



# Proposed 2011-13 Biennial Operating Budget and 2011 Supplemental

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## Proposed Striking Amendment (H-2531.2/11) to PSHB 1087

April 6, 2011

Representative Alexander, Ranking Minority Member  
House Ways & Means Committee



By Representative Alexander

**PSHB 1087 (H2519.2/11)** - H COMM AMD  
By Committee on Ways & Means

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

3 "NEW SECTION. **Sec. 1.** (1) A budget is hereby adopted and, subject  
4 to the provisions set forth in the following sections, the several  
5 amounts specified in parts I through IX of this act, or so much thereof  
6 as shall be sufficient to accomplish the purposes designated, are  
7 hereby appropriated and authorized to be incurred for salaries, wages,  
8 and other expenses of the agencies and offices of the state and for  
9 other specified purposes for the fiscal biennium beginning July 1,  
10 2011, and ending June 30, 2013, except as otherwise provided, out of  
11 the several funds of the state hereinafter named.

12 (2) Unless the context clearly requires otherwise, the definitions  
13 in this section apply throughout this act.

14 (a) "Fiscal year 2012" or "FY 2012" means the fiscal year ending  
15 June 30, 2012.

16 (b) "Fiscal year 2013" or "FY 2013" means the fiscal year ending  
17 June 30, 2013.

18 (c) "FTE" means full time equivalent.

19 (d) "Lapse" or "revert" means the amount shall return to an  
20 unappropriated status.

21 (e) "Provided solely" means the specified amount may be spent only  
22 for the specified purpose. Unless otherwise specifically authorized in  
23 this act, any portion of an amount provided solely for a specified  
24 purpose which is not expended subject to the specified conditions and  
25 limitations to fulfill the specified purpose shall lapse.

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**PART I**  
**GENERAL GOVERNMENT**

1            NEW SECTION.    **Sec. 101.    FOR THE HOUSE OF REPRESENTATIVES**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$31,528,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$32,155,000
4	TOTAL APPROPRIATION . . . . .	\$63,683,000

5            NEW SECTION.    **Sec. 102.    FOR THE SENATE**

6	General Fund--State Appropriation (FY 2012) . . . . .	\$23,253,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$25,430,000
8	TOTAL APPROPRIATION . . . . .	\$48,683,000

9            NEW SECTION.    **Sec. 103.    FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**  
10 **COMMITTEE**

11	General Fund--State Appropriation (FY 2012) . . . . .	\$2,768,000
12	General Fund--State Appropriation (FY 2013) . . . . .	\$2,839,000
13	TOTAL APPROPRIATION . . . . .	\$5,607,000

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

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

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

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

34            (a) An analysis of marketing expenses and the impact on ticket  
35 sales; the impact to sales of tickets from the change in lottery  
36 beneficiaries; the competitive contracting processes for marketing

1 services and vendors and comparison to other states; identification of  
2 whether there are duplicative or unproductive marketing activities; and  
3 identification of whether savings may occur from changing vendors.

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

7 NEW SECTION.     **Sec. 104.     FOR THE LEGISLATIVE EVALUATION AND**  
8 **ACCOUNTABILITY PROGRAM COMMITTEE**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$1,690,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$1,861,000
11	TOTAL APPROPRIATION . . . . .	\$3,551,000

12 NEW SECTION.     **Sec. 105.     FOR THE OFFICE OF THE STATE ACTUARY**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$25,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$25,000
15	Department of Retirement Systems Expense	
16	Account--State Appropriation . . . . .	\$3,487,000
17	TOTAL APPROPRIATION . . . . .	\$3,537,000

18 NEW SECTION.     **Sec. 106.     FOR THE JOINT LEGISLATIVE SYSTEMS**  
19 **COMMITTEE**

20	General Fund--State Appropriation (FY 2012) . . . . .	\$8,181,000
21	General Fund--State Appropriation (FY 2013) . . . . .	\$8,096,000
22	TOTAL APPROPRIATION . . . . .	\$16,277,000

23 NEW SECTION.     **Sec. 107.     FOR THE STATUTE LAW COMMITTEE**

24	General Fund--State Appropriation (FY 2012) . . . . .	\$4,363,000
25	General Fund--State Appropriation (FY 2013) . . . . .	\$4,824,000
26	TOTAL APPROPRIATION . . . . .	\$9,187,000

27 NEW SECTION.     **Sec. 108.     FOR THE REDISTRICTING COMMISSION**

28	General Fund--State Appropriation (FY 2012) . . . . .	\$1,627,000
29	General Fund--State Appropriation (FY 2013) . . . . .	\$154,000
30	TOTAL APPROPRIATION . . . . .	\$1,781,000

31 The appropriations in this section are subject to the following  
32 conditions and limitations: \$443,000 of the general fund--state  
33 appropriation for fiscal year 2012 is provided solely for the support

1 of legislative redistricting efforts. The commission shall enter into  
2 an interagency agreement with the house of representatives and the  
3 senate for the expenditure of these funds.

