapter 52.04 RCW.

21 (b) \$436,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$436,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for programs providing skills
24 training for secondary students who are enrolled in extended day
25 school-to-work programs, as approved by the superintendent of public
26 instruction. The funds shall be allocated at a rate not to exceed \$500
27 per full-time equivalent student enrolled in those programs.

28 (c) Funding in this section is sufficient to fund adjustments to
29 school districts' allocations resulting from the implementation of the
30 prototypical school funding formula, pursuant to chapter 236, Laws of
31 2010 (K-12 education funding). The funding in this section is intended
32 to hold school districts harmless in total for funding changes
33 resulting from conversion to the prototypical school formula in the
34 general apportionment program, the learning assistance program, the
35 transitional bilingual program, and the highly capable program, after
36 adjustment for changes in enrollment and other caseload adjustments.

37 (15) \$208,000 of the general fund--state appropriation for fiscal
38 year 2012 and (~~(\$211,000)~~) \$210,000 of the general fund--state

1 appropriation for fiscal year 2013 are provided solely for school
2 district emergencies as certified by the superintendent of public
3 instruction. At the close of the fiscal year the superintendent of
4 public instruction shall report to the office of financial management
5 and the appropriate fiscal committees of the legislature on the
6 allocations provided to districts and the nature of the emergency.

7 ~~(16) ((Amounts in this section include adjustments made by the~~
8 ~~superintendent of public instruction for the repayment of financial~~
9 ~~contingency funds allocated in fiscal year 2011, as specified in~~
10 ~~section 501 of the 2011 supplemental budget. For any amount allocated~~
11 ~~to a district in state fiscal year 2011, the superintendent of public~~
12 ~~instruction shall deduct in state fiscal year 2012 from the district's~~
13 ~~general apportionment the amount of the emergency contingency~~
14 ~~allocation and any earnings by the school district on the investment of~~
15 ~~a temporary cash surplus due to the emergency contingency allocation.~~
16 ~~Repayments or advances will be accomplished by a reduction in the~~
17 ~~school district's apportionment payments on or before June 30th of the~~
18 ~~school year following the distribution of the emergency contingency~~
19 ~~allocation. All disbursements, repayments, and outstanding allocations~~
20 ~~to be repaid of the emergency contingency pool shall be reported to the~~
21 ~~office of financial management and the appropriate fiscal committees of~~
22 ~~the legislature on July 1st and January 1st of each year.~~

23 ~~(17))~~ Funding in this section is sufficient to fund a maximum of
24 1.6 FTE enrollment for skills center students pursuant to chapter 463,
25 Laws of 2007.

26 ~~((18))~~ (17) Beginning in the 2011-12 school year, students
27 participating in running start programs may be funded up to a combined
28 maximum enrollment of 1.2 FTE including school district and institution
29 of higher education enrollment. In calculating the combined 1.2 FTE,
30 the office of the superintendent of public instruction may average the
31 participating student's September through June enrollment to account
32 for differences in the start and end dates for courses provided by the
33 high school and higher education institution. Additionally, the office
34 of the superintendent of public instruction, in consultation with the
35 state board for community and technical colleges, the higher education
36 coordinating board, and the education data center, shall annually track
37 and report to the fiscal committees of the legislature on the combined

1 FTE experience of students participating in the running start program,
2 including course load analyses at both the high school and community
3 and technical college system.

4 ~~((+19))~~ (18) If two or more school districts consolidate and each
5 district was receiving additional basic education formula staff units
6 pursuant to subsection (12) of this section, the following apply:

7 (a) For three school years following consolidation, the number of
8 basic education formula staff units shall not be less than the number
9 of basic education formula staff units received by the districts in the
10 school year prior to the consolidation; and

11 (b) For the fourth through eighth school years following
12 consolidation, the difference between the basic education formula staff
13 units received by the districts for the school year prior to
14 consolidation and the basic education formula staff units after
15 consolidation pursuant to subsection (12) of this section shall be
16 reduced in increments of twenty percent per year.

17 ~~((+20))~~ (19)(a) Indirect cost charges by a school district to
18 approved career and technical education middle and secondary programs
19 shall not exceed 15 percent of the combined basic education and career
20 and technical education program enhancement allocations of state funds.
21 Middle and secondary career and technical education programs are
22 considered separate programs for funding and financial reporting
23 purposes under this section.

24 (b) Career and technical education program full-time equivalent
25 enrollment shall be reported on the same monthly basis as the
26 enrollment for students eligible for basic support, and payments shall
27 be adjusted for reported career and technical education program
28 enrollments on the same monthly basis as those adjustments for
29 enrollment for students eligible for basic support.

30 (20) \$10,000,000 of the general fund--state appropriation for
31 fiscal year 2013 is provided solely for the superintendent for
32 financial contingency funds for eligible school districts as a result
33 of delaying a portion of the June apportionment payment. The financial
34 contingency funds shall be allocated to eligible districts in the form
35 of an advance of their respective general apportionment allocations.

36 (a) Eligibility:
37 The superintendent shall determine a district's eligibility for

1 receipt of financial contingency funds, and districts shall be eligible
2 only if the following conditions are met:

3 (i) A petition is submitted by the school district as provided in
4 RCW 28A.510.250 and WAC 392-121-436; and

5 (ii) The district's projected general fund balance for the month of
6 March is less than one-half of one percent of its budgeted general fund
7 expenditures as submitted to the superintendent for the 2012-13 school
8 year on the F-196 report.

9 (b) Calculations:

10 The superintendent shall calculate the financial contingency
11 allocation to each district as the lesser of:

12 (i) The amount set forth in the school district's resolution;

13 (ii) An amount not to exceed ten percent of the total amount to
14 become due and apportionable to the district from September 1st through
15 August 31st of the current school year;

16 (iii) The highest negative monthly cash and investment balance of
17 the general fund between the date of the resolution and May 31st of the
18 school year based on projections approved by the county treasurer and
19 the educational service district.

20 (c) Repayment:

21 For any amount allocated to a district in state fiscal year 2013,
22 the superintendent shall deduct in state fiscal year 2014 from the
23 district's general apportionment the amount of the emergency
24 contingency allocation and any earnings by the school district on the
25 investment of a temporary cash surplus due to the emergency contingency
26 allocation. Repayments or advances will be accomplished by a reduction
27 in the school district's apportionment payments on or before June 30th
28 of the school year following the distribution of the emergency
29 contingency allocation. All disbursements, repayments, and outstanding
30 allocations to be repaid of the emergency contingency pool shall be
31 reported to the office of financial management and the appropriate
32 fiscal committees of the legislature on July 1st and January 1st of
33 each year.

34 **Sec. 503.** 2011 1st sp.s. c 50 s 503 (uncodified) is amended to
35 read as follows:

36 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**
37 **COMPENSATION**

1 (1) The following calculations determine the salaries used in the
2 state allocations for certificated instructional, certificated
3 administrative, and classified staff units as provided in RCW
4 28A.150.280 and under section 503 of this act:

5 (a) Salary allocations for certificated instructional staff units
6 are determined for each district by multiplying the district's
7 certificated instructional total base salary shown on LEAP Document 2
8 by the district's average staff mix factor for certificated
9 instructional staff in that school year, computed using LEAP document
10 1; and

11 (b) Salary allocations for certificated administrative staff units
12 and classified staff units for each district are determined based on
13 the district's certificated administrative and classified salary
14 allocation amounts shown on LEAP Document 2.

15 (2) For the purposes of this section:

16 (a) "LEAP Document 1" means the staff mix factors for certificated
17 instructional staff according to education and years of experience, as
18 developed by the legislative evaluation and accountability program
19 committee on (~~May 23~~) November 20, 2011, at (~~16:10~~) 3:17 hours; and

20 (b) "LEAP Document 2" means the school year salary allocations for
21 certificated administrative staff and classified staff and derived and
22 total base salaries for certificated instructional staff as developed
23 by the legislative evaluation and accountability program committee on
24 (~~May 23~~) November 20, 2011, at (~~16:10~~) 7:18 hours.

25 (3) Incremental fringe benefit factors are applied to salary
26 adjustments at a rate of (~~15.85~~) 15.69 percent for school year
27 2011-12 and (~~15.86~~) 15.70 percent for school year 2012-13 for
28 certificated instructional and certificated administrative staff and
29 (~~15.36~~) 15.22 percent for school year 2011-12 and (~~15.38~~) 15.23
30 percent for the 2012-13 school year for classified staff. Rates
31 reflect a weighted average for school year 2011-12 to account for
32 adjustments provided by section 910 of this act.

33 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary
34 allocation schedules for certificated instructional staff are
35 established for basic education salary allocations:

1 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

2 ***Education Experience***

3

4	Years										MA+90
5	of										OR
6	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
7	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
8	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
9	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	
10	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377	
11	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857	
12	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339	
13	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797	
14	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768	
15	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254	
16	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785	
17	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356	
18	11				45,883	49,169	51,558	49,295	52,581	54,969	
19	12				47,332	50,777	53,238	50,850	54,188	56,650	
20	13					52,425	54,959	52,460	55,836	58,370	
21	14					54,081	56,745	54,117	57,600	60,157	
22	15					55,488	58,221	55,523	59,098	61,721	
23	16 or more					56,597	59,385	56,634	60,279	62,955	

24

25 ((Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

26 ***Education Experience***

27

28	Years										MA+90
29	of										OR
30	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
31	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
32	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
33	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	

1	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
2	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
3	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
4	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
5	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
6	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
7	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
8	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
9	11				45,883	49,169	51,558	49,295	52,581	54,969
10	12				47,332	50,777	53,238	50,850	54,188	56,650
11	13					52,425	54,959	52,460	55,836	58,370
12	14					54,081	56,745	54,117	57,600	60,157
13	15					55,488	58,221	55,523	59,098	61,721
14	16 or more					56,597	59,385	56,634	60,279	62,955))

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

*** Education Experience ***

Years										MA+90
of										OR
Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
0	32,659	33,541	34,455	35,371	38,310	40,203	39,155	42,095	43,989	
1	33,099	33,993	34,918	35,875	38,844	40,727	39,591	42,560	44,442	
2	33,517	34,420	35,356	36,386	39,347	41,249	40,029	42,990	44,892	
3	33,949	34,861	35,806	36,869	39,824	41,772	40,444	43,398	45,347	
4	34,372	35,324	36,275	37,375	40,348	42,310	40,880	43,853	45,816	
5	34,810	35,766	36,726	37,887	40,849	42,851	41,322	44,285	46,287	
6	35,259	36,194	37,187	38,406	41,354	43,366	41,776	44,724	46,735	
7	36,049	36,998	38,004	39,289	42,281	44,349	42,626	45,616	47,685	
8	37,205	38,206	39,236	40,627	43,659	45,803	43,962	46,995	49,138	
9		39,457	40,538	41,979	45,082	47,299	45,313	48,418	50,635	
10			41,855	43,401	46,545	48,836	46,736	49,881	52,171	
11				44,864	48,076	50,413	48,199	51,413	53,748	
12				46,280	49,649	52,056	49,720	52,985	55,392	
13					51,260	53,738	51,294	54,596	57,074	
14					52,879	55,484	52,915	56,321	58,820	
15					54,255	56,928	54,290	57,785	60,350	

1 TOTAL APPROPRIATION (\$18,887,000)

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

4 (1)(a) Additional salary adjustments as necessary to fund the base
5 salaries for certificated instructional staff as listed for each
6 district in LEAP Document 2, defined in section 504(2)(b) of this act.
7 Allocations for these salary adjustments shall be provided to all
8 districts that are not grandfathered to receive salary allocations
9 above the statewide salary allocation schedule, and to certain
10 grandfathered districts to the extent necessary to ensure that salary
11 allocations for districts that are currently grandfathered do not fall
12 below the statewide salary allocation schedule.

13 (b) Additional salary adjustments to certain districts as necessary
14 to fund the per full-time-equivalent salary allocations for
15 certificated administrative staff as listed for each district in LEAP
16 Document 2, defined in section 504(2)(b) of this act.

17 (c) Additional salary adjustments to certain districts as necessary
18 to fund the per full-time-equivalent salary allocations for classified
19 staff as listed for each district in LEAP Document 2, defined in
20 section 504(2)(b) of this act.

21 (d) The appropriations in this subsection (1) include associated
22 incremental fringe benefit allocations at (~~(15.85)~~) 15.69 percent for
23 the 2011-12 school year and (~~(15.86)~~) 15.70 percent for the 2012-13
24 school year for certificated instructional and certificated
25 administrative staff and (~~(15.36)~~) 15.22 percent for the 2011-12 school
26 year and (~~(15.38)~~) 15.23 percent for the 2012-13 school year for
27 classified staff. Rates reflect a weighted average for school year
28 2011-12 to account for adjustments provided by section 910 of this act.

29 (e) The appropriations in this section include the increased or
30 decreased portion of salaries and incremental fringe benefits for all
31 relevant state-funded school programs in part V of this act. Changes
32 for general apportionment (basic education) are based on the salary
33 allocation schedules and methodology in sections 503 and 504 of this
34 act. Changes for special education result from changes in each
35 district's basic education allocation per student. Changes for
36 educational service districts and institutional education programs are
37 determined by the superintendent of public instruction using the

1 methodology for general apportionment salaries and benefits in sections
2 503 and 504 of this act.

3 (f) The appropriations in this section include no salary
4 adjustments for substitute teachers.

5 (2) The maintenance rate for insurance benefit allocations is
6 \$768.00 per month for the 2011-12 and 2012-13 school years. The
7 appropriations in this section reflect the incremental change in cost
8 of allocating rates of \$768.00 per month for the 2011-12 school year
9 and (~~(\$768.00)~~) \$745.00 per month for the 2012-13 school year.

10 (3) The rates specified in this section are subject to revision
11 each year by the legislature.

12 (4) Appropriations within this section exclude incremental
13 adjustments for health care allocations for pupil transportation.

14 **Sec. 505.** 2011 1st sp.s. c 50 s 505 (uncodified) is amended to
15 read as follows:

16	FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION	
17	General Fund--State Appropriation (FY 2012)	((\$323,759,000))
18		<u>\$322,020,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$326,054,000))
20		<u>\$266,654,000</u>
21	TOTAL APPROPRIATION	((\$649,813,000))
22		<u>\$588,674,000</u>

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

25 (1) Each general fund fiscal year appropriation includes such funds
26 as are necessary to complete the school year ending in the fiscal year
27 and for prior fiscal year adjustments.

28 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
29 shall allocate funding to school district programs for the
30 transportation of students as provided in RCW 28A.160.192.
31 Appropriations within this section reflect the insurance benefit
32 allocation rates of \$768.00 per month for the 2011-12 school year and
33 \$745.00 per month for the 2012-13 school year.

34 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
35 allocate funding to school districts programs for the transportation of
36 students as provided in section 505, chapter 564, Laws of 2009, as
37 amended through section 1404 of this act.

1 (3) Any amounts appropriated for maintenance level funding for
2 pupil transportation that exceed actual maintenance level expenditures
3 as calculated under the funding formula that takes effect September 1,
4 2011, shall be distributed to districts according to RCW
5 28A.160.192(2)(b).

6 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation
7 (~~and a maximum of \$892,000 of the fiscal year 2013 appropriation~~) may
8 be expended for regional transportation coordinators and related
9 activities. The transportation coordinators shall ensure that data
10 submitted by school districts for state transportation funding shall,
11 to the greatest extent practical, reflect the actual transportation
12 activity of each district.

13 (5) The office of the superintendent of public instruction shall
14 provide reimbursement funding to a school district for school bus
15 purchases only after the superintendent of public instruction
16 determines that the school bus was purchased from the list established
17 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process
18 based on the lowest price quote based on similar bus categories to
19 those used to establish the list pursuant to RCW 28A.160.195.

20 (6) The superintendent of public instruction shall base
21 depreciation payments for school district buses on the pre-sales tax
22 five-year average of lowest bids in the appropriate category of bus.
23 In the final year on the depreciation schedule, the depreciation
24 payment shall be based on the lowest bid in the appropriate bus
25 category for that school year.

26 (7) Funding levels in this section reflect waivers granted by the
27 state board of education for four-day school weeks as allowed under RCW
28 28A.305.141.

29 (8) Starting with the 2012-13 school year, the office of the
30 superintendent of public instruction shall disburse payments for bus
31 depreciation in August.

32 **Sec. 506.** 2011 1st sp.s. c 50 s 506 (uncodified) is amended to
33 read as follows:

34 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**
35 **PROGRAMS**

36	General Fund--State Appropriation (FY 2012)	\$7,111,000
37	General Fund--State Appropriation (FY 2013)	\$7,111,000

1	General Fund--Federal Appropriation	((\$437,988,000))
2		<u>\$436,400,000</u>
3	TOTAL APPROPRIATION	((\$452,210,000))
4		<u>\$450,622,000</u>

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

7 (1) \$7,111,000 of the general fund--state appropriation for fiscal
8 year 2012 and \$7,111,000 of the general fund--state appropriation for
9 fiscal year 2013 are provided solely for state matching money for
10 federal child nutrition programs, and may support the meals for kids
11 program through the following allowable uses:

12 (a) Elimination of breakfast copays for eligible public school
13 students and lunch copays for eligible public school students in grades
14 kindergarten through third grade who are eligible for reduced price
15 lunch;

16 (b) Assistance to school districts and authorized public and
17 private nonprofit organizations for supporting summer food service
18 programs, and initiating new summer food service programs in low-income
19 areas;

20 (c) Reimbursements to school districts for school breakfasts served
21 to students eligible for free and reduced price lunch, pursuant to
22 chapter 287, Laws of 2005; and

23 (d) Assistance to school districts in initiating and expanding
24 school breakfast programs.

25 The office of the superintendent of public instruction shall report
26 annually to the fiscal committees of the legislature on annual
27 expenditures in (a), (b), and (c) of this subsection.

28 **Sec. 507.** 2011 1st sp.s. c 50 s 507 (uncodified) is amended to
29 read as follows:

30 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
31 **PROGRAMS**

32	General Fund--State Appropriation (FY 2012)	((\$659,950,000))
33		<u>\$653,504,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$689,480,000))
35		<u>\$684,226,000</u>
36	General Fund--Federal Appropriation	((\$691,796,000))
37		<u>\$486,929,000</u>

1 Education Legacy Trust Account--State Appropriation \$756,000
 2 TOTAL APPROPRIATION ((~~\$2,041,982,000~~))
 3 \$1,825,415,000

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

6 (1) Funding for special education programs is provided on an excess
 7 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
 8 that special education students as a class receive their full share of
 9 the general apportionment allocation accruing through sections 502 and
 10 504 of this act. To the extent a school district cannot provide an
 11 appropriate education for special education students under chapter
 12 28A.155 RCW through the general apportionment allocation, it shall
 13 provide services through the special education excess cost allocation
 14 funded in this section.