4 NEW SECTION. **Sec. 109. FOR THE SUPREME COURT**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$6,897,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$6,938,000
7	TOTAL APPROPRIATION . . . . .	\$13,835,000

8 NEW SECTION. **Sec. 110. FOR THE LAW LIBRARY**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$1,631,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$1,629,000
11	TOTAL APPROPRIATION . . . . .	\$3,260,000

12 NEW SECTION. **Sec. 111. FOR THE COURT OF APPEALS**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$15,625,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$15,740,000
15	TOTAL APPROPRIATION . . . . .	\$31,365,000

16 NEW SECTION. **Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT**

17	General Fund--State Appropriation (FY 2012) . . . . .	\$1,078,000
18	General Fund--State Appropriation (FY 2013) . . . . .	\$1,018,000
19	TOTAL APPROPRIATION . . . . .	\$2,096,000

20 NEW SECTION. **Sec. 113. FOR THE ADMINISTRATOR FOR THE COURTS**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$43,058,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$45,037,000
23	General Fund--Federal Appropriation . . . . .	\$1,551,000
24	General Fund--Private/Local Appropriation . . . . .	\$260,000
25	Judicial Information Systems Account--State	
26	Appropriation . . . . .	\$38,190,000
27	Judicial Stabilization Trust Account--State	
28	Appropriation . . . . .	\$3,376,000
29	TOTAL APPROPRIATION . . . . .	\$131,472,000

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

32 (1) The distributions made under this subsection and distributions  
33 from the county criminal justice assistance account made pursuant to

1 section 801 of this act constitute appropriate reimbursement for costs  
2 for any new programs or increased level of service for purposes of RCW  
3 43.135.060.

4 (2) \$265,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$265,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for the office of public  
7 guardianship to provide guardianship services for low-income  
8 incapacitated persons.

9 (3) Until funding is specifically appropriated for the superior  
10 court case management system, amounts appropriated in this section may  
11 not be expended for the creation, development, or implementation of a  
12 superior court case management system.

13 **NEW SECTION. Sec. 114. FOR THE OFFICE OF PUBLIC DEFENSE**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$24,491,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$24,418,000
16	Judicial Stabilization Trust Account--State	
17	Appropriation . . . . .	\$1,556,000
18	TOTAL APPROPRIATION . . . . .	\$50,465,000

19 The appropriations in this section are subject to the following  
20 conditions and limitations: The amounts provided include funding for  
21 expert and investigative services in death penalty personal restraint  
22 petitions.

23 **NEW SECTION. Sec. 115. FOR THE OFFICE OF CIVIL LEGAL AID**

24	General Fund--State Appropriation (FY 2012) . . . . .	\$10,778,000
25	General Fund--State Appropriation (FY 2013) . . . . .	\$10,779,000
26	Judicial Stabilization Trust Account--State	
27	Appropriation . . . . .	\$686,000
28	TOTAL APPROPRIATION . . . . .	\$22,243,000

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

1            **NEW SECTION. Sec. 116. FOR THE OFFICE OF THE GOVERNOR**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$5,615,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$5,618,000
4	Economic Development Strategic Reserve Account--State	
5	Appropriation . . . . .	\$1,500,000
6	TOTAL APPROPRIATION . . . . .	\$12,733,000

7            The appropriations in this section are subject to the following  
8 conditions and limitations: \$1,500,000 of the economic development  
9 strategic reserve account appropriation is provided solely for efforts  
10 to assist with currently active industrial recruitment efforts that  
11 will bring new jobs to the state or will retain headquarter locations  
12 of major companies currently housed in the state.

13           **NEW SECTION. Sec. 117. FOR THE LIEUTENANT GOVERNOR**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$520,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$533,000
16	General Fund--Private/Local Appropriation . . . . .	\$90,000
17	TOTAL APPROPRIATION . . . . .	\$1,143,000

18           **NEW SECTION. Sec. 118. FOR THE PUBLIC DISCLOSURE COMMISSION**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$2,071,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$2,071,000
21	TOTAL APPROPRIATION . . . . .	\$4,142,000

22           **NEW SECTION. Sec. 119. FOR THE SECRETARY OF STATE**

23	General Fund--State Appropriation (FY 2012) . . . . .	\$18,736,000
24	General Fund--State Appropriation (FY 2013) . . . . .	\$16,219,000
25	General Fund--Federal Appropriation . . . . .	\$7,431,000
26	Archives and Records Management Account--State	
27	Appropriation . . . . .	\$8,065,000
28	Charitable Organization Education Account--State	
29	Appropriation . . . . .	\$452,000
30	Department of Personnel Service Account--State	
31	Appropriation . . . . .	\$781,000
32	Local Government Archives Account--State	
33	Appropriation . . . . .	\$10,728,000
34	Election Account--Federal Appropriation . . . . .	\$17,338,000
35	TOTAL APPROPRIATION . . . . .	\$79,750,000



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

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

9 (2)(a) \$1,897,000 of the general fund--state appropriation for  
10 fiscal year 2012 and \$2,076,000 of the general fund--state  
11 appropriation for fiscal year 2013 are provided solely for contracting  
12 with a nonprofit organization to produce gavel-to-gavel television  
13 coverage of state government deliberations and other events of  
14 statewide significance during the 2011-2013 biennium. The funding  
15 level for each year of the contract shall be based on the amount  
16 provided in this subsection. The nonprofit organization shall be  
17 required to raise contributions or commitments to make contributions,  
18 in cash or in kind, in an amount equal to forty percent of the state  
19 contribution. The office of the secretary of state may make full or  
20 partial payment once all criteria in this subsection have been  
21 satisfactorily documented.

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

27 (c) The nonprofit organization shall prepare an annual independent  
28 audit, an annual financial statement, and an annual report, including  
29 benchmarks that measure the success of the nonprofit organization in  
30 meeting the intent of the program.

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

33 (i) Attempting to influence the passage or defeat of any  
34 legislation by the legislature of the state of Washington, by any  
35 county, city, town, or other political subdivision of the state of  
36 Washington, or by the congress, or the adoption or rejection of any  
37 rule, standard, rate, or other legislative enactment of any state  
38 agency;

1 (ii) Making contributions reportable under chapter 42.17 RCW; or  
2 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,  
3 lodging, meals, or entertainment to a public officer or employee.

4 (e) \$75,000 of the general fund--state appropriation for fiscal  
5 year 2012, and \$75,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for implementation of Engrossed  
7 Second Substitute House Bill No. 1206 (criminal justice participants).  
8 If the bill is not enacted by June 30, 2011, the amounts provided in  
9 this subsection shall lapse.

10 NEW SECTION. **Sec. 120. FOR THE GOVERNOR'S OFFICE OF INDIAN**  
11 **AFFAIRS**

12	General Fund--State Appropriation (FY 2012) . . . . .	\$244,000
13	General Fund--State Appropriation (FY 2013) . . . . .	\$253,000
14	TOTAL APPROPRIATION . . . . .	\$497,000

15 The appropriations in this section are subject to the following  
16 conditions and limitations: The office shall assist the department of  
17 enterprise services on providing the government-to-government training  
18 sessions for federal, state, local, and tribal government employees.  
19 The training sessions shall cover tribal historical perspectives, legal  
20 issues, tribal sovereignty, and tribal governments. Costs of the  
21 training sessions shall be recouped through a fee charged to the  
22 participants of each session. The department of enterprise services  
23 shall be responsible for all of the administrative aspects of the  
24 training, including the billing and collection of the fees for the  
25 training.

26 NEW SECTION. **Sec. 121. FOR THE COMMISSION ON ASIAN PACIFIC**  
27 **AMERICAN AFFAIRS**

28	General Fund--State Appropriation (FY 2012) . . . . .	\$218,000
29	General Fund--State Appropriation (FY 2013) . . . . .	\$207,000
30	TOTAL APPROPRIATION . . . . .	\$425,000

31 NEW SECTION. **Sec. 122. FOR THE STATE TREASURER**

32	State Treasurer's Service Account--State	
33	Appropriation . . . . .	\$15,300,000

1            NEW SECTION.    **Sec. 123.    FOR THE STATE AUDITOR**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$728,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$733,000
4	State Auditing Services Revolving	
5	Account--State Appropriation . . . . .	\$179,000
6	Performance Audit of Government Account--State	
7	Appropriation . . . . .	\$28,338,000
8	TOTAL APPROPRIATION . . . . .	\$29,978,000

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

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

16            (2) \$728,000 of the general fund--state appropriation for fiscal  
17 year 2012 and \$733,000 of the general fund--state appropriation for  
18 fiscal year 2013 are provided solely for staff and related costs to  
19 verify the accuracy of reported school district data submitted for  
20 state funding purposes; conduct school district program audits of state  
21 funded public school programs; establish the specific amount of state  
22 funding adjustments whenever audit exceptions occur and the amount is  
23 not firmly established in the course of regular public school audits;  
24 and to assist the state special education safety net committee when  
25 requested.

26            (3) Within the amounts appropriated in this section, the state  
27 auditor shall continue to complete the annual audit of the state's  
28 comprehensive annual financial report and the annual federal single  
29 audit consistent with the auditing standards generally accepted in the  
30 United States and the standards applicable to financial audits  
31 contained in government auditing standards, issued by the comptroller  
32 general of the United States, and OMB circular A-133, audits of states,  
33 local governments, and nonprofit organizations.

34            NEW SECTION.    **Sec. 124.    FOR THE CITIZENS' COMMISSION ON SALARIES**  
35 **FOR ELECTED OFFICIALS**

36	General Fund--State Appropriation (FY 2012) . . . . .	\$156,000
37	General Fund--State Appropriation (FY 2013) . . . . .	\$195,000

1	TOTAL APPROPRIATION . . . . .	\$351,000
2	<b><u>NEW SECTION. Sec. 125. FOR THE ATTORNEY GENERAL</u></b>	
3	General Fund--State Appropriation (FY 2012) . . . . .	\$5,075,000
4	General Fund--State Appropriation (FY 2013) . . . . .	\$5,075,000
5	General Fund--Federal Appropriation . . . . .	\$4,722,000
6	New Motor Vehicle Arbitration Account--State	
7	Appropriation . . . . .	\$1,000,000
8	Legal Services Revolving Account--State	
9	Appropriation . . . . .	\$211,886,000
10	Tobacco Prevention and Control Account--State	
11	Appropriation . . . . .	\$270,000
12	TOTAL APPROPRIATION . . . . .	\$228,028,000

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

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

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

30 (3) The attorney general shall annually report to the fiscal  
31 committees of the legislature all new cy pres awards and settlements  
32 and all new accounts, disclosing their intended uses, balances, the  
33 nature of the claim or account, proposals, and intended timeframes for  
34 the expenditure of each amount. The report shall be distributed  
35 electronically and posted on the attorney general's web site. The  
36 report shall not be printed on paper or distributed physically.