15 (2)(a) The superintendent of public instruction shall ensure that:

16 (i) Special education students are basic education students first;

17 (ii) As a class, special education students are entitled to the
 18 full basic education allocation; and

19 (iii) Special education students are basic education students for
 20 the entire school day.

21 (b) The superintendent of public instruction shall continue to
 22 implement the full cost method of excess cost accounting, as designed
 23 by the committee and recommended by the superintendent, pursuant to
 24 section 501(1)(k), chapter 372, Laws of 2006.

25 (c) Beginning with the 2010-11 school year award cycle, the office
 26 of the superintendent of public instruction shall make award
 27 determinations for state safety net funding in August of each school
 28 year. Determinations on school district eligibility for state safety
 29 net awards shall be based on analysis of actual expenditure data from
 30 the current school year.

31 (3) Each fiscal year appropriation includes such funds as are
 32 necessary to complete the school year ending in the fiscal year and for
 33 prior fiscal year adjustments.

34 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent
 35 shall allocate funding to school district programs for special
 36 education students as provided in RCW 28A.150.390.

37 (b) From July 1, 2011 to August 31, 2011, the superintendent shall

1 allocate funding to school district programs for special education
2 students as provided in section 507, chapter 564, Laws of 2009, as
3 amended through section 1406 of this act.

4 (5) The following applies throughout this section: The definitions
5 for enrollment and enrollment percent are as specified in RCW
6 28A.150.390(3). Each district's general fund--state funded special
7 education enrollment shall be the lesser of the district's actual
8 enrollment percent or 12.7 percent.

9 (6) At the request of any interdistrict cooperative of at least 15
10 districts in which all excess cost services for special education
11 students of the districts are provided by the cooperative, the maximum
12 enrollment percent shall be calculated in accordance with RCW
13 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate
14 rather than individual district units. For purposes of this
15 subsection, the average basic education allocation per full-time
16 equivalent student shall be calculated in the aggregate rather than
17 individual district units.

18 (7) (~~(\$16,404,000)~~) \$8,914,000 of the general fund--state
19 appropriation for fiscal year 2012, (~~(\$30,807,000)~~) \$34,805,000 of the
20 general fund--state appropriation for fiscal year 2013, and \$29,574,000
21 of the general fund--federal appropriation are provided solely for
22 safety net awards for districts with demonstrated needs for special
23 education funding beyond the amounts provided in subsection (4) of this
24 section. If the federal safety net awards based on the federal
25 eligibility threshold exceed the federal appropriation in this
26 subsection (7) in any fiscal year, the superintendent shall expend all
27 available federal discretionary funds necessary to meet this need. At
28 the conclusion of each school year, the superintendent shall recover
29 safety net funds that were distributed prospectively but for which
30 districts were not subsequently eligible.

31 (a) For the 2011-12 and 2012-13 school years, safety net funds
32 shall be awarded by the state safety net oversight committee as
33 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

34 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
35 operate the safety net oversight committee and shall award safety net
36 funds as provided in section 507, chapter 564, Laws of 2009, as amended
37 through section 1406 of this act.

1 (8) A maximum of \$678,000 may be expended from the general fund--
2 state appropriations to fund 5.43 full-time equivalent teachers and 2.1
3 full-time equivalent aides at children's orthopedic hospital and
4 medical center. This amount is in lieu of money provided through the
5 home and hospital allocation and the special education program.

6 (9) The superintendent shall maintain the percentage of federal
7 flow-through to school districts at 85 percent. In addition to other
8 purposes, school districts may use increased federal funds for high-
9 cost students, for purchasing regional special education services from
10 educational service districts, and for staff development activities
11 particularly relating to inclusion issues.

12 (10) A school district may carry over from one year to the next
13 year up to 10 percent of the general fund--state funds allocated under
14 this program; however, carryover funds shall be expended in the special
15 education program.

16 (11) \$251,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$251,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for two additional full-time
19 equivalent staff to support the work of the safety net committee and to
20 provide training and support to districts applying for safety net
21 awards.

22 (12) \$50,000 of the general fund--state appropriation for fiscal
23 year 2012, \$50,000 of the general fund--state appropriation for fiscal
24 year 2013, and \$100,000 of the general fund--federal appropriation
25 shall be expended to support a special education ombudsman program
26 within the office of superintendent of public instruction.

27 **Sec. 508.** 2011 1st sp.s. c 50 s 508 (uncodified) is amended to
28 read as follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**
30 **DISTRICTS**

31	General Fund--State Appropriation (FY 2012)	(\$7,898,000)
32		<u>\$7,889,000</u>
33	General Fund--State Appropriation (FY 2013)	(\$7,917,000)
34		<u>\$7,771,000</u>
35	TOTAL APPROPRIATION	(\$15,815,000)
36		<u>\$15,660,000</u>

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

3 (1) The educational service districts shall continue to furnish
4 financial services required by the superintendent of public instruction
5 and RCW 28A.310.190 (3) and (4).

6 (2) Funding within this section is provided for regional
7 professional development related to mathematics and science curriculum
8 and instructional strategies. Funding shall be distributed among the
9 educational service districts in the same proportion as distributions
10 in the 2007-2009 biennium. Each educational service district shall use
11 this funding solely for salary and benefits for a certificated
12 instructional staff with expertise in the appropriate subject matter
13 and in professional development delivery, and for travel, materials,
14 and other expenditures related to providing regional professional
15 development support.

16 (3) The educational service districts, at the request of the state
17 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
18 receive and screen applications for school accreditation, conduct
19 school accreditation site visits pursuant to state board of education
20 rules, and submit to the state board of education post-site visit
21 recommendations for school accreditation. The educational service
22 districts may assess a cooperative service fee to recover actual plus
23 reasonable indirect costs for the purposes of this subsection.

24 **Sec. 509.** 2011 1st sp.s. c 50 s 509 (uncodified) is amended to
25 read as follows:

26 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
27 **ASSISTANCE**

28	General Fund--State Appropriation (FY 2012)	((\$303,337,000))
29		<u>\$300,761,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$308,445,000))
31		<u>\$147,391,000</u>
32	TOTAL APPROPRIATION	((\$611,782,000))
33		<u>\$448,152,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations: For purposes of RCW 84.52.0531, the
36 increase per full-time equivalent student is 3 percent from the 2010-11

1 school year to the 2011-12 school year and 5 percent from the 2011-12
2 school year to the 2012-13 school year.

3 **Sec. 510.** 2011 1st sp.s. c 50 s 510 (uncodified) is amended to
4 read as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
6 **EDUCATION PROGRAMS**

7	General Fund--State Appropriation (FY 2012)	((\$16,420,000))
8		<u>\$17,507,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$16,190,000))
10		<u>\$16,806,000</u>
11	TOTAL APPROPRIATION	((\$32,610,000))
12		<u>\$34,313,000</u>

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

15 (1) Each general fund--state fiscal year appropriation includes
16 such funds as are necessary to complete the school year ending in the
17 fiscal year and for prior fiscal year adjustments.

18 (2) State funding provided under this section is based on salaries
19 and other expenditures for a 220-day school year. The superintendent
20 of public instruction shall monitor school district expenditure plans
21 for institutional education programs to ensure that districts plan for
22 a full-time summer program.

23 (3) State funding for each institutional education program shall be
24 based on the institution's annual average full-time equivalent student
25 enrollment. Staffing ratios for each category of institution shall
26 remain the same as those funded in the 1995-97 biennium.

27 (4) The funded staffing ratios for education programs for juveniles
28 age 18 or less in department of corrections facilities shall be the
29 same as those provided in the 1997-99 biennium.

30 (5) ((~~\$509,000~~)) \$669,000 of the general fund--state appropriation
31 for fiscal year 2012 and ((~~\$509,000~~)) \$669,000 of the general fund--
32 state appropriation for fiscal year 2013 are provided solely to
33 maintain at least one certificated instructional staff and related
34 support services at an institution whenever the K-12 enrollment is not
35 sufficient to support one full-time equivalent certificated
36 instructional staff to furnish the educational program. The following
37 types of institutions are included: Residential programs under the

1 department of social and health services for developmentally disabled
2 juveniles, programs for juveniles under the department of corrections,
3 programs for juveniles under the juvenile rehabilitation
4 administration, and programs for juveniles operated by city and county
5 jails.

6 (6) Ten percent of the funds allocated for each institution may be
7 carried over from one year to the next.

8 **Sec. 511.** 2011 1st sp.s. c 50 s 511 (uncodified) is amended to
9 read as follows:

10 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

11	General Fund--State Appropriation (FY 2012)	(\$8,741,000)
12		<u>\$8,756,000</u>
13	General Fund--State Appropriation (FY 2013)	(\$8,794,000)
14		<u>\$8,695,000</u>
15	TOTAL APPROPRIATION	(\$17,535,000)
16		<u>\$17,451,000</u>

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

19 (1) Each general fund fiscal year appropriation includes such funds
20 as are necessary to complete the school year ending in the fiscal year
21 and for prior fiscal year adjustments.

22 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
23 shall allocate funding to school district programs for highly capable
24 students as provided in RCW 28A.150.260(10)(c). In calculating the
25 allocations, the superintendent shall assume the following: (i)
26 Additional instruction of 2.1590 hours per week per funded highly
27 capable program student; (ii) fifteen highly capable program students
28 per teacher; (iii) 36 instructional weeks per year; (iv) 900
29 instructional hours per teacher; and (v) the district's average staff
30 mix and compensation rates as provided in sections 503 and 504 of this
31 act.

32 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
33 allocate funding to school districts programs for highly capable
34 students as provided in section 511, chapter 564, Laws of 2009, as
35 amended through section 1409 of this act.

36 (3) \$85,000 of the general fund--state appropriation for fiscal

1 year 2012 and \$85,000 of the general fund--state appropriation for
2 fiscal year 2013 are provided solely for the centrum program at Fort
3 Worden state park.

4 **Sec. 512.** 2011 1st sp.s. c 50 s 512 (uncodified) is amended to
5 read as follows:

6 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO**
7 **CHILD LEFT BEHIND ACT**

8 General Fund--Federal Appropriation ((~~\$7,352,000~~))
9 \$6,152,000

10 **Sec. 513.** 2011 1st sp.s. c 50 s 513 (uncodified) is amended to
11 read as follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
13 **PROGRAMS**

14 General Fund--State Appropriation (FY 2012) ((~~\$58,078,000~~))
15 \$58,069,000

16 General Fund--State Appropriation (FY 2013) ((~~\$98,491,000~~))
17 \$82,049,000

18 General Fund--Federal Appropriation ((~~\$103,161,000~~))
19 \$219,154,000

20 General Fund--Private/Local Appropriation \$4,000,000

21 Education Legacy Trust Account--State Appropriation ((~~\$1,598,000~~))
22 \$1,597,000

23 TOTAL APPROPRIATION ((~~\$265,328,000~~))
24 \$364,869,000

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

27 (1) \$40,822,000 of the general fund--state appropriation for fiscal
28 year 2012, \$41,613,000 of the general fund--state appropriation for
29 fiscal year 2013, \$1,350,000 of the education legacy trust
30 account--state appropriation, and \$15,868,000 of the general fund--
31 federal appropriation are provided solely for development and
32 implementation of the Washington state assessment system, including:
33 (a) Development and implementation of retake assessments for high
34 school students who are not successful in one or more content areas and
35 (b) development and implementation of alternative assessments or
36 appeals procedures to implement the certificate of academic

1 achievement. The superintendent of public instruction shall report
2 quarterly on the progress on development and implementation of
3 alternative assessments or appeals procedures. Within these amounts,
4 the superintendent of public instruction shall contract for the early
5 return of 10th grade student assessment results, on or around June 10th
6 of each year. State funding shall be limited to one collection of
7 evidence payment per student, per content-area assessment.

8 (2) \$356,000 of the general fund--state appropriation for fiscal
9 year 2012 and (~~(\$356,000)~~) \$285,000 of the general fund--state
10 appropriation for fiscal year 2013 are provided solely for the
11 Washington state leadership and assistance for science education reform
12 (LASER) regional partnership activities coordinated at the Pacific
13 science center, including instructional material purchases, teacher and
14 principal professional development, and school and community engagement
15 events.

16 (3) \$980,000 of the general fund--state appropriation for fiscal
17 year 2012 and (~~(\$980,000)~~) \$784,000 of the general fund--state
18 appropriation for fiscal year 2013 are provided solely for improving
19 technology infrastructure, monitoring and reporting on school district
20 technology development, promoting standards for school district
21 technology, promoting statewide coordination and planning for
22 technology development, and providing regional educational technology
23 support centers, including state support activities, under chapter
24 28A.650 RCW.

25 (4) (~~(\$3,852,000)~~) \$3,843,000 of the general fund--state
26 appropriation for fiscal year 2012 and (~~(\$2,624,000)~~) \$2,606,000 of the
27 general fund--state appropriation for fiscal year 2013 are provided
28 solely for continued implementation of chapter 235, Laws of 2010
29 (education reform) including development of new performance-based
30 evaluation systems for certificated educators.

31 (5)(a) (~~(\$40,863,000)~~) \$32,100,000 of the general fund--state
32 appropriation for fiscal year 2013 is provided solely for the following
33 bonuses for teachers who hold valid, unexpired certification from the
34 national board for professional teaching standards and who are teaching
35 in a Washington public school, subject to the following conditions and
36 limitations:

37 (i) For national board certified teachers, a bonus of (~~(\$5,090)~~)

1 \$4,000 per teacher in the 2011-12 and 2012-13 school years(~~(, adjusted~~
2 ~~for inflation in each school year in which Initiative 732 cost of~~
3 ~~living adjustments are provided));~~

4 (ii) An additional (~~(\$5,000)~~) \$4,000 annual bonus shall be paid to
5 national board certified teachers who teach in either: (A) High
6 schools where at least 50 percent of student headcount enrollment is
7 eligible for federal free or reduced price lunch, (B) middle schools
8 where at least 60 percent of student headcount enrollment is eligible
9 for federal free or reduced price lunch, or (C) elementary schools
10 where at least 70 percent of student headcount enrollment is eligible
11 for federal free or reduced price lunch;

12 (iii) The superintendent of public instruction shall adopt rules to
13 ensure that national board certified teachers meet the qualifications
14 for bonuses under (a)(ii) of this subsection for less than one full
15 school year receive bonuses in a pro-rated manner. Beginning in the
16 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection
17 will be paid in July of each school year. Bonuses in (a)(i) and (ii)
18 of this subsection shall be reduced by a factor of 40 percent for first
19 year NBPTS certified teachers, to reflect the portion of the
20 instructional school year they are certified; and

21 (iv) During the 2011-12 and 2012-13 school years, and within
22 available funds, certificated instructional staff who have met the
23 eligibility requirements and have applied for certification from the
24 national board for professional teaching standards may receive a
25 conditional loan of two thousand dollars or the amount set by the
26 office of the superintendent of public instruction to contribute toward
27 the current assessment fee, not including the initial up-front
28 candidacy payment. The fee shall be an advance on the first annual
29 bonus under RCW 28A.405.415. The conditional loan is provided in
30 addition to compensation received under a district's salary schedule
31 and shall not be included in calculations of a district's average
32 salary and associated salary limitation under RCW 28A.400.200.
33 Recipients who fail to receive certification after three years are
34 required to repay the conditional loan. The office of the
35 superintendent of public instruction shall adopt rules to define the
36 terms for initial grant of the assessment fee and repayment, including
37 applicable fees. To the extent necessary, the superintendent may use

1 revenues from the repayment of conditional loan scholarships to ensure
2 payment of all national board bonus payments required by this section
3 in each school year.

4 (6) \$477,000 of the general fund--state appropriation for fiscal
5 year 2012 (~~and \$477,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2013 are~~) is provided solely for the leadership internship
7 program for superintendents, principals, and program administrators.

8 (7) \$950,000 of the general fund--state appropriation for fiscal
9 year 2012 and (~~(\$950,000)~~) \$760,000 of the general fund--state
10 appropriation for fiscal year 2013 are provided solely for the
11 Washington reading corps. The superintendent shall allocate reading
12 corps members to low-performing schools and school districts that are
13 implementing comprehensive, proven, research-based reading programs.
14 Two or more schools may combine their Washington reading corps
15 programs.

16 (8) \$810,000 of the general fund--state appropriation for fiscal
17 year 2012 and (~~(\$810,000)~~) \$648,000 of the general fund--state
18 appropriation for fiscal year 2013 are provided solely for the
19 development of a leadership academy for school principals and
20 administrators. The superintendent of public instruction shall
21 contract with an independent organization to design, field test, and
22 implement a state-of-the-art education leadership academy that will be
23 accessible throughout the state. Initial development of the content of
24 the academy activities shall be supported by private funds.
25 Semiannually the independent organization shall report on amounts
26 committed by foundations and others to support the development and
27 implementation of this program. Leadership academy partners shall
28 include the state level organizations for school administrators and
29 principals, the superintendent of public instruction, the professional
30 educator standards board, and others as the independent organization
31 shall identify.

32 (9) \$3,234,000 of the general fund--state appropriation for fiscal
33 year 2012 (~~and \$3,234,000 of the general fund--state appropriation for~~
34 ~~fiscal year 2013 are~~) is provided solely for grants to school
35 districts to provide a continuum of care for children and families to
36 help children become ready to learn. Grant proposals from school
37 districts shall contain local plans designed collaboratively with
38 community service providers. If a continuum of care program exists in

1 the area in which the school district is located, the local plan shall
2 provide for coordination with existing programs to the greatest extent
3 possible.

4 (10) \$1,500,000 of the general fund--state appropriation for fiscal
5 year 2012 (~~((and \$1,500,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2013 are))~~) is provided solely for the implementation of
7 chapter 288, Laws of 2011 (actual student success program), including
8 allocations to the opportunity internship program, the jobs for
9 America's graduates program, the building bridges program, services
10 provided by a college scholarship organization. Funding shall not be
11 used in the 2011-2013 fiscal biennium to provide awards for schools and
12 school districts.