1 (4) The attorney general shall enter into an interagency agreement  
2 with the health care authority for expenditure of \$1,570,000 of the  
3 state's proceeds from the *cy pres* settlement in *State of Washington v.*  
4 *AstraZeneca* (Seroquel) for the purposes set forth in section 213 of  
5 this act.

6 (5) \$62,000 of the legal services revolving fund--state  
7 appropriation is provided solely to implement House Bill No. 1770  
8 (state purchasing). If the bill is not enacted by June 30, 2011, the  
9 amount provided in this subsection shall lapse.

10 (6) \$150,000 of the legal services revolving fund--state  
11 appropriation is provided solely for implementation of Engrossed Second  
12 Substitute House Bill No. 1206 (criminal justice participants). If the  
13 bill is not enacted by June 30, 2011, the amount provided in this  
14 subsection shall lapse.

15 **NEW SECTION. Sec. 126. FOR THE CASELOAD FORECAST COUNCIL**

16	General Fund--State Appropriation (FY 2012) . . . . .	\$709,000
17	General Fund--State Appropriation (FY 2013) . . . . .	\$710,000
18	TOTAL APPROPRIATION . . . . .	\$1,419,000

19 **NEW SECTION. Sec. 127. FOR THE DEPARTMENT OF COMMERCE**

20	General Fund--State Appropriation (FY 2012) . . . . .	\$31,125,000
21	General Fund--State Appropriation (FY 2013) . . . . .	\$31,886,000
22	General Fund--Federal Appropriation . . . . .	\$282,675,000
23	General Fund--Private/Local Appropriation . . . . .	\$4,982,000
24	Public Works Assistance Account--State	
25	Appropriation . . . . .	\$3,059,000
26	Drinking Water Assistance Administrative	
27	Account--State Appropriation . . . . .	\$443,000
28	Lead Paint Account--State Appropriation . . . . .	\$65,000
29	Building Code Council Account--State Appropriation . . . . .	\$13,000
30	Home Security Fund Account--State Appropriation . . . . .	\$7,058,000
31	Affordable Housing for All Account--State	
32	Appropriation . . . . .	\$11,905,000
33	County Research Services Account--State Appropriation . . . . .	\$1,052,000
34	Financial Fraud and Identity Theft Crimes Investigation	
35	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
36	Low-Income Weatherization Assistance Account--State	

1	Appropriation . . . . .	\$5,795,000
2	City and Town Research Services Account--State	
3	Appropriation . . . . .	\$5,026,000
4	Manufacturing Innovation and Modernization	
5	Account--State Appropriation . . . . .	\$61,000
6	Community and Economic Development Fee Account--State	
7	Appropriation . . . . .	\$8,648,000
8	Washington Housing Trust Account--State	
9	Appropriation . . . . .	\$15,476,000
10	Prostitution Prevention and Intervention Account--	
11	State Appropriation . . . . .	\$94,000
12	Public Facility Construction Loan Revolving	
13	Account--State Appropriation . . . . .	\$764,000
14	Washington Community Technology Opportunity Account--	
15	State Appropriation . . . . .	\$713,000
16	TOTAL APPROPRIATION . . . . .	\$412,006,000

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

19 (1) Repayments of outstanding mortgage and rental assistance  
20 program loans administered by the department under RCW 43.63A.640 shall  
21 be remitted to the department, including any current revolving account  
22 balances. The department shall collect payments on outstanding loans,  
23 and deposit them into the state general fund. Repayments of funds owed  
24 under the program shall be remitted to the department according to the  
25 terms included in the original loan agreements.

26 (2) \$500,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$500,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for a grant to resolution  
29 Washington to building statewide capacity for alternative dispute  
30 resolution centers and dispute resolution programs that guarantee that  
31 citizens have access to low-cost resolution as an alternative to  
32 litigation.

33 (3) \$277,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$277,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for a grant to the retired senior  
36 volunteer program.

37 (4) The department shall administer its growth management act

1 technical assistance so that smaller cities receive proportionately  
2 more assistance than larger cities or counties.

3 (5) Up to \$700,000 of the general fund--private/local appropriation  
4 is provided for pass-through grants to cities in the central Puget  
5 Sound to plan for transfer of development rights receiving areas under  
6 the central Puget Sound regional transfer of development rights  
7 program.

8 (6) \$3,071,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$3,070,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for associate development  
11 organizations.

12 (7) \$127,000 of the general fund--federal appropriation is provided  
13 solely for implementation of Substitute House Bill No. 1886  
14 (Ruckelshaus center process). If the bill is not enacted by June 30,  
15 2011, the amount provided in this subsection shall lapse.