13 (11) (~~(\$843,000)~~) \$859,000 of the general fund--state appropriation
14 for fiscal year 2012, (~~(\$848,000)~~) \$828,000 of the general fund--state
15 appropriation for fiscal year 2013, and \$247,000 of the education
16 legacy trust account--state appropriation are for administrative
17 support of education reform programs.

18 (12) \$2,000,000 of the general fund--state appropriation for fiscal
19 year 2012 and (~~(\$2,000,000)~~) \$1,600,000 of the general fund--state
20 appropriation for fiscal year 2013 are provided solely for a statewide
21 information technology (IT) academy program. This public-private
22 partnership will provide educational software, as well as IT
23 certification and software training opportunities for students and
24 staff in public schools.

25 (13) \$977,000 of the general fund--state appropriation for fiscal
26 year 2012 (~~((and \$977,000 of the general fund--state appropriation for~~
27 ~~fiscal year 2013 are))~~) is provided solely for secondary career and
28 technical education grants pursuant to chapter 170, Laws of 2008. If
29 equally matched by private donations, \$300,000 of the 2012
30 appropriation and \$300,000 of the 2013 appropriation shall be used to
31 support FIRST robotics programs.

32 (14) \$125,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$125,000 of the general fund--state appropriation for
34 fiscal year 2013 are provided solely for (a) staff at the office of the
35 superintendent of public instruction to coordinate and promote efforts
36 to develop integrated math, science, technology, and engineering
37 programs in schools and districts across the state; and (b) grants of

1 \$2,500 to provide twenty middle and high school teachers each year with
2 professional development training for implementing integrated math,
3 science, technology, and engineering programs in their schools.

4 (15) ~~\$135,000 of the general fund--state appropriation for fiscal~~
5 ~~year 2012 ((and \$135,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2013 are))~~ is provided solely for science, technology,
7 engineering and mathematics lighthouse projects, consistent with
8 chapter 238, Laws of 2010.

9 (16) \$1,000,000 of the general fund--state appropriation for fiscal
10 year 2012 (~~and \$1,000,000 of the general fund--state appropriation for~~
11 ~~fiscal year 2013 are)) is provided solely for a beginning educator~~

12 support program. School districts and/or regional consortia may apply
13 for grant funding. The superintendent shall implement this program in
14 5 to 15 school districts and/or regional consortia. The program
15 provided by a district and/or regional consortia shall include: A paid
16 orientation; assignment of a qualified mentor; development of a
17 professional growth plan for each beginning teacher aligned with
18 professional certification; release time for mentors and new teachers
19 to work together; and teacher observation time with accomplished peers.
20 \$250,000 may be used to provide statewide professional development
21 opportunities for mentors and beginning educators.

22 (17) \$250,000 of the general fund--state appropriation for fiscal
23 year 2013 is provided solely for advanced project lead the way courses
24 at ten high schools. To be eligible for funding, a high school must
25 have offered a foundational project lead the way course during the
26 2011-12 school year. The funding must be used for one-time start-up
27 course costs for an advanced project lead the way course, to be offered
28 to students beginning in the 2012-13 school year. The office of the
29 superintendent of public instruction and the education research and
30 data center at the office of financial management shall track student
31 participation and long-term outcome data.

32 (18) \$150,000 of the general fund--state appropriation for fiscal
33 year 2013 is provided solely for aerospace and manufacturing technical
34 programs housed at two skill centers. The one-time funding is provided
35 for start-up equipment and curriculum purchases. To be eligible for
36 funding, the skill center must agree to provide regional high schools
37 with access to a technology laboratory, expand manufacturing
38 certificate and course offerings at the skill center, and provide a

1 laboratory space for local high school teachers to engage in
2 professional development in the instruction of courses leading to
3 student employment certification in the aerospace and manufacturing
4 industries. The office of the superintendent of instruction shall
5 administer the grants in consultation with the center for excellence
6 for aerospace and advanced materials manufacturing.

7 (19) \$300,000 of the general fund--state appropriation for fiscal
8 year 2013 is provided solely for start-up grants to twelve high schools
9 to implement the aerospace assembler program. Participating high
10 schools must agree to offer the aerospace assembler training program to
11 students by spring semester of school year 2012-13. The office of the
12 superintendent of public instruction and the education research and
13 data center at the office of financial management shall track student
14 participation and long-term outcome data.

15 **Sec. 514.** 2011 1st sp.s. c 50 s 514 (uncodified) is amended to
16 read as follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
18 **BILINGUAL PROGRAMS**

19	General Fund--State Appropriation (FY 2012)	((\$83,959,000))
20		<u>\$79,496,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$88,580,000))
22		<u>\$81,558,000</u>
23	General Fund--Federal Appropriation	\$71,001,000
24	TOTAL APPROPRIATION	((\$243,540,000))
25		<u>\$232,055,000</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)(a) For the 2011-12 and 2012-13 school years, the superintendent
32 shall allocate funding to school districts for transitional bilingual
33 programs as provided in RCW 28A.150.260(10)(b). In calculating the
34 allocations, the superintendent shall assume the following averages:

35 (i) Additional instruction of 4.7780 hours per week per transitional
36 bilingual program student; (ii) fifteen transitional bilingual program
37 students per teacher; (iii) 36 instructional weeks per year; (iv) 900
38

1 instructional hours per teacher; and (v) the district's average staff
2 mix and compensation rates as provided in sections 503 and 504 of this
3 act.

4 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
5 allocate funding to school districts for transitional bilingual
6 instruction programs as provided in section 514, chapter 564, Laws of
7 2009, as amended through section 1411 of this act.

8 (c) The allocations in this section reflect the implementation of
9 a new funding formula for the transitional bilingual instructional
10 program, effective September 1, 2011, as specified in RCW
11 28A.150.260(10)(b).

12 (3) The superintendent may withhold (~~up to 3.0 percent of the~~
13 ~~school year~~) allocations to school districts in subsection (2) of this
14 section solely for the central provision of assessments as provided in
15 RCW 28A.180.090 (1) and (2) up to the following amounts: 2.65 percent
16 for school year 2011-12 and 1.92 percent for school year 2012-13.

17 (4) The general fund--federal appropriation in this section is for
18 migrant education under Title I Part C and English language
19 acquisition, and language enhancement grants under Title III of the
20 elementary and secondary education act.

21 (5)(a) The office of the superintendent of public instruction shall
22 implement a funding model for the transitional bilingual program,
23 beginning in school year 2012-13, that is scaled to provide more
24 support to students requiring most intensive intervention, (students
25 with beginning levels of English language proficiency) and less support
26 to students requiring less intervention. The funding model shall also
27 provide up to two years of bonus funding upon successful exit from the
28 bilingual program to facilitate successful transition to a standard
29 program of education.

30 (b) It is expected that per-pupil funding for level 2 proficiency
31 will be set at the same level as would have been provided statewide
32 prior to establishing differential per-pupil amounts; level 1 will be
33 125 percent of level 2; level 3 through the level prior to exit will be
34 75 percent of level 2; and two bonus years upon successful
35 demonstration of proficiency will be 100 percent of level 2. Prior to
36 implementing in school year 2012-13, the office of the superintendent
37 of public instruction shall provide to the senate and house of
38 representatives ways and means committees recommended rates based on

1 the results of proficiency test procurement, expressed as both per-
2 pupil rates and hours of instruction as provided in RCW
3 28A.150.260(10)(b).

4 (c) Each bilingual student shall be tested for proficiency level
5 and, therefore, eligibility for the transitional bilingual program each
6 year. The bonus payments for up to two school years following
7 successful exit from the transitional bilingual program shall be
8 allocated to the exiting school district. If the student graduates or
9 transfers to another district prior to the district receiving both
10 years' bonuses, the district shall receive the bonus for only the
11 length of time the student remains enrolled in the exiting district.

12 (d) The quality education council shall examine the revised
13 funding model developed under this subsection and provide a report to
14 the education and fiscal committees of the legislature by December 1,
15 2011, that includes recommendations for:

16 (i) Changing the prototypical school funding formula for the
17 transitional bilingual program to align with the revised model in an
18 accurate and transparent manner;

19 (ii) Reconciling the revised model with statutory requirements for
20 categorical funding of the transitional bilingual instructional program
21 that is restricted to students eligible for and enrolled in that
22 program;

23 (iii) Clarifying the elements of the transitional bilingual
24 instructional program that fall under the definition of basic education
25 and the impact of the revised model on them; and

26 (iv) The extent that the disparate financial impact of the revised
27 model on different school districts should be addressed and options for
28 addressing it.

29 (e) The office of the superintendent of public instruction shall
30 report to the senate and house of representatives ways and means
31 committees and education committees annually by December 31st of each
32 year, through 2018, regarding any measurable changes in proficiency,
33 time-in-program, and transition experience.

34 (6) \$35,000 of the general fund--state appropriation for fiscal
35 year 2012 and \$35,000 of the general fund--state appropriation for
36 fiscal year 2013 are provided solely to track current and former
37 transitional bilingual program students.

1 **Sec. 515.** 2011 1st sp.s. c 50 s 515 (uncodified) is amended to
2 read as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
4 **ASSISTANCE PROGRAM**

5	General Fund--State Appropriation (FY 2012)	((\$102,104,000))
6		<u>\$102,470,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$102,137,000))
8		<u>\$101,634,000</u>
9	General Fund--Federal Appropriation	((\$581,207,000))
10		<u>\$492,207,000</u>
11	Education Legacy Trust Account--State Appropriation	\$47,980,000
12	TOTAL APPROPRIATION	((\$833,428,000))
13		<u>\$744,291,000</u>

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

16 (1) The general fund--state appropriations in this section are
17 subject to the following conditions and limitations:

18 (a) The appropriations include such funds as are necessary to
19 complete the school year ending in the fiscal year and for prior fiscal
20 year adjustments.

21 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
22 shall allocate funding to school districts for learning assistance
23 programs as provided in RCW 28A.150.260(10)(a). In calculating the
24 allocations, the superintendent shall assume the following averages:
25 (A) Additional instruction of 1.51560 hours per week per funded
26 learning assistance program student; (B) fifteen learning assistance
27 program students per teacher; (C) 36 instructional weeks per year; (D)
28 900 instructional hours per teacher; and (E) the district's average
29 staff mix and compensation rates as provided in sections 503 and 504 of
30 this act.

31 (ii) From July 1, 2011, to August 31, 2011, the superintendent
32 shall allocate funding to school districts for learning assistance
33 programs as provided in section 515, chapter 564, Laws of 2009, as
34 amended through section 1412 of this act.

35 (c) A school district's funded students for the learning assistance
36 program shall be the sum of the district's full-time equivalent
37 enrollment in grades K-12 for the prior school year multiplied by the

1 district's percentage of October headcount enrollment in grades K-12
2 eligible for free or reduced price lunch in the prior school year.

3 (2) Allocations made pursuant to subsection (1) of this section
4 shall be adjusted to reflect ineligible applications identified through
5 the annual income verification process required by the national school
6 lunch program, as recommended in the report of the state auditor on the
7 learning assistance program dated February, 2010.

8 (3) The general fund--federal appropriation in this section is
9 provided for Title I Part A allocations of the no child left behind act
10 of 2001.

11 (4) A school district may carry over from one year to the next up
12 to 10 percent of the general fund-state or education legacy trust funds
13 allocated under this program; however, carryover funds shall be
14 expended for the learning assistance program.

15 (5) The office of the superintendent of public instruction shall
16 research and recommend options for an adjustment factor for middle
17 school and high school free and reduced price lunch eligibility
18 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report
19 to the fiscal committees of the legislature by June 1, 2012. For the
20 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

21 **Sec. 516.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to
22 read as follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

24 (1) Amounts distributed to districts by the superintendent through
25 part V of this act are for allocations purposes only and do not entitle
26 a particular district, district employee, or student to a specific
27 service, beyond what has been expressly provided in statute. Part V of
28 this act restates the requirements of various sections of Title 28A
29 RCW. If any conflict exists, the provisions of Title 28A RCW control
30 unless this act explicitly states that it is providing an enhancement.

31 Any amounts provided in part V of this act in excess of the amounts
32 required by Title 28A RCW provided in statute, are not within the
33 program of basic education.

34 (2) To the maximum extent practicable, when adopting new or revised
35 rules or policies relating to the administration of allocations in part
36 V of this act that result in fiscal impact, the office of the

1 superintendent of public instruction shall attempt to seek legislative
2 approval through the budget request process.

3 (3) Appropriations made in this act to the office of the
4 superintendent of public instruction shall initially be allotted as
5 required by this act. Subsequent allotment modifications shall not
6 include transfers of moneys between sections of this act except as
7 expressly provided in subsection (4) of this section.

8 (4) The appropriations to the office of the superintendent of
9 public instruction in this act shall be expended for the programs and
10 amounts specified in this act. However, after May 1, 2012, unless
11 specifically prohibited by this act and after approval by the director
12 of financial management, the superintendent of public instruction may
13 transfer state general fund appropriations for fiscal year 2012 among
14 the following programs to meet the apportionment schedule for a
15 specified formula in another of these programs: General apportionment;
16 employee compensation adjustments; pupil transportation; special
17 education programs; institutional education programs; transitional
18 bilingual programs; and learning assistance programs.

19 (5) The director of financial management shall notify the
20 appropriate legislative fiscal committees in writing prior to approving
21 any allotment modifications or transfers under this section.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2011 1st sp.s. c 50 s 604 (uncodified) is amended to read as follows:

STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

In order to operate within the state funds appropriated in this act, the state board for community and technical colleges and the trustees of the state's community and technical colleges are authorized to adopt and adjust tuition and fees for the 2011-12 and 2012-13 academic years as provided in this section:

(1) The state board may increase the tuition fees charged to resident undergraduate students by no more than twelve percent over the amounts charged to resident undergraduates during the prior academic year. The board may increase tuition fees under this subsection differentially based on student credit hour load, provided that the overall increase in average tuition revenue per student does not exceed twelve percent each year. If the board adopts differential tuition rates, as authorized in section 3(2), chapter 10, Laws of 2011, those tuition rates shall not be included in the calculation of average tuition increase for the purposes of the section. In no case shall a differential tuition rate exceed the highest rate charged by a public baccalaureate institution.

(2) The state board may increase the tuition fees charged to resident undergraduates enrolled in upper division applied baccalaureate programs by no more than twelve percent over the amounts charged during the prior academic year.

(3) The state board may increase the tuition fees charged to nonresident students by amounts judged reasonable and necessary by the board.

(4) The trustees of the technical colleges are authorized to either (a) increase operating fees by no more than the percentage increases authorized for community colleges by the state board; or (b) fully adopt the tuition fee charge schedule adopted by the state board for community colleges.

(5) For academic years 2011-2012 and 2012-2013, the trustees of the

1 technical colleges are authorized to increase building fees by an
2 amount judged reasonable in order to progress toward parity with the
3 building fees charged students attending the community colleges.

4 (6) The state board is authorized to increase the maximum allowable
5 services and activities fee as provided in RCW 28B.15.069. The
6 trustees of the community and technical colleges are authorized to
7 increase services and activities fees up to the maximum level
8 authorized by the state board.

9 (7) The trustees of the community and technical colleges are
10 authorized to adopt or increase charges for fee-based, self-sustaining
11 programs such as summer session, international student contracts, and
12 special contract courses by amounts judged reasonable and necessary by
13 the trustees.

14 (8) The trustees of the community and technical colleges are
15 authorized to adopt or increase special course and lab fees to the
16 extent necessary to cover the reasonable and necessary exceptional cost
17 of the course or service.

18 (9) The trustees of the community and technical colleges are
19 authorized to adopt or increase administrative fees such as but not
20 limited to those charged for application, matriculation, special
21 testing, and transcripts by amounts judged reasonable and necessary by
22 the trustees.

23 **Sec. 602.** 2011 1st sp.s. c 50 s 605 (uncodified) is amended to
24 read as follows:

25 **FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

26	General Fund--State Appropriation (FY 2012)	((\$533,355,000))
27		<u>\$532,889,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$525,998,000))
29		<u>\$445,824,000</u>
30	Community/Technical College Capital Projects	
31	Account--State Appropriation	\$8,037,000
32	Education Legacy Trust Account--State	
33	Appropriation	((\$95,370,000))
34		<u>\$95,313,000</u>
35	TOTAL APPROPRIATION	((\$1,162,760,000))
36		<u>\$1,082,063,000</u>

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

3 (1) \$28,761,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$28,761,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely as special funds for training and
6 related support services, including financial aid, as specified in RCW
7 28C.04.390. Funding is provided to support at least 6,200 full-time
8 equivalent students in fiscal year 2012 and at least 6,200 full-time
9 equivalent students in fiscal year 2013.

10 (2) \$2,725,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$2,725,000 of the general fund--state appropriation for
12 fiscal year 2013 are provided solely for administration and customized
13 training contracts through the job skills program. The state board
14 shall make an annual report by January 1st of each year to the governor
15 and to the appropriate policy and fiscal committees of the legislature
16 regarding implementation of this section, listing the scope of grant
17 awards, the distribution of funds by educational sector and region of
18 the state, and the results of the partnerships supported by these
19 funds.

20 ~~((+4))~~ (3) \$4,500,000 of the general fund--state appropriation for
21 fiscal year 2012 and \$4,500,000 of the general fund--state
22 appropriation for fiscal year 2013 is provided solely for worker
23 retraining.

24 ~~((+5))~~ (4) Of the amounts appropriated in this section, \$5,000,000
25 is provided solely for the student achievement initiative.

26 ~~((+6))~~ (5) When implementing the appropriations in this section,
27 the state board and the trustees of the individual community and
28 technical colleges shall minimize impact on academic programs, maximize
29 reductions in administration, and shall at least maintain, and endeavor
30 to increase, enrollment opportunities and degree and certificate
31 production in high employer-demand fields of study at their academic
32 year 2008-09 levels.

33 ~~((+7))~~ (6) Community and technical colleges are not required to
34 send mass mailings of course catalogs to residents of their districts.
35 Community and technical colleges shall consider lower cost
36 alternatives, such as mailing postcards or brochures that direct
37 individuals to online information and other ways of acquiring print
38 catalogs.

1 ~~((+8))~~ (7) Bellevue college is authorized to offer applied
 2 baccalaureate degrees in information technology, health care services
 3 and management, biotechnology, and preprofessional preparation for
 4 medical fields. These degrees shall be directed at high school
 5 graduates and transfer-oriented degree and professional and technical
 6 degree holders. In fiscal year 2012, Bellevue college will develop a
 7 two-year plan for offering these new degrees. The plan will assume
 8 funding for these new degrees shall come through redistribution of its
 9 current per full-time enrollment funding. The plan shall be delivered
 10 to the legislature by June 30, 2012.

11 ~~((+9))~~ (8) The Seattle community college district is authorized to
 12 offer applied baccalaureate degree programs in business/international
 13 business and technology management, interactive and artistic digital
 14 media, sustainability, building science technology, and allied and
 15 global health. These degrees shall be directed at high school
 16 graduates and professional and technical degree holders. In fiscal
 17 year 2012, Seattle community colleges shall develop a two-year plan for
 18 offering these new degrees. The plan will assume that funding for
 19 these new degrees comes through redistribution of its current per full-
 20 time enrollment funding. The plan shall be delivered to the
 21 legislature by June 30, 2012.

22 **Sec. 603.** 2011 1st sp.s. c 50 s 606 (uncodified) is amended to
 23 read as follows:

24 **FOR THE UNIVERSITY OF WASHINGTON**

25	General Fund--State Appropriation (FY 2012)	((\$201,471,000))
26		<u>\$201,258,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$206,523,000))
28		<u>\$169,984,000</u>
29	Education Legacy Trust Account--State Appropriation	\$18,579,000
30	((University of Washington Building Account--State	
31	Appropriation	\$239,000))
32	<u>Economic Development Strategic Reserve Account--State</u>	
33	<u>Appropriation</u>	<u>\$1,500,000</u>
34	Biotoxin Account--State Appropriation	\$450,000
35	Accident Account--State Appropriation	((\$6,699,000))
36		<u>\$6,690,000</u>
37	Medical Aid Account--State Appropriation	((\$6,502,000))

1 \$6,495,000
2 TOTAL APPROPRIATION ((~~\$440,463,000~~))
3 \$404,956,000

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

6 (1) In implementing the appropriations in this section, the
7 president and regents shall seek to minimize impacts on student
8 services and instructional programs by maximizing reductions in
9 administration and other noninstructional activities.

10 (2) \$150,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$150,000 of the general fund--state appropriation for
12 fiscal year 2013 are provided solely for the development of integrated
13 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho
14 (WWAMI) medical education program in Spokane and eastern Washington.
15 Funding is contingent on appropriations being provided to Washington
16 State University for WWAMI program expansion in Spokane and eastern
17 Washington.

18 (3) \$52,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$52,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for the center for international
21 trade in forest products in the college of forest resources.

22 (4) \$88,000 of the general fund--state appropriation for fiscal
23 year 2012 is provided solely for implementation of Engrossed Second
24 Substitute Senate Bill No. 5485 (state's natural resources). If the
25 bill is not enacted by June 30, 2011, the amount provided in this
26 subsection shall lapse.

27 (5) \$143,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$144,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for the ongoing management of the
30 Washington park arboretum.

31 (6) \$3,800,000 of the general fund--state appropriation for fiscal
32 year 2013 is provided solely to increase student FTEs in the
33 university's college of engineering by 425.

34 (7) \$1,500,000 of the economic development strategic reserve
35 account--state appropriation is provided solely to create the center
36 for aerospace technology innovation to advance research on new
37 technologies for innovative products in aviation, aerospace, and
38 defense.

1 General Fund--State Appropriation (FY 2013) (~~(\$26,589,000)~~)
2 \$20,427,000
3 Education Legacy Trust Account--State Appropriation \$16,087,000
4 TOTAL APPROPRIATION (~~(\$68,957,000)~~)
5 \$62,759,000

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 noninstructional activities.

12 (2) At least \$200,000 of the general fund--state appropriation for
13 fiscal year 2012 and at least \$200,000 of the general fund--state
14 appropriation for fiscal year 2013 shall be expended on the Northwest
15 autism center.

16 **Sec. 606.** 2011 1st sp.s. c 50 s 609 (uncodified) is amended to
17 read as follows:

18 **FOR CENTRAL WASHINGTON UNIVERSITY**

19 General Fund--State Appropriation (FY 2012) (~~(\$22,492,000)~~)
20 \$22,453,000
21 General Fund--State Appropriation (FY 2013) (~~(\$22,573,000)~~)
22 \$16,858,000
23 Education Legacy Trust Account--State Appropriation \$19,076,000
24 TOTAL APPROPRIATION (~~(\$64,141,000)~~)
25 \$58,387,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: In implementing the appropriations in this
28 section, the president and governing board shall seek to minimize
29 impacts on student services and instructional programs by maximizing
30 reductions in administration and other noninstructional activities.

31 **Sec. 607.** 2011 1st sp.s. c 50 s 610 (uncodified) is amended to
32 read as follows:

33 **FOR THE EVERGREEN STATE COLLEGE**

34 General Fund--State Appropriation (FY 2012) (~~(\$15,698,000)~~)
35 \$15,583,000
36 General Fund--State Appropriation (FY 2013) (~~(\$15,366,000)~~)

1		<u>\$12,183,000</u>
2	Education Legacy Trust Account--State Appropriation	\$5,450,000
3	TOTAL APPROPRIATION	((\$36,514,000))
4		<u>\$33,216,000</u>

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

7 (1) In implementing the appropriations in this section, the
8 president and governing board shall seek to minimize impacts on student
9 services and instructional programs by maximizing reductions in
10 administration and other noninstructional activities.

11 (2) \$50,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$25,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for the Washington state institute
14 for public policy to conduct a detailed study of the commitment of
15 sexually violent predators to the special commitment center pursuant to
16 chapter 71.09 RCW and the subsequent release of those persons to
17 less-restrictive alternatives.

18 (a) Specifically, the institute's study shall examine:

19 (i) The projected future demand for the special commitment center,
20 including profiles and characteristics of persons referred and
21 committed to the special commitment center since its inception, whether
22 the profiles of those persons have changed over time, and, given
23 current trends, the likelihood of the continuing rate of referral;

24 (ii) Residents' participation in treatment over time and the impact
25 of treatment on eventual release to a less-restrictive alternative;

26 (iii) The annual review process and the process for a committed
27 person to petition for conditional or unconditional release,
28 specifically:

29 (A) The time frames for conducting mandatory reviews;

30 (B) The role of the special commitment center clinical team;

31 (C) Options and standards utilized by other jurisdictions or
32 similar processes to conduct periodic reviews, including specialized
33 courts, parole boards, independent review boards, and other commitment
34 proceedings;

35 (iv) The capacity and future demand for appropriate less
36 restrictive alternatives for moving residents out of the special
37 commitment center, including:

1 (A) The capacity and demand for secure community transition
2 facilities;

3 (B) Options for specialized populations such as the elderly or
4 those with developmental disabilities and whether more cost-efficient
5 options might be used to house those populations while keeping the
6 public safe;

7 (C) Prospects for moving residents to noninstitutionalized settings
8 beyond a secure community transition facility.

9 (b) The department of social and health services shall cooperate
10 with the institute in conducting its examination and must provide the
11 institute with requested data and records in a timely manner.

12 (c) The institute shall provide a status report to the governor and
13 the legislature no later than November 1, 2011, with a final report due
14 no later than November 1, 2012.

15 (~~(+4)~~) (3) \$50,000 of the general fund--state appropriation for
16 fiscal year 2012 and \$50,000 of the general fund--state appropriation
17 for fiscal year 2013 are provided solely for the institute for public
18 policy to provide research support to the council on quality education.

19 (~~(+5)~~) (4) To the extent federal or private funding is available
20 for this purpose, the Washington state institute for public policy and
21 the center for reinventing public education at the University of
22 Washington shall examine the relationship between participation in
23 pension systems and teacher quality and mobility patterns in the state.
24 The department of retirement systems shall facilitate researchers'
25 access to necessary individual-level data necessary to effectively
26 conduct the study. The researchers shall ensure that no individually
27 identifiable information will be disclosed at any time. An interim
28 report on project findings shall be completed by November 15, 2010, and
29 a final report shall be submitted to the governor and to the relevant
30 committees of the legislature by October 15, 2011.

31 (~~(+6)~~) (5) Funding provided in this section is sufficient for The
32 Evergreen State College to continue operations of the Longhouse Center
33 and the Northwest Indian applied research institute.

34 (~~(+7)~~) (6) If, and to the extent that private funding is available
35 for this purpose, the Washington state institute for public policy
36 shall study and report on the child welfare and educational
37 characteristics and outcomes for foster youth who are served by
38 educational advocates. The department of social and health services

1 and the office of the superintendent of public instruction shall
2 facilitate researchers' access to data necessary to effectively
3 complete the study. The institute shall submit an interim report with
4 baseline characteristics of youth served by educational advocates by
5 December 2011 and a final report by October 31, 2012, to the governor
6 and to the appropriate committees of the legislature.

7 ((+8)) (7) \$75,000 of the general fund--state appropriation for
8 fiscal year 2012 is provided to the Washington state institute for
9 public policy (WSIPP) to conduct a review of state investments in the
10 family caregiver and support program. Funding for this program is
11 provided by assumed savings from diverting seniors from entering into
12 long-term care medicaid placements by supporting informal caregivers.
13 WSIPP shall work with the department of social and health services to
14 establish and review outcome data for this investment. A preliminary
15 report on the outcomes of the investment into this program is due to
16 the appropriate legislative committees by December 15, 2011, and a
17 final report is due to the appropriate legislative committees by August
18 30, 2012.

19 **Sec. 608.** 2011 1st sp.s. c 50 s 611 (uncodified) is amended to
20 read as follows:

21 **FOR WESTERN WASHINGTON UNIVERSITY**

22 General Fund--State Appropriation (FY 2012)	((\$33,709,000))
	<u>\$33,732,000</u>
24 General Fund--State Appropriation (FY 2013)	((\$33,654,000))
	<u>\$26,254,000</u>
26 Education Legacy Trust Account--State	
27 Appropriation	((\$13,266,000))
	<u>\$13,235,000</u>
29 TOTAL APPROPRIATION	((\$80,629,000))
	<u>\$73,221,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations: In implementing the appropriations in this
33 section, the president and governing board shall seek to minimize
34 impacts on student services and instructional programs by maximizing
35 reductions in administration and other noninstructional activities.

1 **Sec. 609.** 2011 1st sp.s. c 50 s 612 (uncodified) is amended to
2 read as follows:

3 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
4 **ADMINISTRATION**

5	General Fund--State Appropriation (FY 2012)	((\$1,041,000))
6		<u>\$1,042,000</u>
7	General Fund--Federal Appropriation	\$1,976,000
8	TOTAL APPROPRIATION	((\$3,017,000))
9		<u>\$3,018,000</u>

10 The appropriations in this section are subject to the following
11 conditions and limitations: The higher education coordinating board is
12 authorized to increase or establish fees for initial degree
13 authorization, degree authorization renewal, degree authorization
14 reapplication, new program applications, and new site applications
15 pursuant to RCW 28B.85.060.

16 **Sec. 610.** 2011 1st sp.s. c 50 s 613 (uncodified) is amended to
17 read as follows:

18 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
19 **PROGRAMS**

20	General Fund--State Appropriation (FY 2012)	\$217,939,000
21	General Fund--Federal Appropriation	((\$6,570,000))
22		<u>\$5,829,000</u>
23	Opportunity Pathways Account--State Appropriation	\$73,500,000
24	TOTAL APPROPRIATION	((\$298,009,000))
25		<u>\$297,268,000</u>

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

28 (1) ((~~\$196,214,000~~)) \$201,911,000 of the general fund--state
29 appropriation for fiscal year 2012((~~7~~)) and \$73,500,000 of the
30 opportunity pathways account--state appropriation((~~7~~ and ~~\$740,000~~ of
31 the general fund federal appropriation)) are provided solely for
32 student financial aid payments under the state need grant and the state
33 work study program including up to a four percent administrative
34 allowance for the state work study program.

35 (2)((~~a~~)) Within the funds appropriated in this section,
36 eligibility for the state need grant shall include students with family
37 incomes at or below 70 percent of the state median family income (MFI),

1 adjusted for family size, and shall include students enrolled in three
2 to five credit-bearing quarter credits, or the equivalent semester
3 credits. The higher education coordinating board shall report to the
4 legislature by December 1, 2013, regarding the number of students
5 enrolled in three to five credit-bearing quarter credits, or the
6 equivalent semester credits, and their academic progress including
7 degree completion. Awards for all students shall be adjusted by the
8 estimated amount by which Pell grant increases exceed projected
9 increases in the noninstructional costs of attendance. Awards for
10 students with incomes between 51 and 70 percent of the state median
11 shall be prorated at the following percentages of the award amount
12 granted to those with incomes below 51 percent of the MFI: 70 percent
13 for students with family incomes between 51 and 55 percent MFI; 65
14 percent for students with family incomes between 56 and 60 percent MFI;
15 60 percent for students with family incomes between 61 and 65 percent
16 MFI; and 50 percent for students with family incomes between 66 and 70
17 percent MFI.

18 (3) For fiscal year 2012, the board shall defer loan or conditional
19 scholarship repayments to the future teachers conditional scholarship
20 and loan repayment program for up to one year for each participant if
21 the participant has shown evidence of efforts to find a teaching job
22 but has been unable to secure a teaching job per the requirements of
23 the program.

24 ~~((+5))~~ (4) \$500,000 of the general fund--state appropriation for
25 fiscal year 2012 is provided solely for the leadership 1000 program.

26 ~~((+6))~~ (5) \$2,436,000 of the general fund--state appropriation for
27 fiscal year 2012 is provided solely for the passport to college
28 program. The maximum scholarship award shall be \$5,000. The board
29 shall contract with a nonprofit organization to provide support
30 services to increase student completion in their postsecondary program
31 and shall, under this contract provide a minimum of \$500,000 in fiscal
32 year 2012.

33 ~~((+7))~~ (6) \$250,000 of the general fund--state appropriation for
34 fiscal year 2012 is provided solely for implementation of the aerospace
35 training scholarship and student loan program as specified in Engrossed
36 Substitute House Bill No. 1846 (aerospace student loans). If this bill
37 is not enacted by June 30, 2011, the amount provided in this subsection
38 shall lapse.

1 **Sec. 611.** 2011 1st sp.s. c 50 s 614 (uncodified) is amended to
2 read as follows:

3 **FOR THE COUNCIL FOR HIGHER EDUCATION**

4	General Fund--State Appropriation (FY 2013)	((\$997,000))
5		<u>\$988,000</u>
6	General Fund--Federal Appropriation	\$2,377,000
7	TOTAL APPROPRIATION	((\$3,374,000))
8		<u>\$3,365,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The council for higher education is
11 authorized to increase or establish fees for initial degree
12 authorization, degree authorization renewal, degree authorization
13 reapplication, new program applications, and new site applications
14 pursuant to RCW 28B.85.060.

15 **Sec. 612.** 2011 1st sp.s. c 50 s 615 (uncodified) is amended to
16 read as follows:

17 **FOR THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

18	General Fund--State Appropriation (FY 2013)	((\$247,932,000))
19		<u>\$239,838,000</u>
20	General Fund--Federal Appropriation	((\$6,557,000))
21		<u>\$5,814,000</u>
22	Washington Opportunity Pathways Account--State	
23	Appropriation	\$73,500,000
24	TOTAL APPROPRIATION	((\$327,989,000))
25		<u>\$319,152,000</u>

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

28 (1) ((~~\$230,889,000~~)) \$230,434,000 of the general fund--state
29 appropriation for fiscal year 2013((~~7~~)) and \$73,500,000 of the
30 opportunity pathways account--state appropriation((~~7~~ and ~~\$740,000~~ of
31 the general fund federal appropriation)) are provided solely for
32 student financial aid payments under the state need grant ((and the
33 state work study program including up to a four percent administrative
34 allowance for the state work study)) program.

35 (2) Within the funds appropriated in this section, eligibility for
36 the state need grant shall include students with family incomes at or
37 below 70 percent of the state median family income (MFI), adjusted for

1 family size, and shall include students enrolled in three to five
2 credit-bearing quarter credits, or the equivalent semester credits.
3 The office of student financial assistance shall report to the
4 legislature by December 1, 2013, regarding the number of students
5 enrolled in three to five credit-bearing quarter credits, or the
6 equivalent semester credits, and their academic progress including
7 degree completion. Awards for all students shall be adjusted by the
8 estimated amount by which Pell grant increases exceed projected
9 increases in the noninstructional costs of attendance. Awards for
10 students with incomes between 51 and 70 percent of the state median
11 shall be prorated at the following percentages of the award amount
12 granted to those with incomes below 51 percent of the MFI: 70 percent
13 for students with family incomes between 51 and 55 percent MFI; 65
14 percent for students with family incomes between 56 and 60 percent MFI;
15 60 percent for students with family incomes between 61 and 65 percent
16 MFI; and 50 percent for students with family incomes between 66 and 70
17 percent MFI.

18 (3) \$250,000 of the general fund--state appropriation for fiscal
19 year 2013 is provided solely for implementation of the aerospace
20 training scholarship and student loan program as specified in Engrossed
21 Substitute House Bill No. 1846 (aerospace student loans). If this bill
22 is not enacted by June 30, 2011, the amount provided in this subsection
23 shall lapse.

24 (4) For fiscal year 2013, the board shall defer loan or conditional
25 scholarship repayments to the future teachers conditional scholarship
26 and loan repayment program for up to one year for each participant if
27 the participant has shown evidence of efforts to find a teaching job
28 but has been unable to secure a teaching job per the requirements of
29 the program.

30 ~~(5) ((\$1,000,000 of the education legacy trust account--state~~
31 ~~appropriation is provided solely for the gaining early awareness and~~
32 ~~readiness for undergraduate programs project.~~

33 ~~(6))~~ \$500,000 of the general fund--state appropriation for fiscal
34 year 2013 is provided solely for the leadership 1000 program.

35 ~~((7))~~ (6) \$2,436,000 of the general fund--state appropriation for
36 fiscal year 2013 is provided solely for the passport to college
37 program. The maximum scholarship award shall be \$5,000. The board
38 shall contract with a nonprofit organization to provide support

1 services to increase student completion in their postsecondary program
2 and shall, under this contract provide a minimum of \$500,000 in fiscal
3 year 2013 for this purpose.