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

32 (9) \$2,229,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$2,228,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for a contract with the Washington  
35 technology center for work essential to the mission of the Washington  
36 technology center and conducted in partnership with universities.

1            NEW SECTION.    **Sec. 128.    FOR THE ECONOMIC AND REVENUE FORECAST**

2    **COUNCIL**

3	General Fund--State Appropriation (FY 2012) . . . . .	\$691,000
4	General Fund--State Appropriation (FY 2013) . . . . .	\$749,000
5	Lottery Administrative Account--State Appropriation . . . . .	\$50,000
6	TOTAL APPROPRIATION . . . . .	\$1,490,000

7            NEW SECTION.    **Sec. 129.    FOR THE OFFICE OF FINANCIAL MANAGEMENT**

8	General Fund--State Appropriation (FY 2012) . . . . .	\$19,280,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$19,476,000
10	General Fund--Federal Appropriation . . . . .	\$31,581,000
11	General Fund--Private/Local Appropriation . . . . .	\$1,270,000
12	Performance Audit of Government Account--State	
13	Appropriation . . . . .	\$25,000
14	Economic Development Strategic Reserve Account--	
15	State Appropriation . . . . .	\$289,000
16	Department of Personnel Services--State Appropriation . . . . .	\$9,069,000
17	Data Processing Revolving Account--State	
18	Appropriation . . . . .	\$5,208,000
19	Higher Education Personnel Services Account--State	
20	Appropriation . . . . .	\$1,533,000
21	TOTAL APPROPRIATION . . . . .	\$87,731,000

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

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

29            (2) \$12,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$12,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for implementation of House Bill  
32 No. 1654 (tuition for excess credits). If the bill is not enacted by  
33 June 30, 2011, the amounts provided in this subsection shall lapse.

34            NEW SECTION.    **Sec. 130.    FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

35	Administrative Hearings Revolving Account--State	
36	Appropriation . . . . .	\$34,810,000



1 The appropriation in this section is subject to the following  
2 conditions and limitations: \$580,000 of the administrative hearings  
3 revolving account--state appropriation is provided solely to implement  
4 Substitute House Bill No. 1741 (temp assist/needly families). If the  
5 bill is not enacted by June 30, 2011, the amount provided in this  
6 subsection shall lapse.

7 NEW SECTION. **Sec. 131. FOR THE WASHINGTON STATE LOTTERY**  
8 Lottery Administrative Account--State  
9 Appropriation . . . . . \$27,075,000

10 NEW SECTION. **Sec. 132. FOR THE COMMISSION ON HISPANIC AFFAIRS**  
11 General Fund--State Appropriation (FY 2012) . . . . . \$233,000  
12 General Fund--State Appropriation (FY 2013) . . . . . \$239,000  
13 TOTAL APPROPRIATION . . . . . \$472,000

14 NEW SECTION. **Sec. 133. FOR THE COMMISSION ON AFRICAN-AMERICAN**  
15 **AFFAIRS**  
16 General Fund--State Appropriation (FY 2012) . . . . . \$224,000  
17 General Fund--State Appropriation (FY 2013) . . . . . \$225,000  
18 TOTAL APPROPRIATION . . . . . \$449,000

19 NEW SECTION. **Sec. 134. FOR THE DEPARTMENT OF RETIREMENT**  
20 **SYSTEMS--OPERATIONS**  
21 Department of Retirement Systems Expense  
22 Account--State Appropriation . . . . . \$47,587,000

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

25 (1) \$45,000 of the department of retirement systems--state  
26 appropriation is provided solely for the administrative costs  
27 associated with implementation of House Bill No. 1742 (alternate early  
28 retirement). If the bill is not enacted by June 30, 2011, the amount  
29 provided in this subsection shall lapse.

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

1 (3) \$67,000 of the department of retirement systems--state  
2 appropriation is provided solely for the administrative costs  
3 associated with implementation of House Bill No. 1981 (higher education  
4 retirement plan and postretirement employment). If the bill is not  
5 enacted by June 30, 2011, the amount provided in this subsection shall  
6 lapse.

7 (4) \$15,000 of the department of retirement systems--state  
8 appropriation is provided solely for the administrative costs  
9 associated with implementation of House Bill No. 2021 (limiting annual  
10 increase amounts). If the bill is not enacted by June 30, 2011, the  
11 amount provided in this subsection shall lapse.

12 NEW SECTION. **Sec. 135. FOR THE DEPARTMENT OF REVENUE**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$108,971,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$109,036,000
15	Timber Tax Distribution Account--State Appropriation . . . . .	\$6,090,000
16	Waste Reduction/Recycling/Litter Control--State	
17	Appropriation . . . . .	\$135,000
18	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
19	State Toxics Control Account--State Appropriation . . . . .	\$91,000
20	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
21	Master License Fund--State Appropriation . . . . .	\$16,239,000
22	Vehicle License Fraud Account--State Appropriation . . . . .	\$5,000
23	TOTAL APPROPRIATION . . . . .	\$240,588,000

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

26 (1) \$16,192,000 of the master license account appropriation is  
27 provided solely to implement House Bill No. 2017 (master license  
28 service program). If the bill is not enacted by June 30, 2011, the  
29 amount provided in this subsection shall lapse.