4 **Sec. 613.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to
5 read as follows:

6 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

7	General Fund--State Appropriation (FY 2012)	((\$1,382,000))
8		<u>\$1,335,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$1,388,000))
10		<u>\$1,355,000</u>
11	General Fund--Federal Appropriation	((\$62,758,000))
12		<u>\$62,804,000</u>
13	TOTAL APPROPRIATION	((\$65,528,000))
14		<u>\$65,494,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations: For the 2011-2013 fiscal biennium the
17 board shall not designate recipients of the Washington award for
18 vocational excellence or recognize them at award ceremonies as provided
19 in RCW 28C.04.535.

20 **Sec. 614.** 2011 1st sp.s. c 50 s 617 (uncodified) is amended to
21 read as follows:

22 **FOR THE DEPARTMENT OF EARLY LEARNING**

23	General Fund--State Appropriation (FY 2012)	((\$27,570,000))
24		<u>\$25,013,000</u>
25	General Fund--State Appropriation (FY 2013)	((\$27,557,000))
26		<u>\$23,608,000</u>
27	General Fund--Federal Appropriation	((\$253,530,000))
28		<u>\$256,711,000</u>
29	Opportunity Pathways Account--State Appropriation	\$80,000,000
30	TOTAL APPROPRIATION	((\$388,657,000))
31		<u>\$390,800,000</u>

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

34 (1) \$16,028,000 of the general fund--state appropriation for fiscal
35 year 2012, \$16,028,000 of the general fund--state appropriation of
36 fiscal year 2013, \$80,000,000 of the opportunity pathways account

1 appropriation, and \$2,256,000 of the general fund--federal
2 appropriation are provided solely for the early childhood education
3 assistance program services. Of these amounts, \$10,284,000 is a
4 portion of the biennial amount of state maintenance of effort dollars
5 required to receive federal child care and development fund grant
6 dollars.

7 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the
8 department is authorized to increase child care center and child care
9 family home licensure fees in fiscal years 2012 and 2013 for costs to
10 the department for the licensure activity, including costs of necessary
11 inspection. These increases are necessary to support expenditures
12 authorized in this section.

13 ~~(3) ((\$638,000 of the general fund--state appropriation for fiscal~~
14 ~~year 2012 and \$638,000 of the general fund--state appropriation for~~
15 ~~fiscal year 2013 are provided solely for child care resource and~~
16 ~~referral network services.~~

17 ~~(4) \$200,000 of the general fund--state appropriation for fiscal~~
18 ~~year 2012 and \$200,000 of the general fund--state appropriation for~~
19 ~~fiscal year 2013 are provided solely to develop and provide culturally~~
20 ~~relevant supports for parents, family, and other caregivers.~~

21 (+5)) The department is the lead agency for and recipient of the
22 federal child care and development fund grant. Amounts within this
23 grant shall be used to fund child care licensing, quality initiatives,
24 agency administration, and other costs associated with child care
25 subsidies. The department shall transfer a portion of this grant to
26 the department of social and health services to fund the child care
27 subsidies paid by the department of social and health services on
28 behalf of the department of early learning.

29 ((+6)) (4) The appropriations in this section reflect reductions
30 in the appropriations for the department's administrative expenses. It
31 is the intent of the legislature that these reductions shall be
32 achieved, to the greatest extent possible, by reducing those
33 administrative costs that do not affect direct client services or
34 direct service delivery or program.

35 ((+8)) (5) \$934,000 of the general fund--state appropriation for
36 fiscal year 2012, \$934,000 of the general fund--state appropriation for
37 fiscal year 2013, and \$2,400,000 of the general fund--federal
38 appropriation are provided solely for expenditure into the home

1 visiting services account. This funding is intended to meet federal
2 maintenance of effort requirements and to secure private matching
3 funds.

4 ~~((+9))~~ (6) In addition to groups that were given prioritized
5 access to the working connections child care program effective March 1,
6 2011, the department shall also give prioritized access into the
7 program to families in which a parent of a child in care is a minor who
8 is not living with a parent or guardian and who is a full-time student
9 in a high school that has a school-sponsored on-site child care center.

10 ~~((+10))~~ (7) Within available amounts, the department in
11 consultation with the office of financial management and the department
12 of social and health services shall report quarterly enrollments and
13 active caseload for the working connections child care program to the
14 legislative fiscal committees. The report shall also identify the
15 number of cases participating in both temporary assistance for needy
16 families and working connections child care.

17 ~~((+12))~~ (8) \$2,522,000 of the general fund--state appropriation
18 for fiscal year 2012, \$2,522,000 of the general fund--state
19 appropriation for fiscal year 2013, and \$4,304,000 of the general
20 fund--federal appropriation are provided solely for the medicaid
21 treatment child care (MTCC) program. The department shall contract for
22 MTCC services to provide therapeutic child care and other specialized
23 treatment services to abused, neglected, at-risk, and/or drug-affected
24 children. Priority for services shall be given to children referred
25 from the department of social and health services children's
26 administration. In addition to referrals made by children's
27 administration, the department shall authorize services for children
28 referred to the MTCC program, as long as the children meet the
29 eligibility requirements as outlined in the Washington state plan for
30 the MTCC program. Of the amounts appropriated in this subsection,
31 \$60,000 per fiscal year may be used by the department for administering
32 the MTCC program, if needed.

33 **Sec. 615.** 2011 1st sp.s. c 50 s 618 (uncodified) is amended to
34 read as follows:

35 **FOR THE STATE SCHOOL FOR THE BLIND**

36	General Fund--State Appropriation (FY 2012)	(\$5,780,000)
37		<u>\$5,859,000</u>

1	General Fund--State Appropriation (FY 2013)	(((\$5,746,000)))
2		<u>\$5,576,000</u>
3	General Fund--Private/Local Appropriation	(((\$1,961,000)))
4		<u>\$1,957,000</u>
5	TOTAL APPROPRIATION	(((\$13,487,000)))
6		<u>\$13,392,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations: \$271,000 of the general fund--
9 private/local appropriation is provided solely for the school for the
10 blind to offer short course programs, allowing students the opportunity
11 to leave their home schools for short periods and receive intensive
12 training. The school for the blind shall provide this service to the
13 extent that it is funded by contracts with school districts and
14 educational services districts.

15 **Sec. 616.** 2011 1st sp.s. c 50 s 619 (uncodified) is amended to
16 read as follows:

17 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
18 **LOSS**

19	General Fund--State Appropriation (FY 2012)	(((\$8,451,000)))
20		<u>\$8,542,000</u>
21	General Fund--State Appropriation (FY 2013)	(((\$8,449,000)))
22		<u>\$8,178,000</u>
23	General Fund--Private/Local Appropriation	\$526,000
24	TOTAL APPROPRIATION	(((\$17,426,000)))
25		<u>\$17,246,000</u>

26 **Sec. 617.** 2011 1st sp.s. c 50 s 620 (uncodified) is amended to
27 read as follows:

28 **FOR THE WASHINGTON STATE ARTS COMMISSION**

29	General Fund--Federal Appropriation	(((\$1,961,000)))
30		<u>\$2,065,000</u>
31	General Fund--Private/Local Appropriation	\$1,056,000
32	Washington State Heritage Center Account--State	
33	Appropriation	(((\$2,213,000)))
34		<u>\$2,286,000</u>
35	TOTAL APPROPRIATION	(((\$5,230,000)))
36		<u>\$5,407,000</u>

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2011 1st sp.s. c 50 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

1 **Sec. 702.** 2011 1st sp.s. c 50 s 703 (uncodified) is amended to
2 read as follows:

3 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
5 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

6	General Fund--State Appropriation (FY 2012)	\$27,516,000
7	General Fund--State Appropriation (FY 2013)	\$30,758,000
8	Nondebt-Limit Reimbursable Bond Retirement	
9	Account--State Appropriation	(\$140,417,000)
10		<u>\$140,128,000</u>
11	TOTAL APPROPRIATION	(\$198,691,000)
12		<u>\$198,402,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations: The general fund appropriation is for
15 expenditure into the nondebt-limit general fund bond retirement
16 account. The entire general fund--state appropriation for fiscal year
17 2012 shall be expended into the nondebt-limit general fund bond
18 retirement account by June 30, 2012.

19 **Sec. 703.** 2011 1st sp.s. c 50 s 704 (uncodified) is amended to
20 read as follows:

21 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
22 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

23	General Fund--State Appropriation (FY 2012)	\$1,357,000
24	General Fund--State Appropriation (FY 2013)	\$1,357,000
25	State Building Construction Account--State	
26	Appropriation	(\$1,273,000)
27		<u>\$356,000</u>
28	Columbia River Basin Water Supply Development	
29	Account--State Appropriation	(\$12,000)
30		<u>\$21,000</u>
31	Hood Canal Aquatic Rehabilitation Bond Account--State	
32	Appropriation	\$1,000
33	State Taxable Building Construction Account--State	
34	Appropriation	(\$55,000)
35		<u>\$25,000</u>
36	Gardner-Evans Higher Education Construction	
37	Account--State Appropriation	(\$1,000)

1 \$2,000
 2 TOTAL APPROPRIATION ((~~\$4,056,000~~))
 3 \$3,119,000

4 **Sec. 704.** 2011 1st sp.s. c 50 s 713 (uncodified) is amended to
 5 read as follows:

6 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**
 7 **SYSTEMS**

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

10 (1) The appropriations for the law enforcement officers' and
 11 firefighters' retirement system shall be made on a monthly basis
 12 beginning July 1, 2011, consistent with chapter 41.45 RCW, and the
 13 appropriations for the judges and judicial retirement systems shall be
 14 made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

15 ((+1)) (2) The contribution rates adopted under RCW 41.45.0604 and
 16 41.26.720 for the law enforcement officers' and firefighters'
 17 retirement system plan 2 are hereby modified. The following
 18 contribution rates will be in effect for the law enforcement officers'
 19 and firefighters' retirement system plan 2:

20 (a) Beginning February 1, 2012, a member contribution rate of 6.53
 21 percent will be charged;

22 (b) Beginning February 1, 2012, an employer contribution rate of
 23 3.92 percent will be charged; and

24 (c) Beginning February 1, 2012, a state contribution rate of 2.61
 25 percent will be charged.

26 These contribution rates will be in effect through June 30, 2013.

27 (3) There is appropriated for state contributions to the law
 28 enforcement officers' and firefighters' retirement system:

29 General Fund--State Appropriation (FY 2012) ((~~\$54,547,000~~))
 30 \$49,369,000

31 General Fund--State Appropriation (FY 2013) ((~~\$56,729,000~~))
 32 \$43,809,000

33 TOTAL APPROPRIATION ((~~\$111,276,000~~))
 34 \$93,178,000

35 ((+2)) (4) There is appropriated for contributions to the judicial
 36 retirement system:

37 General Fund--State Appropriation (FY 2012) ((~~\$9,100,000~~))

1		<u>\$8,100,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$13,100,000))
3		<u>\$10,100,000</u>
4	TOTAL APPROPRIATION	((\$22,200,000))
5		<u>\$18,200,000</u>

6 NEW SECTION. **Sec. 705.** 2011 1st sp.s. c 50 s 722 (uncodified) is
7 repealed.

8 NEW SECTION. **Sec. 706.** 2011 1st sp.s. c 50 s 725 (uncodified) is
9 repealed.

10 NEW SECTION. **Sec. 707.** A new section is added to 2011 1st sp.s.
11 c 50 (uncodified) to read as follows:

12	FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION LEGACY TRUST ACCOUNT	
13	General Fund--State Appropriation (FY 2012)	\$30,000,000
14	General Fund--State Appropriation (FY 2013)	\$30,000,000
15	TOTAL APPROPRIATION	\$60,000,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: The appropriation is provided solely for
18 expenditure into the education legacy trust account.

19 NEW SECTION. **Sec. 708.** A new section is added to 2011 1st sp.s.
20 c 50 (uncodified) to read as follows:

21	EMPLOYEE HEALTH INSURANCE	
22	General Fund--State Appropriation (FY 2013)	(\$214,000)
23	Various Other Accounts Appropriation	(\$4,000)
24	TOTAL APPROPRIATION	(\$218,000)

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

27 (1) Appropriations in this section are provided solely for a
28 reduction in employee health insurance funding rate as provided in
29 section 9... of this act, effective July 1, 2012, through June 30,
30 2013, for employees of the legislative branch.

31 (2) The appropriation from funds and accounts shall be made in the
32 amounts specified and from the funds and accounts specified in OFM
33 Document 2011-INS-01 dated November 21, 2012, which is hereby
34 incorporated by reference.

1 NEW SECTION. **Sec. 709.** A new section is added to 2011 1st sp.s.
2 c 50 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**
4 **FROM THE FOREST DEVELOPMENT ACCOUNT**

5 Forest Development Account--State Appropriation \$10,000,000

6 The appropriation in this section is provided solely for
7 distribution of state forest land revenues to taxing authorities that
8 received such revenue from fiscal year 2002 through fiscal year 2011
9 and is subject to the following conditions and limitations:

10 (1) Within fifteen days of the effective date of this section, the
11 department shall transmit funds in the amounts specified in subsection
12 (3) of this section to the county treasurers of the counties receiving
13 the funds.

14 (2) The county treasurers of the counties listed in this section
15 shall distribute funds received from this appropriation to taxing
16 authorities in proportion to the state forest transfer land funds
17 distributed to the taxing authorities based on information available
18 for the fiscal years 2002 through 2011. Funds to be credited to the
19 state of Washington and funds credited to school district general
20 levies shall be remitted to the state of Washington within thirty days
21 after the effective date of this section for deposit into the state
22 general fund.

23 (3) Funds shall be distributed in the following amounts:

24	Clallam	\$848,854
25	Clark	\$630,368
26	Cowlitz	\$418,159
27	Grays Harbor	\$266,365
28	Jefferson	\$239,722
29	King	\$328,725
30	Kitsap	\$73,839
31	Klickitat	\$197,968
32	Lewis	\$887,679
33	Mason	\$425,935
34	Okanogan	\$4
35	Pacific	\$352,540

1	Pierce	\$334,179
2	Skagit	\$1,534,497
3	Skamania	\$66,648
4	Snohomish	\$1,565,549
5	Stevens	\$6,709
6	Thurston	\$783,735
7	Wahkiakum	\$285,339
8	Whatcom	\$753,186
9	Total	\$10,000,000

10 NEW SECTION. **Sec. 710.** A new section is added to 2011 1st sp.s.
11 c 50 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT**
13 General Fund--State Appropriation (FY 2013) \$1,150,000

14 The appropriation in this section is subject to the following
15 conditions and limitations: The appropriation is provided solely for
16 expenditure into the disaster response account.

17 NEW SECTION. **Sec. 711.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--WASHINGTON OPPORTUNITY**
20 **PATHWAYS ACCOUNT**
21 General Fund--State Appropriation (FY 2013) \$8,000,000

22 The appropriation in this section is section is subject to the
23 following conditions and limitations: The appropriation is provided
24 solely for expenditure into the Washington opportunity pathways
25 account.

26 NEW SECTION. **Sec. 712.** A new section is added to 2011 1st sp.s.
27 c 50 (uncodified) to read as follows:

28 **FOR SUNDRY CLAIMS**
29 The following sums, or so much thereof as may be necessary, are
30 appropriated from the general fund, unless otherwise indicated, for
31 relief of various individuals, firms, and corporations for sundry
32 claims. These appropriations are to be disbursed on vouchers approved
33 by the director of financial management, except as otherwise provided,

1 as follows: Reimbursement of criminal defendants acquitted on the
2 basis of self-defense, pursuant to RCW 9A.16.110:

- 3 (1) Yakov A. Topik, claim number 99970047 \$28,500
- 4 (2) Clint L. Powell, Jr. claim number 99970048 \$58,156

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$8,368,000~~)) \$8,289,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$49,418,000~~)) \$43,958,000

General Fund Appropriation for prosecuting attorney distributions \$6,281,000

General Fund Appropriation for boating safety and education distributions \$4,000,000

General Fund Appropriation for other tax distributions \$58,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((~~\$40,421,000~~)) \$46,761,000

County Criminal Justice Assistance Appropriation ((~~\$69,801,000~~)) \$69,471,000

Municipal Criminal Justice Assistance Appropriation ((~~\$26,950,000~~)) \$26,845,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((~~\$16,589,000~~)) \$11,785,000

Liquor Excise Tax Account Appropriation for liquor excise tax distribution ((~~\$52,152,000~~))

1		<u>\$26,086,000</u>
2	Streamlined Sales and Use Tax Mitigation Account	
3	Appropriation for distribution to local taxing	
4	jurisdictions to mitigate the unintended revenue	
5	redistribution effect of the sourcing law	
6	changes	((\$49,635,000))
7		<u>\$47,403,000</u>
8	Columbia River Water Delivery Account Appropriation for	
9	the Confederated Tribes of the Colville	
10	Reservation	((\$7,441,000))
11		<u>\$7,480,000</u>
12	Columbia River Water Delivery Account Appropriation for	
13	the Spokane Tribe of Indians	((\$4,748,000))
14		<u>\$4,789,000</u>
15	Liquor Revolving Account Appropriation for liquor	
16	profits distribution	((\$69,318,000))
17		<u>\$85,002,000</u>
18	TOTAL APPROPRIATION	((\$411,301,000))
19		<u>\$394,328,000</u>

20 The total expenditures from the state treasury under the
21 appropriations in this section shall not exceed the funds available
22 under statutory distributions for the stated purposes.

23 **Sec. 802.** 2011 1st sp.s. c 50 s 802 (uncodified) is amended to
24 read as follows:

25 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**
26 **ACCOUNT**

27	Impaired Driver Safety Account Appropriation	((\$2,501,000))
28		<u>\$2,439,000</u>

29 The appropriation in this section is subject to the following
30 conditions and limitations: The amount appropriated in this section
31 shall be distributed quarterly during the 2011-2013 fiscal biennium in
32 accordance with RCW 82.14.310. This funding is provided to counties
33 for the costs of implementing criminal justice legislation including,
34 but not limited to: Chapter 206, Laws of 1998 (drunk driving
35 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
36 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998
37 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock

1 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
2 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
3 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
4 215, Laws of 1998 (DUI provisions).

5 **Sec. 803.** 2011 1st sp.s. c 50 s 803 (uncodified) is amended to
6 read as follows:

7 **FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**
8 Impaired Driver Safety Account Appropriation (~~(\$1,666,000)~~)
9 \$1,626,000

10 The appropriation in this section is subject to the following
11 conditions and limitations: The amount appropriated in this section
12 shall be distributed quarterly during the 2011-2013 biennium to all
13 cities ratably based on population as last determined by the office of
14 financial management. The distributions to any city that substantially
15 decriminalizes or repeals its criminal code after July 1, 1990, and
16 that does not reimburse the county for costs associated with criminal
17 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
18 which the city is located. This funding is provided to cities for the
19 costs of implementing criminal justice legislation including, but not
20 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
21 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
22 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
23 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
24 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
25 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
26 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
27 Laws of 1998 (DUI provisions).

28 **Sec. 804.** 2011 1st sp.s. c 50 s 805 (uncodified) is amended to
29 read as follows:

30 **FOR THE STATE TREASURER--TRANSFERS**
31 State Treasurer's Service Account: For transfer to
32 the state general fund, (~~(\$10,000,000)~~) \$16,300,000
33 for fiscal year 2012 and (~~(\$15,000,000)~~) \$21,300,000
34 for fiscal year 2013 (~~(\$25,000,000)~~)
35 \$37,600,000
36 Waste Reduction, Recycling, and Litter Control

1 Account: For transfer to the state general
 2 fund, \$3,500,000 for fiscal year 2012 and
 3 \$3,500,000 for fiscal year 2013 \$7,000,000
 4 Aquatics Lands Enhancement Account: For transfer to
 5 the state general fund, (~~(\$3,500,000)~~) \$5,659,000
 6 for fiscal year 2012 and (~~(\$3,500,000)~~) \$5,658,000
 7 for fiscal year 2013 (~~(\$7,000,000)~~)
 8 \$11,317,000
 9 Drinking Water Assistance Account: For transfer to
 10 the drinking water assistance repayment account \$38,000,000
 11 Economic Development Strategic Reserve Account: For
 12 transfer to the state general fund, \$2,100,000
 13 for fiscal year 2012 and \$2,100,000 for fiscal
 14 year 2013 \$4,200,000
 15 General Fund: For transfer to the streamlined sales
 16 and use tax account, \$24,846,000 for fiscal year
 17 2012 and \$24,789,000 for fiscal year 2013 (~~(\$49,635,000)~~)
 18 \$47,403,000
 19 Public Works Assistance Account: For transfer to the
 20 water pollution control revolving account,
 21 \$7,750,000 for fiscal year 2012 and \$7,750,000 for
 22 fiscal year 2013 \$15,500,000
 23 The Charitable, Educational, Penal, and Reformatory
 24 Institutions Account: For transfer to the state
 25 general fund, \$4,500,000 for fiscal year 2012 and
 26 \$4,500,000 for fiscal year 2013 \$9,000,000
 27 Thurston County Capital Facilities Account: For
 28 transfer to the state general fund, \$4,000,000
 29 for fiscal year 2012 and \$4,000,000 for fiscal
 30 year 2013 \$8,000,000
 31 Public Works Assistance Account: For transfer to the
 32 drinking water assistance account, \$10,000,000 for
 33 fiscal year 2012 and \$5,000,000 for fiscal year
 34 2013 \$15,000,000
 35 Liquor Control Board Construction and Maintenance
 36 Account: For transfer to the state general fund,
 37 (~~(\$500,000 for fiscal year 2012 and \$500,000 for~~
 38 ~~fiscal year 2013)) for fiscal year 2012, an amount~~

1 \$18,000,000

2 Tobacco Settlement Account: For transfer to the life

3 sciences discovery fund, in an amount not to exceed

4 the actual remaining amount of the annual strategic

5 contribution payment to the tobacco settlement account

6 for fiscal year 2012 \$6,000,000

7 Tobacco Settlement Account: For transfer to the life

8 sciences discovery fund, in an amount not to exceed

9 the actual remaining amount of the annual strategic

10 contribution payment to the tobacco settlement account

11 for fiscal year 2013 (~~(\$6,000,000)~~)

12 \$10,000,000

13 Public Service Revolving Account: For transfer to the

14 state general fund, \$2,500,000 for fiscal year

15 2012 and \$2,500,000 for fiscal year 2013 \$5,000,000

16 Multimodal Transportation Account: For transfer to the

17 state general fund, \$5,000,000 for fiscal year 2012

18 and \$5,000,000 for fiscal year 2013 \$10,000,000

19 State Toxics Control Account: For transfer to the state

20 general fund, \$2,800,000 for fiscal year 2012 and

21 \$2,805,000 for fiscal year 2013 \$5,605,000

22 Local Toxics Control Account: For transfer to the state

23 general fund, \$39,710,000 for fiscal year 2012 and

24 \$595,000 for fiscal year 2013 \$40,305,000

25 Manufacturing Innovation and Modernization Account:

26 For transfer to the state general fund, \$201,000 for

27 fiscal year 2012 \$201,000

28 Savings Incentive Account: For transfer to the state

29 general fund, \$44,618,000 for fiscal year 2012 \$44,618,000

30 Distinguished Professorship Trust Fund: For transfer to

31 the state general fund for fiscal year 2012, an amount

32 not to exceed the actual cash balance of the fund \$3,024,000

33 Washington Graduate Fellowship Trust Fund: For transfer

34 to the state general fund for fiscal year 2012, an

35 amount not to exceed the actual cash balance of

36 the fund \$1,028,000

37 College Faculty Awards Trust Fund: For transfer

38 to the state general fund for fiscal year 2012, an amount

1 not to exceed the actual cash balance of the fund \$1,996,000
 2 Data Processing Revolving Account: For transfer
 3 to the state general fund, \$5,960,000 for fiscal
 4 year 2012 \$5,960,000
 5 Public Works Administration Account: For transfer
 6 to the state general fund, \$500,000 for fiscal
 7 year 2012 and \$500,000 for fiscal year 2013 \$1,000,000
 8 Worker and Community Right To Know Fund: For transfer
 9 to the state general fund, \$500,000 for fiscal
 10 year 2012 and \$500,000 for fiscal year 2013 \$1,000,000
 11 Performance Audits of Government Account: For transfer
 12 to the state general fund, \$700,000 for fiscal year
 13 2012 and \$700,000 for fiscal year 2013 \$1,400,000
 14 Cleanup Settlement Account: For transfer to the state
 15 efficiency and restructuring account, \$8,491,000
 16 for fiscal year 2013 \$8,491,000
 17 Financial Services Regulation Fund: For transfer to
 18 the state general fund, \$3,000,000 for fiscal
 19 year 2012 \$3,000,000

20 (~~The transfer to the life sciences discovery fund is subject to~~
 21 ~~the following conditions: (1) All new grants awarded during the 2011-~~
 22 ~~2013 fiscal biennium shall support and accelerate the commercialization~~
 23 ~~of an identifiable product;))~~

(End of part)

1 **COALITION, WFSE CC COALITION, WFSE CWU, WFSE TESC**

2 Agreements have been reached between the governor and the following
3 unions: Washington public employees association, Washington public
4 employees association higher education community college coalition,
5 Washington federation of state employees higher education community
6 college coalition, Washington federation of state employees Central
7 Washington University, and Washington federation of state employees The
8 Evergreen State College, under the provisions of chapter 41.80 RCW for
9 fiscal year 2013. Funding is reduced to reflect a 3.0 percent
10 temporary salary reduction for all employees whose monthly full-time
11 equivalent salary is \$2,500 or more per month through June 29, 2013.
12 Effective June 30, 2013, the salary schedules effective July 1, 2009,
13 through June 30, 2011, will be reinstated. For employees entitled to
14 leave, temporary salary reduction leave is granted for fiscal year
15 2013.

16 NEW SECTION. **Sec. 903.** A new section is added to 2011 1st sp.s.
17 c 50 (uncodified) to read as follows:

18 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--YAKIMA VALLEY**
19 **COMMUNITY COLLEGE--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION**

20 An agreement has been reached between Yakima Valley Community
21 College and Washington public employees association under the
22 provisions of chapter 41.80 RCW for fiscal year 2013. The agreement is
23 consistent with the funding reduction provided in the 2011-2013 omnibus
24 appropriations act, which reflected a 3.0 percent temporary salary
25 reduction to all employees whose monthly full-time equivalent salary is
26 \$2,500 or more per month through June 29, 2013.

27 NEW SECTION. **Sec. 904.** A new section is added to 2011 1st sp.s.
28 c 50 (uncodified) to read as follows:

29 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
30 **UNIVERSITY--PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

31 An agreement has been reached between Western Washington University
32 and the Washington public school employees of Washington bargaining
33 units D and PTE under the provisions of chapter 41.80 RCW for fiscal
34 year 2013. The agreement is consistent with the funding reduction
35 provided in the 2011-2013 omnibus appropriations act, which reflected
36 a 3.0 percent temporary salary reduction to all employees whose monthly

1 full-time equivalent salary is \$2,500 or more per month through June
2 29, 2013. The reduction will be implemented according to the terms and
3 conditions of this agreement.

4 NEW SECTION. **Sec. 905.** A new section is added to 2011 1st sp.s.
5 c 50 (uncodified) to read as follows:

6 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
7 **UNIVERSITY--WFSE**

8 An agreement has been reached between Western Washington University
9 and the Washington federation of state employees bargaining units A, B,
10 and E under the provisions of chapter 41.80 RCW for fiscal year 2013.
11 The agreement is consistent with the funding reduction provided in the
12 2011-2013 omnibus appropriations act, which reflected a 3.0 percent
13 temporary salary reduction to all employees whose monthly full-time
14 equivalent salary is \$2,500 or more per month through June 29, 2013.
15 The reduction will be implemented according to the terms and conditions
16 of this agreement.

17 NEW SECTION. **Sec. 906.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--EASTERN WASHINGTON**
20 **UNIVERSITY--WFSE**

21 An agreement has been reached between Eastern Washington University
22 and the Washington federation of state employees under the provisions
23 of chapter 41.80 RCW for fiscal year 2013. The agreement is consistent
24 with the funding reduction provided in the 2011-2013 omnibus
25 appropriations act, which reflected a 3.0 percent temporary salary
26 reduction to all employees whose monthly full-time equivalent salary is
27 \$2,500 or more per month through June 29, 2013. The reduction will be
28 implemented according to the terms and conditions of this agreement.

29 **Sec. 907.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to
30 read as follows:

31 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

32 Appropriations for state agencies in this act are sufficient for
33 nonrepresented state employee health benefits for state agencies,
34 including institutions of higher education, and are subject to the
35 following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan, shall not exceed \$850 per eligible employee for
4 fiscal year 2012. For fiscal year 2013 the monthly employer funding
5 rate shall not exceed (~~(\$850)~~) \$825 per eligible employee.

6 (b) In order to achieve the level of funding provided for health
7 benefits, the public employees' benefits board shall require any or all
8 of the following: Employee premium copayments, increases in point-of-
9 service cost sharing, the implementation of managed competition, or
10 make other changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on
12 behalf of the uniform medical plan as a result of rebates on
13 prescription drugs, audits of hospitals, subrogation payments, or any
14 other moneys recovered as a result of prior uniform medical plan claims
15 payments, into the public employees' and retirees' insurance account to
16 be used for insurance benefits. Such receipts shall not be used for
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the
19 public employees' benefits board, shall provide subsidies for health
20 benefit premiums to eligible retired or disabled public employees and
21 school district employees who are eligible for medicare, pursuant to
22 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
23 \$150.00 per month.

24 (3) Technical colleges, school districts, and educational service
25 districts shall remit to the health care authority for deposit into the
26 public employees' and retirees' insurance account established in RCW
27 41.05.120 the following amounts:

28 (a) For each full-time employee, \$66.01 per month beginning
29 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

30 (b) For each part-time employee, who at the time of the remittance
31 is employed in an eligible position as defined in RCW 41.32.010 or
32 41.40.010 and is eligible for employer fringe benefit contributions for
33 basic benefits, \$66.01 each month beginning September 1, 2011, and
34 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
35 proportion of employer fringe benefit contributions for a full-time
36 employee that the part-time employee receives. The remittance
37 requirements specified in this subsection shall not apply to employees

1 of a technical college, school district, or educational service
2 district who purchase insurance benefits through contracts with the
3 health care authority.

4 **Sec. 908.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to
5 read as follows:

6 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
7 **BENEFITS**

8 Appropriations for state agencies in this act are sufficient for
9 represented employees outside the super coalition for health benefits,
10 and are subject to the following conditions and limitations:

11 (1)(a) The monthly employer funding rate for insurance benefit
12 premiums, public employees' benefits board administration, and the
13 uniform medical plan, shall not exceed \$850 per eligible employee for
14 fiscal year 2012. For fiscal year 2013 the monthly employer funding
15 rate shall not exceed (~~(\$850)~~) \$825 per eligible employee.

16 (b) In order to achieve the level of funding provided for health
17 benefits, the public employees' benefits board shall require any or all
18 of the following: Employee premium copayments, increases in point-of-
19 service cost sharing, the implementation of managed competition, or
20 make other changes to benefits consistent with RCW 41.05.065.

21 (c) The health care authority shall deposit any moneys received on
22 behalf of the uniform medical plan as a result of rebates on
23 prescription drugs, audits of hospitals, subrogation payments, or any
24 other moneys recovered as a result of prior uniform medical plan claims
25 payments, into the public employees' and retirees' insurance account to
26 be used for insurance benefits. Such receipts shall not be used for
27 administrative expenditures.

28 (2) The health care authority, subject to the approval of the
29 public employees' benefits board, shall provide subsidies for health
30 benefit premiums to eligible retired or disabled public employees and
31 school district employees who are eligible for medicare, pursuant to
32 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
33 \$150.00 per month.

34 (3) Technical colleges, school districts, and educational service
35 districts shall remit to the health care authority for deposit into the
36 public employees' and retirees' insurance account established in RCW
37 41.05.120 the following amounts:

1 (a) For each full-time employee, \$66.01 per month beginning
2 September 1, 2011, and \$67.91 beginning September 1, 2012;

3 (b) For each part-time employee, who at the time of the remittance
4 is employed in an eligible position as defined in RCW 41.32.010 or
5 41.40.010 and is eligible for employer fringe benefit contributions for
6 basic benefits, \$66.01 each month beginning September 1, 2011, and
7 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
8 proportion of employer fringe benefit contributions for a full-time
9 employee that the part-time employee receives. The remittance
10 requirements specified in this subsection shall not apply to employees
11 of a technical college, school district, or educational service
12 district who purchase insurance benefits through contracts with the
13 health care authority.

14 **Sec. 909.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to
15 read as follows:

16 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
17 **BENEFITS**

18 The collective bargaining agreement negotiated with the super
19 coalition under chapter 41.80 RCW includes employer premiums at 85
20 percent of the total weighted average of the projected health care
21 premiums across all plans and tiers. Appropriations in this act for
22 state agencies, including institutions of higher education are
23 sufficient to fund state employees health benefits for employees
24 represented by the super coalition on health benefits, and are subject
25 to the following conditions and limitations:

26 (1)(a) The monthly employer funding rate for insurance benefit
27 premiums, public employees' benefits board administration, and the
28 uniform medical plan, shall not exceed \$850 per eligible employee for
29 fiscal year 2012. For fiscal year 2013 the monthly employer funding
30 rate shall not exceed (~~(\$850)~~) \$825 per eligible employee.

31 (b) In order to achieve the level of funding provided for health
32 benefits, the public employees' benefits board shall require any or all
33 of the following: Employee premium copayments, increases in point-of-
34 service cost sharing, the implementation of managed competition, or
35 make other changes to benefits consistent with RCW 41.05.065.

36 (c) The health care authority shall deposit any moneys received on
37 behalf of the uniform medical plan as a result of rebates on

1 prescription drugs, audits of hospitals, subrogation payments, or any
2 other moneys recovered as a result of prior uniform medical plan claims
3 payments, into the public employees' and retirees' insurance account to
4 be used for insurance benefits. Such receipts shall not be used for
5 administrative expenditures.

6 (2) The health care authority, subject to the approval of the
7 public employees' benefits board, shall provide subsidies for health
8 benefit premiums to eligible retired or disabled public employees and
9 school district employees who are eligible for medicare, pursuant to
10 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
11 \$150.00 per month.

12 NEW SECTION. **Sec. 910.** A new section is added to 2011 1st sp.s.
13 c 50 (uncodified) to read as follows:

14 Chapter 50, Laws of 2011 1st sp. sess. (the biennial operating
15 budget) included funding for the pension system cost of legislation
16 adopted during the 2011 session of the legislature. No supplemental
17 rates are authorized for funding that legislation during the remainder
18 of the 2011-2013 fiscal biennium. Pension contribution rates for the
19 public employees' retirement system, the public safety employees'
20 retirement system, the school employees' retirement systems, and the
21 teachers' retirement system are established.

22 (1) For the public employees' retirement system:

23 (a) Beginning February 1, 2012, an employer contribution rate of
24 7.08 percent shall be charged;

25 (b) Beginning July 1, 2012, an employer contribution rate of 7.21
26 percent shall be charged.

27 (2) For the public safety employees' retirement system:

28 (a) Beginning February 1, 2012, an employer contribution rate of
29 8.74 percent shall be charged;

30 (b) Beginning July 1, 2012, an employer contribution rate of 8.87
31 percent shall be charged.

32 (3) For the school employees' retirement system:

33 (a) Beginning February 1, 2012, an employer contribution rate of
34 7.58 percent shall be charged;

35 (b) Beginning September 1, 2012, an employer contribution rate of
36 7.59 percent shall be charged.

37 (4) For the teachers' retirement system:

1 (a) Beginning February 1, 2012, an employer contribution rate of
2 8.04 percent shall be charged; and

3 (b) Beginning September 21, 2012, an employer contribution rate of
4 8.05 percent shall be charged.

5 These rates are inclusive of a department of retirement systems expense
6 charge of 0.16 percent. The department of retirement systems shall
7 collect employee contributions as provided in chapter 41.45 RCW.