30 (2) \$47,000 of the master license account appropriation is provided  
31 solely to implement Engrossed Substitute House Bill No. 1367 (for hire  
32 vehicles and operators). If the bill is not enacted by June 30, 2011,  
33 the amount provided in this subsection shall lapse.

34 (3) \$276,000 of the general fund--state appropriation for fiscal  
35 year 2012 is provided solely to implement House Bill No. ... (H-  
36 2252/11) (repeal streamline sales tax). If the bill is not enacted by  
37 June 30, 2011, the amount provided in this subsection shall lapse.

1        NEW SECTION.    **Sec. 136. FOR THE STATE INVESTMENT BOARD**

2    State Investment Board Expense Account--State

3        Appropriation . . . . . \$29,858,000

4        The appropriation in this section is subject to the following  
5    conditions and limitations: The complete biennial salary survey  
6    required under RCW 43.33A.100 shall be provided to the office of  
7    financial management and to the fiscal committees of the legislature as  
8    part of the state investment board's biennial budget submittal, and  
9    shall include the total amount of compensation increases proposed, as  
10   well as recommended salary ranges.

11       NEW SECTION.    **Sec. 137. FOR THE BOARD OF TAX APPEALS**

12    General Fund--State Appropriation (FY 2012) . . . . . \$1,275,000

13    General Fund--State Appropriation (FY 2013) . . . . . \$1,258,000

14        TOTAL APPROPRIATION . . . . . \$2,533,000

15       NEW SECTION.    **Sec. 138. FOR THE OFFICE OF MINORITY AND WOMEN'S**  
16    **BUSINESS ENTERPRISES**

17    OMWBE Enterprises Account--State Appropriation . . . . . \$3,368,000

18       NEW SECTION.    **Sec. 139. FOR THE CONSOLIDATED TECHNOLOGY SERVICES**  
19    **AGENCY**

20    General Fund--State Appropriation (FY 2012) . . . . . \$3,000

21    General Fund--State Appropriation (FY 2013) . . . . . \$4,000

22    General Fund--Private/Local Appropriation . . . . . \$356,000

23    Data Processing Revolving Account--State

24        Appropriation . . . . . \$53,000

25        TOTAL APPROPRIATION . . . . . \$416,000

26        The expenditures of the consolidated technology services agency are  
27    subject to the following conditions and limitations:

28        (1) \$26,794,000 from the data processing revolving account  
29    appropriation may be expended to design and install the network and  
30    other necessary equipment to operate a consolidated state data center.  
31    Before expending any funds from this account for equipping and  
32    operating the data center, the following conditions must be met:

33        (a) The office of the chief information officer shall be  
34    established and a chief information officer appointed as directed under  
35    Substitute House Bill No. 1841 (information technology management);

1 (b) Technical standards for agencies to adopt shared services  
2 consistent with the consolidated data center have been developed and  
3 approved by the chief information officer;

4 (c) Labor provisions and contracting and purchasing authority have  
5 been implemented consistent with Substitute House Bill No. 1841  
6 (information technology management); and

7 (d) The consolidated technology services agency has developed a  
8 rate model that provides competitive rates for agencies that use the  
9 state data center. If necessary, the consolidated technology services  
10 agency shall identify options to offset the fixed costs of operating  
11 the data center to allow for competitive rates to be charged to  
12 agencies.

13 (2) Once the conditions in subsection (1) of this section have been  
14 met and approved by the office of financial management and the chief  
15 information officer, the chief information officer and the consolidated  
16 technology services agency shall select a vendor to design, install,  
17 and operate the consolidated data center.

18 **NEW SECTION. Sec. 140. FOR THE INSURANCE COMMISSIONER**

19 General Fund--Federal Appropriation . . . . .	\$4,474,000
20 Insurance Commissioners Regulatory Account--State	
21 Appropriation . . . . .	\$48,501,000
22 TOTAL APPROPRIATION . . . . .	\$52,975,000

23 The appropriations in this section are subject to the following  
24 conditions and limitations: \$42,000 of the insurance commissioner's  
25 regulatory account--state appropriation is provided solely to implement  
26 House Bill No. 1343 (insurance statutes). If the bill is not enacted  
27 by June 30, 2011, the amount provided in this subsection shall lapse.

28 **NEW SECTION. Sec. 141. FOR THE BOARD OF ACCOUNTANCY**

29 Certified Public Accountants' Account--State	
30 Appropriation . . . . .	\$2,814,000

31 **NEW SECTION. Sec. 142. FOR THE FORENSIC INVESTIGATION COUNCIL**

32 Death Investigations Account--State Appropriation . . . . .	\$280,000
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33 The appropriation in this section is subject to the following  
34 conditions and limitations: \$250,000 of the death investigations  
35 account appropriation is provided solely for providing financial

1 assistance to local jurisdictions in multiple death investigations.  
2 The forensic investigation council shall develop criteria for awarding  
3 these funds for multiple death investigations involving an  
4 unanticipated, extraordinary, and catastrophic event or those involving  
5 multiple jurisdictions.