8 **Sec. 911.** RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each
9 amended to read as follows:

10 The fair fund is created in the custody of the state treasury. All
11 moneys received by the department of agriculture for the purposes of
12 this fund and from RCW 67.16.105(7) shall be deposited into the fund.
13 At the beginning of fiscal year 2002 and each fiscal year thereafter,
14 the state treasurer shall transfer into the fair fund from the general
15 fund the sum of two million dollars, except for fiscal year 2011 the
16 state treasurer shall transfer into the fair fund from the general fund
17 the sum of one million one hundred three thousand dollars, and except
18 during fiscal year 2012 and fiscal year 2013 the state treasurer shall
19 transfer into the fair fund from the general fund the sum of (~~one~~
20 ~~million seven~~) two hundred fifty thousand dollars each fiscal year.
21 Expenditures from the fund may be used only for assisting fairs in the
22 manner provided in this chapter. Only the director of agriculture or
23 the director's designee may authorize expenditures from the fund. The
24 fund is subject to allotment procedures under chapter 43.88 RCW, but no
25 appropriation is required for expenditures.

26 **Sec. 912.** RCW 28B.50.837 and 2010 1st sp.s. c 37 s 914 are each
27 amended to read as follows:

28 (1) The Washington community and technical college exceptional
29 faculty awards program is established. The program shall be
30 administered by the college board. The college faculty awards trust
31 fund hereby created shall be administered by the state treasurer.

32 (2) Funds appropriated by the legislature for the community and
33 technical college exceptional faculty awards program shall be deposited
34 in the college faculty awards trust fund. At the request of the
35 college board, the treasurer shall release the state matching funds to
36 the local endowment fund of the college or its foundation. No

1 appropriation is necessary for the expenditure of moneys from the fund.
2 Expenditures from the fund may be used solely for the exceptional
3 faculty awards program. During the ((2009-2011)) 2011-2013 fiscal
4 biennium, the legislature may transfer from the college faculty awards
5 trust fund to the state general fund such amounts as reflect the excess
6 fund balance in the account.

7 **Sec. 913.** RCW 28B.76.565 and 2010 1st sp.s. c 37 s 915 are each
8 amended to read as follows:

9 Funds appropriated by the legislature for the distinguished
10 professorship program shall be deposited in the distinguished
11 professorship trust fund. At the request of the higher education
12 coordinating board under RCW 28B.76.575, the treasurer shall release
13 the state matching funds to the designated institution's local
14 endowment fund. No appropriation is required for expenditures from the
15 fund. During the ((2009-2011)) 2011-2013 fiscal biennium, the
16 legislature may transfer from the distinguished professorship trust
17 fund to the state general fund such amounts as reflect the excess fund
18 balance in the account.

19 **Sec. 914.** RCW 28B.76.565 and 2011 1st sp.s. c 11 s 113 are each
20 amended to read as follows:

21 Funds appropriated by the legislature for the distinguished
22 professorship program shall be deposited in the distinguished
23 professorship trust fund. At the request of the office under RCW
24 28B.76.575, the treasurer shall release the state matching funds to the
25 designated institution's local endowment fund. No appropriation is
26 required for expenditures from the fund. During the ((2009-2011))
27 2011-2013 fiscal biennium, the legislature may transfer from the
28 distinguished professorship trust fund to the state general fund such
29 amounts as reflect the excess fund balance in the account.

30 **Sec. 915.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
31 read as follows:

32 The Washington graduate fellowship trust fund program is
33 established. The program shall be administered by the higher education
34 coordinating board. The trust fund shall be administered by the state
35 treasurer. During the 2011-2013 fiscal biennium, the legislature may

1 transfer from the Washington graduate fellowship trust fund to the
2 state general fund such amounts as reflect the excess fund balance in
3 the account.

4 **Sec. 916.** RCW 28B.76.605 and 2011 1st sp.s. c 11 s 116 are each
5 amended to read as follows:

6 The Washington graduate fellowship trust fund program is
7 established. The program shall be administered by the office. The
8 trust fund shall be administered by the state treasurer. During the
9 2011-2013 fiscal biennium, the legislature may transfer from the
10 Washington graduate fellowship trust fund to the state general fund
11 such amounts as reflect the excess fund balance in the account.

12 **Sec. 917.** RCW 39.12.080 and 2006 c 230 s 2 are each amended to
13 read as follows:

14 The public works administration account is created in the state
15 treasury. The department of labor and industries shall deposit in the
16 account all moneys received from fees or civil penalties collected
17 under RCW 39.12.050, 39.12.065, and 39.12.070. Appropriations from the
18 account may be made only for the purposes of administration of this
19 chapter, including, but not limited to, the performance of adequate
20 wage surveys, and for the investigation and enforcement of all alleged
21 violations of this chapter as provided for in this chapter and chapters
22 49.48 and 49.52 RCW. During the 2011-2013 fiscal biennium, the
23 legislature may transfer from the public works administration account
24 to the state general fund such amounts as reflect the excess fund
25 balance of the fund.

26 **Sec. 918.** RCW 43.09.475 and 2011 1st sp.s. c 50 s 942 are each
27 amended to read as follows:

28 The performance audits of government account is hereby created in
29 the custody of the state treasurer. Revenue identified in RCW
30 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
31 in the account shall be used to fund the performance audits and follow-
32 up performance audits under RCW 43.09.470 and shall be expended by the
33 state auditor in accordance with chapter 1, Laws of 2006. Only the
34 state auditor or the state auditor's designee may authorize
35 expenditures from the account. The account is subject to allotment

1 procedures under chapter 43.88 RCW, but an appropriation is not
2 required for expenditures. During the (~~(2009-2011)~~) 2011-2013 fiscal
3 biennium, the legislature may transfer from the performance audits of
4 government account to the state general fund such amounts as deemed to
5 be appropriate or necessary. During (~~(the)~~) the 2011-2013 fiscal
6 biennium, the performance audits of government account may be
7 appropriated for fraud investigations in the state auditor's office and
8 the department of social and health services, audit and collection
9 functions in the department of revenue, and audits of school districts.
10 In addition, during the 2011-2013 fiscal biennium the account may be
11 used to fund the office of financial management's contract for the
12 compliance audit of the state auditor.

13 **Sec. 919.** RCW 43.19.791 and 2011 1st sp.s. c 43 s 601 and 2011 c
14 5 s 912 are each reenacted and amended to read as follows:

15 There is created a revolving fund to be known as the data
16 processing revolving fund in the custody of the state treasurer. The
17 revolving fund shall be used for the acquisition of equipment,
18 software, supplies, and services and the payment of salaries, wages,
19 and other costs incidental to the acquisition, development, operation,
20 and administration of information services, telecommunications,
21 systems, software, supplies and equipment, including the payment of
22 principal and interest on bonds issued for capital projects, by the
23 department, Washington State University's computer services center, the
24 department of enterprise services' personnel information systems group
25 and financial systems management group, and other users as determined
26 by the office of financial management. The revolving fund is subject
27 to the allotment procedure provided under chapter 43.88 RCW. The chief
28 information officer or the chief information officer's designee, with
29 the approval of the technology services board, is authorized to expend
30 up to one million dollars per fiscal biennium for the technology
31 services board to conduct independent technical and financial analysis
32 of proposed information technology projects, and such an expenditure
33 does not require an appropriation. Disbursements from the revolving
34 fund for the services component of the department are not subject to
35 appropriation. Disbursements for the strategic planning and policy
36 component of the department are subject to appropriation. All
37 disbursements from the fund are subject to the allotment procedures

1 provided under chapter 43.88 RCW. The department shall establish and
2 implement a billing structure to assure all agencies pay an equitable
3 share of the costs.

4 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
5 may transfer from the data processing revolving account to the state
6 general fund such amounts as reflect the excess fund balance.

7 As used in this section, the word "supplies" shall not be
8 interpreted to delegate or abrogate the division of purchasing's
9 responsibilities and authority to purchase supplies as described in RCW
10 43.19.190 and 43.19.200.

11 **Sec. 920.** RCW 43.21A.660 and 2011 c 5 s 907 are each amended to
12 read as follows:

13 Funds in the freshwater aquatic weeds account may be appropriated
14 to the department of ecology to develop a freshwater aquatic weeds
15 management program. Funds shall be expended as follows:

16 (1) No less than two-thirds of the appropriated funds shall be
17 issued as grants to (a) cities, counties, tribes, special purpose
18 districts, and state agencies to prevent, remove, reduce, or manage
19 excessive freshwater aquatic weeds; (b) fund demonstration or pilot
20 projects consistent with the purposes of this section; and (c) fund
21 hydrilla eradication activities in waters of the state. Except for
22 hydrilla eradication activities, such grants shall only be issued for
23 lakes, rivers, or streams with a public boat launching ramp or which
24 are designated by the department of fish and wildlife for fly-fishing.
25 The department shall give preference to projects having matching funds
26 or in-kind services;

27 (2) No more than one-third of the appropriated funds shall be
28 expended to:

29 (a) Develop public education programs relating to preventing the
30 propagation and spread of freshwater aquatic weeds; and

31 (b) Provide technical assistance to local governments and citizen
32 groups; and

33 (3) During the 2009-2011 fiscal biennium, the legislature may
34 transfer from the freshwater aquatic weeds account to the state general
35 fund such amounts as reflect the excess fund balance of the account.

36 (4) During the 2011-2013 fiscal biennium, excess funds in the

1 freshwater aquatic weeds account may be appropriated to the department
2 of agriculture to support the invasive knotweed program.

3 **Sec. 921.** RCW 43.79.460 and 2011 c 5 s 909 are each amended to
4 read as follows:

5 (1) The savings incentive account is created in the custody of the
6 state treasurer. The account shall consist of all moneys appropriated
7 to the account by the legislature. The account is subject to the
8 allotment procedures under chapter 43.88 RCW, but no appropriation is
9 required for expenditures from the account.

10 (2) Within the savings incentive account, the state treasurer may
11 create subaccounts to be credited with incentive savings attributable
12 to individual state agencies, as determined by the office of financial
13 management in consultation with the legislative fiscal committees.
14 Moneys deposited in the subaccounts may be expended only on the
15 authorization of the agency's executive head or designee and only for
16 the purpose of one-time expenditures to improve the quality,
17 efficiency, and effectiveness of services to customers of the state,
18 such as one-time expenditures for employee training, employee
19 incentives, technology improvements, new work processes, or performance
20 measurement. Funds may not be expended from the account to establish
21 new programs or services, expand existing programs or services, or
22 incur ongoing costs that would require future expenditures.

23 (3) For purposes of this section, "incentive savings" means state
24 general fund appropriations that are unspent as of June 30th of a
25 fiscal year, excluding any amounts included in across-the-board
26 reductions under RCW 43.88.110 and excluding unspent appropriations
27 for:

28 (a) Caseload and enrollment in entitlement programs, except to the
29 extent that an agency has clearly demonstrated that efficiencies have
30 been achieved in the administration of the entitlement program.
31 "Entitlement program," as used in this section, includes programs for
32 which specific sums of money are appropriated for pass-through to third
33 parties or other entities;

34 (b) Enrollments in state institutions of higher education;

35 (c) Except for fiscal year 2011, a specific amount contained in a
36 condition or limitation to an appropriation in the biennial

1 appropriations act, if the agency did not achieve the specific purpose
2 or objective of the condition or limitation;

3 (d) Debt service on state obligations; and

4 (e) State retirement system obligations.

5 (4) The office of financial management, after consulting with the
6 legislative fiscal committees, shall report the amount of savings
7 incentives achieved.

8 (5) For fiscal year 2010, the legislature may transfer from the
9 savings incentive account to the state general fund such amounts as
10 reflect the fund balance of the account attributable to unspent state
11 general fund appropriations for fiscal year 2009. For fiscal year
12 2011, the legislature may transfer from the savings incentive account
13 to the state general fund such amounts as reflect the fund balance of
14 the account attributable to unspent state general fund appropriations
15 for fiscal year 2010. For fiscal year 2011, the legislature may
16 transfer from the savings incentive account to the state general fund
17 eight million dollars or as much as reflects the fund balance of the
18 account attributable to unspent agency credits prior to fiscal year
19 2009. Credits for legislative and judicial agencies are not included
20 in this action, with the exception and upon consent of the supreme
21 court, court of appeals, office of public defense, and office of civil
22 legal aid.

23 (6) For fiscal years 2012 and 2013, the legislature may transfer
24 from the savings incentive account to the state general fund such
25 amounts as reflect the fund balance of the account attributable to
26 unspent general fund appropriations for fiscal years 2011 and 2012.

27 **Sec. 922.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each
28 amended to read as follows:

29 There is created a local fund known as the "financial services
30 regulation fund" which shall consist of all moneys received by the
31 divisions of the department of financial institutions, except for the
32 division of securities which shall deposit thirteen percent of all
33 moneys received, except as provided in RCW 43.320.115, and which shall
34 be used for the purchase of supplies and necessary equipment; the
35 payment of salaries, wages, and utilities; the establishment of
36 reserves; and other incidental costs required for the proper regulation
37 of individuals and entities subject to regulation by the department.

1 The state treasurer shall be the custodian of the fund. Disbursements
2 from the fund shall be on authorization of the director of financial
3 institutions or the director's designee. In order to maintain an
4 effective expenditure and revenue control, the fund shall be subject in
5 all respects to chapter 43.88 RCW, but no appropriation is required to
6 permit expenditures and payment of obligations from the fund.

7 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
8 may transfer from the financial services regulation fund to the state
9 general fund such amounts as reflect the excess fund balance of the
10 fund.

11 **Sec. 923.** RCW 43.330.250 and 2011 1st sp.s. c 50 s 956 are each
12 amended to read as follows:

13 (1) The economic development strategic reserve account is created
14 in the state treasury to be used only for the purposes of this section.

15 (2) Except as provided in subsection 9 of this section, only the
16 governor, with the recommendation of the director of the department of
17 commerce and the economic development commission, may authorize
18 expenditures from the account.

19 (3) Expenditures from the account shall be made in an amount
20 sufficient to fund a minimum of one staff position for the economic
21 development commission and to cover any other operational costs of the
22 commission.

23 (4) During the 2009-2011 and 2011-2013 fiscal biennia, moneys in
24 the account may also be transferred into the state general fund.

25 (5) Expenditures from the account may be made to prevent closure of
26 a business or facility, to prevent relocation of a business or facility
27 in the state to a location outside the state, or to recruit a business
28 or facility to the state. Expenditures may be authorized for:

29 (a) Workforce development;

30 (b) Public infrastructure needed to support or sustain the
31 operations of the business or facility; and

32 (c) Other lawfully provided assistance, including, but not limited
33 to, technical assistance, environmental analysis, relocation
34 assistance, and planning assistance. Funding may be provided for such
35 assistance only when it is in the public interest and may only be
36 provided under a contractual arrangement ensuring that the state will

1 receive appropriate consideration, such as an assurance of job creation
2 or retention.

3 (6) The funds shall not be expended from the account unless:

4 (a) The circumstances are such that time does not permit the
5 director of the department of commerce or the business or facility to
6 secure funding from other state sources;

7 (b) The business or facility produces or will produce significant
8 long-term economic benefits to the state, a region of the state, or a
9 particular community in the state;

10 (c) The business or facility does not require continuing state
11 support;

12 (d) The expenditure will result in new jobs, job retention, or
13 higher incomes for citizens of the state;

14 (e) The expenditure will not supplant private investment; and

15 (f) The expenditure is accompanied by private investment.

16 (7) No more than three million dollars per year may be expended
17 from the account for the purpose of assisting an individual business or
18 facility pursuant to the authority specified in this section.

19 (8) If the account balance in the strategic reserve account exceeds
20 fifteen million dollars at any time, the amount in excess of fifteen
21 million dollars shall be transferred to the education construction
22 account.

23 (9) During the 2011-2013 fiscal biennium, funds from the strategic
24 reserve account may be appropriated for the following purpose:
25 Research programs on new technologies offering promise of innovative
26 products in aviation, aerospace, and defense.

27 **Sec. 924.** RCW 43.338.030 and 2008 c 315 s 5 are each amended to
28 read as follows:

29 (1) The manufacturing innovation and modernization account is
30 created in the state treasury. Moneys in the account may be spent only
31 after appropriation.

32 (2) Expenditures from the account may be used only for funding
33 activities of the Washington manufacturing innovation and modernization
34 extension services program created in RCW 43.338.020.

35 (3) All payments by a program participant in the Washington
36 manufacturing innovation and modernization extension services program
37 created in RCW 43.338.020 shall be deposited into the manufacturing

1 innovation and modernization account. Of the total payments deposited
2 into the account by program participants, the department may use up to
3 three percent for administration of this program. The deposit of
4 payments under this section from a program participant cease when the
5 department specifies that the program participant has met the monetary
6 contribution obligations of the program.

7 (4) All revenue solicited and received under the provisions of RCW
8 43.338.020(3) shall be deposited into the manufacturing innovation and
9 modernization account.

10 (5) The legislature intends that all payments from the
11 manufacturing innovation and modernization account made to qualified
12 manufacturing extension partnership affiliates will be eligible as the
13 state match in an affiliate's application for federal matching funds
14 under the manufacturing extension partnership program of the United
15 States department of commerce's national institute of standards and
16 technology.

17 (6) During the 2011-2013 fiscal biennium, the legislature may
18 transfer from the manufacturing innovation and modernization account to
19 the state general fund such amounts as reflect the excess fund balance
20 of the fund.

21 **Sec. 925.** RCW 47.66.070 and 2000 2nd sp.s. c 4 s 2 are each
22 amended to read as follows:

23 The multimodal transportation account is created in the state
24 treasury. Moneys in the account may be spent only after appropriation.
25 Expenditures from the account may be used only for transportation
26 purposes. During the 2011-2013 fiscal biennium, the legislature may
27 transfer from the multimodal transportation account to the state
28 general fund such amounts as reflect the excess fund balance of the
29 fund to be used solely for the purposes of K-12 transportation.

30 **Sec. 926.** RCW 49.70.170 and 2010 c 8 s 12068 are each amended to
31 read as follows:

32 (1) The worker and community right to know fund is hereby
33 established in the custody of the state treasurer. The department
34 shall deposit all moneys received under this chapter in the fund.
35 Moneys in the fund may be spent only for the purposes of this chapter
36 following legislative appropriation. Disbursements from the fund shall

1 be on authorization of the director or the director's designee. During
2 the 2003-2005 fiscal biennium, moneys in the fund may also be used by
3 the military department for the purpose of assisting the state
4 emergency response commission and coordinating local emergency planning
5 activities. The fund is subject to the allotment procedure provided
6 under chapter 43.88 RCW.