6 NEW SECTION. **Sec. 143. FOR THE HORSE RACING COMMISSION**

7 Horse Racing Commission Operating Account--State  
8 Appropriation . . . . . \$4,029,000

9 NEW SECTION. **Sec. 144. FOR THE LIQUOR CONTROL BOARD**

10 Liquor Control Board Construction and Maintenance  
11 Account--State Appropriation . . . . . \$10,081,000  
12 Liquor Revolving Account--State Appropriation . . . . . \$183,984,000  
13 General Fund--Federal Appropriation . . . . . \$120,000  
14 TOTAL APPROPRIATION . . . . . \$194,185,000

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

17 NEW SECTION. **Sec. 145. FOR THE UTILITIES AND TRANSPORTATION**  
18 **COMMISSION**

19 General Fund--Federal Appropriation . . . . . \$502,000  
20 General Fund--Private/Local Appropriation . . . . . \$11,216,000  
21 Public Service Revolving Account--State  
22 Appropriation . . . . . \$31,114,000  
23 Pipeline Safety Account--State Appropriation . . . . . \$3,228,000  
24 Pipeline Safety Account--Federal Appropriation . . . . . \$2,887,000  
25 TOTAL APPROPRIATION . . . . . \$48,947,000

26 NEW SECTION. **Sec. 146. FOR THE MILITARY DEPARTMENT**

27 General Fund--State Appropriation (FY 2012) . . . . . \$8,279,000  
28 General Fund--State Appropriation (FY 2013) . . . . . \$8,313,000  
29 General Fund--Federal Appropriation . . . . . \$160,163,000  
30 Enhanced 911 Account--State Appropriation . . . . . \$46,619,000  
31 Disaster Response Account--State Appropriation . . . . . \$18,018,000  
32 Disaster Response Account--Federal Appropriation . . . . . \$66,266,000  
33 Military Department Rent and Lease Account--State  
34 Appropriation . . . . . \$615,000

1 Worker and Community Right-to-Know Account--State  
 2 Appropriation . . . . . \$2,178,000  
 3 TOTAL APPROPRIATION . . . . . \$310,451,000

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

6 (1) \$18,018,000 of the disaster response account--state  
 7 appropriation and \$66,266,000 of the disaster response account--federal  
 8 appropriation may be spent only on disasters declared by the governor  
 9 and with the approval of the office of financial management. The  
 10 military department shall submit a report to the office of financial  
 11 management and the legislative fiscal committees on October 1st and  
 12 February 1st of each year detailing information on the disaster  
 13 response account, including: (a) The amount and type of deposits into  
 14 the account; (b) the current available fund balance as of the reporting  
 15 date; and (c) the projected fund balance at the end of the 2011-2013  
 16 biennium based on current revenue and expenditure patterns.

17 (2) \$75,000,000 of the general fund--federal appropriation is  
 18 provided solely for homeland security, subject to the following  
 19 conditions:

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

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

29 NEW SECTION. **Sec. 147. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**  
 30 Volunteer Firefighters' and Reserve Officers'  
 31 Administrative Account--State Appropriation . . . . . \$1,069,000

32 NEW SECTION. **Sec. 148. FOR THE PUBLIC EMPLOYMENT RELATIONS**  
 33 **COMMISSION**  
 34 General Fund--State Appropriation (FY 2012) . . . . . \$2,410,000  
 35 General Fund--State Appropriation (FY 2013) . . . . . \$2,476,000  
 36 Higher Education Personnel Services Account--State

1	Appropriation . . . . .	\$257,000
2	Department of Personnel Service Account--State	
3	Appropriation . . . . .	\$3,392,000
4	TOTAL APPROPRIATION . . . . .	\$8,535,000

5        NEW SECTION.        **Sec. 149.**        **FOR THE DEPARTMENT OF ENTERPRISE**  
6        **SERVICES**

7	General Fund--State Appropriation (FY 2012) . . . . .	\$7,567,000
8	General Fund--State Appropriation (FY 2013) . . . . .	\$7,565,000
9	General Fund--Federal Appropriation . . . . .	\$184,000
10	General Fund--Private/Local Appropriation . . . . .	\$368,000
11	Building Code Council Account . . . . .	\$1,183,000
12	Department of Personnel Service Account . . . . .	\$10,029,000
13	General Administration Service Account . . . . .	\$27,228,000
14	TOTAL APPROPRIATION . . . . .	\$54,124,000

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

17        (1) \$3,090,000 of the general fund--state appropriation for fiscal  
18        year 2012 and \$3,090,000 of the general fund--state appropriation for  
19        fiscal year 2013 are provided solely for the payment of facilities and  
20        services charges, utilities and contracts charges, public and historic  
21        facilities charges, and capital projects surcharges allocable to the  
22        senate, house of representatives, statute law committee, and joint  
23        legislative systems committee. The department shall allocate charges  
24        attributable to these agencies among the affected revolving funds. The  
25        department shall maintain an interagency agreement with these agencies  
26        to establish performance standards, prioritization of preservation and  
27        capital improvement projects, and quality assurance provisions for the  
28        delivery of services under this subsection. The legislative agencies  
29        named in this subsection shall continue to enjoy all of the same rights  
30        of occupancy and space use on the capitol campus as historically  
31        established.