7 (2) The department shall assess each employer who reported ten
8 thousand four hundred or more worker hours in the prior calendar year
9 an annual fee to provide for the implementation of this chapter. The
10 department shall promulgate rules establishing a fee schedule for all
11 employers who reported ten thousand four hundred or more worker hours
12 in the prior calendar year and are engaged in business operations
13 having a standard industrial classification, as designated in the
14 standard industrial classification manual prepared by the federal
15 office of management and budget, within major group numbers 01 through
16 08 (agriculture and forestry industries), numbers 10 through 14 (mining
17 industries), numbers 15 through 17 (construction industries), numbers
18 20 through 39 (manufacturing industries), numbers 41, 42, and 44
19 through 49 (transportation, communications, electric, gas, and sanitary
20 services), number 75 (automotive repair, services, and garages), number
21 76 (miscellaneous repair services), number 80 (health services), and
22 number 82 (educational services). The department shall establish the
23 annual fee for each employer who reported ten thousand four hundred or
24 more worker hours in the prior calendar year in industries identified
25 by this section, provided that fees assessed shall not be more than two
26 dollars and fifty cents per full time equivalent employee. The annual
27 fee shall not exceed fifty thousand dollars. The fees shall be
28 collected solely from employers whose industries have been identified
29 by rule under this chapter. The department shall promulgate rules
30 allowing employers who do not have hazardous substances at their
31 workplace to request an exemption from the assessment and shall
32 establish penalties for fraudulent exemption requests. All fees
33 collected by the department pursuant to this section shall be collected
34 in a cost-efficient manner and shall be deposited in the fund.

35 (3) Records required by this chapter shall at all times be open to
36 the inspection of the director, or his or her designee including, the
37 traveling auditors, agents, or assistants of the department provided

1 for in RCW 51.16.070 and 51.48.040. The information obtained from
2 employer records under the provisions of this section shall be subject
3 to the same confidentiality requirements as set forth in RCW 51.16.070.

4 (4) An employer may appeal the assessment of the fee or penalties
5 pursuant to the procedures set forth in Title 51 RCW and accompanying
6 rules except that the employer shall not have the right of appeal to
7 superior court as provided in Title 51 RCW. The employer from whom the
8 fee or penalty is demanded or enforced, may however, within thirty days
9 of the board of industrial insurance appeal's final order, pay the fee
10 or penalty under written protest setting forth all the grounds upon
11 which such fee or penalty is claimed to be unlawful, excessive, or
12 otherwise improper and thereafter bring an action in superior court
13 against the department to recover such fee or penalty or any portion of
14 the fee or penalty which was paid under protest.

15 (5) Repayment shall be made to the general fund of any moneys
16 appropriated by law in order to implement this chapter.

17 (6) During the 2011-2013 fiscal biennium, the legislature may
18 transfer from the worker and community right to know fund to the state
19 general fund such amounts as reflect the excess fund balance of the
20 fund.

21 **Sec. 927.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
22 reenacted and amended to read as follows:

23 (1) The state toxics control account and the local toxics control
24 account are hereby created in the state treasury.

25 (2) The following moneys shall be deposited into the state toxics
26 control account: (a) Those revenues which are raised by the tax
27 imposed under RCW 82.21.030 and which are attributable to that portion
28 of the rate equal to thirty-three one-hundredths of one percent; (b)
29 the costs of remedial actions recovered under this chapter or chapter
30 70.105A RCW; (c) penalties collected or recovered under this chapter;
31 and (d) any other money appropriated or transferred to the account by
32 the legislature. Moneys in the account may be used only to carry out
33 the purposes of this chapter, including but not limited to the
34 following activities:

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

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

4 (iii) The hazardous waste cleanup program required under this
5 chapter;

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

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

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

12 (vii) Hazardous materials emergency response training;

13 (viii) Water and environmental health protection and monitoring
14 programs;

15 (ix) Programs authorized under chapter 70.146 RCW;

16 (x) A public participation program, including regional citizen
17 advisory committees;

18 (xi) Public funding to assist potentially liable persons to pay for
19 the costs of remedial action in compliance with cleanup standards under
20 RCW 70.105D.030(2)(e) but only when the amount and terms of such
21 funding are established under a settlement agreement under RCW
22 70.105D.040(4) and when the director has found that the funding will
23 achieve both (A) a substantially more expeditious or enhanced cleanup
24 than would otherwise occur, and (B) the prevention or mitigation of
25 unfair economic hardship;

26 (xii) Development and demonstration of alternative management
27 technologies designed to carry out the hazardous waste management
28 priorities of RCW 70.105.150;

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

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

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

35 (3) The following moneys shall be deposited into the local toxics
36 control account: Those revenues which are raised by the tax imposed
37 under RCW 82.21.030 and which are attributable to that portion of the
38 rate equal to thirty-seven one-hundredths of one percent.

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

4 (i) Remedial actions;

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

6 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
7 70.95I, and 70.105 RCW;

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

12 (v) Cleanup and disposal of hazardous substances from abandoned or
13 derelict vessels, defined for the purposes of this section as vessels
14 that have little or no value and either have no identified owner or
15 have an identified owner lacking financial resources to clean up and
16 dispose of the vessel, that pose a threat to human health or the
17 environment.

18 (b) Funds for plans and programs shall be allocated consistent with
19 the priorities and matching requirements established in chapters
20 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
21 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
22 project that is referenced in the action agenda developed by the Puget
23 Sound partnership under RCW 90.71.310, shall, except as conditioned by
24 RCW 70.105D.120, receive priority for any available funding for any
25 grant or funding programs or sources that use a competitive bidding
26 process. During the 2007-2009 fiscal biennium, moneys in the account
27 may also be used for grants to local governments to retrofit public
28 sector diesel equipment and for storm water planning and implementation
29 activities.

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

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

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

1 (B) Funding would create new substantial economic development,
2 public recreational, or habitat restoration opportunities that would
3 not otherwise occur; or

4 (C) Funding would create an opportunity for acquisition and
5 redevelopment of vacant, orphaned, or abandoned property under RCW
6 70.105D.040(5) that would not otherwise occur;

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

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

10 (d) To facilitate and expedite cleanups using funds from the local
11 toxics control account, during the 2009-2011 fiscal biennium the
12 director may establish grant-funded accounts to hold and disperse local
13 toxics control account funds and funds from local governments to be
14 used for remedial actions.

15 (4) Except for unanticipated receipts under RCW 43.79.260 through
16 43.79.282, moneys in the state and local toxics control accounts may be
17 spent only after appropriation by statute.

18 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one
19 percent of the moneys deposited into the state and local toxics control
20 accounts shall be allocated only for public participation grants to
21 persons who may be adversely affected by a release or threatened
22 release of a hazardous substance and to not-for-profit public interest
23 organizations. The primary purpose of these grants is to facilitate
24 the participation by persons and organizations in the investigation and
25 remedying of releases or threatened releases of hazardous substances
26 and to implement the state's solid and hazardous waste management
27 priorities. No grant may exceed sixty thousand dollars. Grants may be
28 renewed annually. Moneys appropriated for public participation from
29 either account which are not expended at the close of any biennium
30 shall revert to the state toxics control account.

31 (6) No moneys deposited into either the state or local toxics
32 control account may be used for solid waste incinerator feasibility
33 studies, construction, maintenance, or operation, or, after January 1,
34 2010, for projects designed to address the restoration of Puget Sound,
35 funded in a competitive grant process, that are in conflict with the
36 action agenda developed by the Puget Sound partnership under RCW
37 90.71.310.

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

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

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

12 (10) During the (~~2009-2011~~) 2011-2013 fiscal biennium, the
13 legislature may transfer from the state toxics control account to the
14 state general fund such amounts as reflect the excess fund balance in
15 the account.

16 (11) During the 2011-2013 fiscal biennium, the local toxics control
17 account may also be used for local government shoreline update grants
18 and actions for reducing public exposure to toxic air pollution.
19 During the 2011-2013 fiscal biennium, the legislature may transfer from
20 the local toxics control account to the state general fund such amounts
21 as reflect excess fund balance in the account.

22 **Sec. 928.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to
23 read as follows:

24 (1) Notwithstanding RCW 84.36.010 or other statutes to the
25 contrary, the director shall pay by April 30th of each year on game
26 lands in each county, if requested by an election under RCW 77.12.201,
27 an amount in lieu of real property taxes equal to that amount paid on
28 similar parcels of open space land taxable under chapter 84.34 RCW or
29 the greater of seventy cents per acre per year or the amount paid in
30 1984 plus an additional amount for control of noxious weeds equal to
31 that which would be paid if such lands were privately owned. This
32 amount shall not be assessed or paid on department buildings,
33 structures, facilities, game farms, fish hatcheries, tidelands, or
34 public fishing areas of less than one hundred acres. During the
35 2011-2013 fiscal biennium, counties will receive an amount based on the
36 formula the counties elected to receive for the 2009 calendar year.

1 (2) "Game lands," as used in this section and RCW 77.12.201, means
2 those tracts one hundred acres or larger owned in fee by the department
3 and used for wildlife habitat and public recreational purposes. All
4 lands purchased for wildlife habitat, public access or recreation
5 purposes with federal funds in the Snake River drainage basin shall be
6 considered game lands regardless of acreage.

7 (3) This section shall not apply to lands transferred after April
8 23, 1990, to the department from other state agencies.

9 (4) The county shall distribute the amount received under this
10 section in lieu of real property taxes to all property taxing districts
11 except the state in appropriate tax code areas the same way it would
12 distribute local property taxes from private property. The county
13 shall distribute the amount received under this section for weed
14 control to the appropriate weed district.

15 **Sec. 929.** RCW 79.64.040 and 2011 1st sp.s. c 50 s 966 and 2011 c
16 216 s 16 are each reenacted and amended to read as follows:

17 (1) The board shall determine the amount deemed necessary in order
18 to achieve the purposes of this chapter and shall provide by rule for
19 the deduction of this amount from the moneys received from all leases,
20 sales, contracts, licenses, permits, easements, and rights-of-way
21 issued by the department and affecting state lands, community forest
22 trust lands, and aquatic lands, provided that no deduction shall be
23 made from the proceeds from agricultural college lands.

24 (2) Moneys received as deposits from successful bidders, advance
25 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
26 prior to December 1, 1981, which have not been subjected to deduction
27 under this section are not subject to deduction under this section.

28 (3) Except as otherwise provided in subsections (4) and (6) of this
29 section, the deductions authorized under this section shall not exceed
30 twenty-five percent of the moneys received by the department in
31 connection with any one transaction pertaining to state lands and
32 aquatic lands other than second-class tide and shore lands and the beds
33 of navigable waters, and fifty percent of the moneys received by the
34 department pertaining to second-class tide and shore lands and the beds
35 of navigable waters.

36 (4) Deductions authorized under this section for transactions
37 pertaining to community forest trust lands must be established at a

1 level sufficient to defray over time the management costs for
2 activities prescribed in a parcel's management plan adopted pursuant to
3 RCW 79.155.080, and, if deemed appropriate by the board consistent with
4 RCW 79.155.090, to reimburse the state and any local entities' eligible
5 financial contributions for acquisition of the parcel.

6 (5) In the event that the department sells logs using the contract
7 harvesting process described in RCW 79.15.500 through 79.15.530, the
8 moneys received subject to this section are the net proceeds from the
9 contract harvesting sale.

10 (6) During the ((2009-2011)) 2011-2013 fiscal biennium ((and fiscal
11 ~~year-2012~~)), the twenty-five percent limitation on deductions set in
12 subsection (3) of this section may be increased up to thirty percent by
13 the board.

14 **Sec. 930.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to
15 read as follows:

16 There is created a forest development account in the state
17 treasury. The state treasurer shall keep an account of all sums
18 deposited therein and expended or withdrawn therefrom. Any sums placed
19 in the forest development account shall be pledged for the purpose of
20 paying interest and principal on the bonds issued by the department
21 under RCW 79.22.080 and 79.22.090 and the provisions of this chapter,
22 and for the purchase of land for growing timber. Any bonds issued
23 shall constitute a first and prior claim and lien against the account
24 for the payment of principal and interest. No sums for the above
25 purposes shall be withdrawn or paid out of the account except upon
26 approval of the department.

27 Appropriations may be made by the legislature from the forest
28 development account to the department for the purpose of carrying on
29 the activities of the department on state forest lands, lands managed
30 on a sustained yield basis as provided for in RCW 79.10.320, and for
31 reimbursement of expenditures that have been made or may be made from
32 the resource management cost account in the management of state forest
33 lands. For the 2011-2013 fiscal biennium, moneys from the forest
34 development account shall be distributed as directed in section 711 of
35 this act to the beneficiaries of the revenues derived from state forest
36 lands.

1 **Sec. 931.** RCW 79.105.150 and 2011 1st sp.s. c 50 s 967 are each
2 amended to read as follows:

3 (1) After deduction for management costs as provided in RCW
4 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
5 received by the state from the sale or lease of state-owned aquatic
6 lands and from the sale of valuable material from state-owned aquatic
7 lands shall be deposited in the aquatic lands enhancement account which
8 is hereby created in the state treasury. After appropriation, these
9 funds shall be used solely for aquatic lands enhancement projects; for
10 the purchase, improvement, or protection of aquatic lands for public
11 purposes; for providing and improving access to the lands; and for
12 volunteer cooperative fish and game projects. During the 2009-2011 and
13 2011-2013 fiscal biennia, the aquatic lands enhancement account may
14 also be used for scientific research as part of the adaptive management
15 process and for developing a planning report for McNeil Island. During
16 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may
17 transfer from the aquatic lands enhancement account to the state
18 general fund such amounts as reflect excess fund balance of the
19 account. During the 2011-2013 fiscal biennium, the aquatic lands
20 enhancement account may be used to support the shellfish program at the
21 department of fish and wildlife.

22 (2) In providing grants for aquatic lands enhancement projects, the
23 recreation and conservation funding board shall:

24 (a) Require grant recipients to incorporate the environmental
25 benefits of the project into their grant applications;

26 (b) Utilize the statement of environmental benefits, consideration,
27 except as provided in RCW 79.105.610, of whether the applicant is a
28 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
29 referenced in the action agenda developed by the Puget Sound
30 partnership under RCW 90.71.310, and except as otherwise provided in
31 RCW 79.105.630, and effective one calendar year following the
32 development and statewide availability of model evergreen community
33 management plans and ordinances under RCW 35.105.050, whether the
34 applicant is an entity that has been recognized, and what gradation of
35 recognition was received, in the evergreen community recognition
36 program created in RCW 35.105.030 in its prioritization and selection
37 process; and

1 (c) Develop appropriate outcome-focused performance measures to be
2 used both for management and performance assessment of the grants.

3 (3) To the extent possible, the department should coordinate its
4 performance measure system with other natural resource-related agencies
5 as defined in RCW 43.41.270.

6 (4) The department shall consult with affected interest groups in
7 implementing this section.

8 (5) After January 1, 2010, any project designed to address the
9 restoration of Puget Sound may be funded under this chapter only if the
10 project is not in conflict with the action agenda developed by the
11 Puget Sound partnership under RCW 90.71.310.

12 **Sec. 932.** RCW 80.01.080 and 2010 1st sp.s. c 37 s 950 are each
13 amended to read as follows:

14 There is created in the state treasury a public service revolving
15 fund. Regulatory fees payable by all types of public service companies
16 shall be deposited to the credit of the public service revolving fund.
17 Except for expenses payable out of the pipeline safety account, all
18 expense of operation of the Washington utilities and transportation
19 commission shall be payable out of the public service revolving fund.

20 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
21 may transfer from the public service revolving fund to the state
22 general fund such amounts as reflect the excess fund balance of the
23 fund.

24 **Sec. 933.** RCW 90.56.335 and 2003 c 264 s 3 are each amended to
25 read as follows:

26 (1) The vessel response account is created in the state treasury.
27 Grants, gifts, and federal funds may be deposited into the account.
28 Oil spill penalties assessed against ships under RCW 90.56.330 and
29 90.48.144 shall also be deposited into the account as well as the money
30 distributed under RCW 46.68.020(2). Moneys in the account may be spent
31 only after appropriation. The department of ecology is authorized to
32 utilize the vessel response account to preposition a dedicated rescue
33 tug at the entrance to the Strait of Juan de Fuca to reduce the risk of
34 major maritime accidents and oil spills on the outer coast and western
35 strait. Prior to authorizing the rescue tug to respond to a distressed
36 vessel, the department shall work with the United States coast guard

1 and industry to determine if another capable, unencumbered commercial
2 tug is available in the area that can respond. If such a tug can
3 respond without increasing the risk of a casualty, it should be
4 deployed as the tug of choice and the state-contracted rescue tug
5 should not be taken off standby duty. The department is also
6 authorized to spot charter tugs as needed during major storms and other
7 high risk periods to protect maritime commerce and the environment
8 anywhere in state waters.

9 (2) The department shall not proceed with rule making related to
10 emergency towing pursuant to chapter 88.46 RCW, so long as the deposit
11 of the fee into the vessel response account under RCW 46.68.020(2) is
12 continued and is appropriated for the purpose of the dedicated rescue
13 tug.

14 (3) During the 2011-2013 fiscal biennium, the vessel response
15 account may also be used to fund the activities of the invasive species
16 council.

17 NEW SECTION. Sec. 934. Section 913 of this act expires July 1,
18 2012.

19 NEW SECTION. Sec. 935. Section 914 of this act takes effect July
20 1, 2012.

21 NEW SECTION. Sec. 936. Section 915 of this act expires July 1,
22 2012.

23 NEW SECTION. Sec. 937. Section 916 of this act takes effect July
24 1, 2012.

25 NEW SECTION. Sec. 938. Section 933 of this act expires July 1,
26 2020.

27 NEW SECTION. Sec. 939. A new section is added to 2011 1st sp.s.
28 c 50 (uncodified) to read as follows:

29 For purposes of RCW 43.88.110(7), any cash deficit in existence at
30 the close of fiscal year 2012 shall be liquidated over the remainder of
31 the 2011-2013 fiscal biennium.

1 NEW SECTION. **Sec. 940.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 941.** Except for sections 914 and 916 which take
6 effect July 1, 2012, this act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and takes effect
9 immediately.

(End of bill)

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