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

35        (3) \$1,183,000 of the building code council account appropriation  
36        is provided solely for the state building code council. These funds  
37        may not be used for activities related to modification of the

1 Washington energy code adopted under RCW 19.27A.020 except for  
2 modifications which would implement the international energy  
3 conservation code of 2012. The council may use a portion of these  
4 funds to support public meetings required under RCW 19.27.074 only if  
5 the meetings provide alternative means of participation such as through  
6 webinars or the use of other technology that allows individuals who  
7 cannot attend in person to fully participate.

8 NEW SECTION. **Sec. 150. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**  
9 **HISTORIC PRESERVATION**

10	General Fund--State Appropriation (FY 2012) . . . . .	\$1,335,000
11	General Fund--State Appropriation (FY 2013) . . . . .	\$1,338,000
12	General Fund--Federal Appropriation . . . . .	\$1,946,000
13	General Fund--Private/Local Appropriation . . . . .	\$14,000
14	TOTAL APPROPRIATION . . . . .	\$4,633,000

(End of part)



PART II  
HUMAN SERVICES

NEW SECTION.    **Sec. 201.    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 shall maintain the current integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population, and the health care authority and the department may expand the program to include additional enrollees throughout the state. Under this Washington medicaid integration

1 partnership (WMIP), the health care authority and the department may  
 2 combine and transfer such medicaid funds appropriated under sections  
 3 204, 206, 208, and 213 of this act as may be necessary to finance a  
 4 unified health care plan for the WMIP program enrollment. The amount  
 5 of funding assigned from each program may not exceed the average per  
 6 capita cost assumed in this act for individuals covered by that  
 7 program, actuarially adjusted for the health condition of persons  
 8 enrolled, times the number of clients enrolled. In implementing the  
 9 WMIP, the health care authority and the department may: (a) Withhold  
 10 from calculations of "available resources" as set forth in RCW  
 11 71.24.025 a sum equal to the capitated rate for enrolled individuals;  
 12 and (b) employ capitation financing and risk-sharing arrangements in  
 13 collaboration with health care service contractors licensed by the  
 14 office of the insurance commissioner and qualified to participate in  
 15 both the medicaid and medicare programs. The health care authority and  
 16 the department shall conduct an evaluation of the WMIP, measuring  
 17 changes in participant health outcomes, changes in patterns of service  
 18 utilization, participant satisfaction, participant access to services,  
 19 and the state fiscal impact.

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

30 NEW SECTION. **Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
 31 **SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM**

32	General Fund--State Appropriation (FY 2012) . . . . .	\$302,079,000
33	General Fund--State Appropriation (FY 2013) . . . . .	\$304,239,000
34	General Fund--Federal Appropriation . . . . .	\$476,616,000
35	General Fund--Private/Local Appropriation . . . . .	\$1,389,000
36	Home Security Fund Appropriation . . . . .	\$7,874,000
37	Domestic Violence Prevention Account--State	

1 Appropriation . . . . . \$1,154,000  
2 Education Legacy Trust Account--State Appropriation . . . . . \$725,000  
3 TOTAL APPROPRIATION . . . . . \$1,094,076,000

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

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

11 (2) \$81,353,000 of the general fund--state appropriation for fiscal  
12 year 2012, \$81,646,000 of the general fund--state appropriation for  
13 fiscal year 2013, and \$77,145,000 of the general fund--federal  
14 appropriation are provided solely for the department to utilize  
15 performance-based contracts as required under RCW 74.13.360(1) to  
16 obtain services for children and families.

17 (a) The department shall contract with lead agencies to, within the  
18 scope of their allowable activities under the contract, provide  
19 services to safely reduce the number of children in out-of-home care,  
20 safely reduce the time spent in out-of-home care prior to achieving  
21 permanency, and safely reduce the number of children returning to  
22 out-of-home care following permanency. The services provided through  
23 the lead agencies must include, but are not limited to, pediatric  
24 interim care center and community-based services, behavioral  
25 rehabilitative services, crisis intervention services, family  
26 preservation services, intensive family preservation services,  
27 assessment services, evidence-based programs, medicaid treatment child  
28 care, and constellation hub models for foster care support.

29 (b) The department shall collect and monitor outcome and  
30 performance data associated with child and family safety and  
31 well-being. The department shall report outcome and performance data  
32 annually to the legislature. The first report shall be submitted to  
33 the relevant policy and fiscal committees of the legislature on  
34 December 1, 2011. The report shall include, but is not limited to,  
35 data on the following outcomes:

36 (i) Percent of children that remain safely in their homes without  
37 a substantiated maltreatment report while their case is open for  
38 services;

1 (ii) Percent of children that do not have a substantiated  
2 maltreatment report within six months of case closures;

3 (iii) Percent of children in out-of-home care with two or fewer  
4 placements in the first year;

5 (iv) Percent of children placed in out-of-home care with no  
6 placement disruptions in the last 12 months, 24 months, and 36 months;

7 (v) Reduction in the total number of care days for all children  
8 placed in out-of-home care;

9 (vi) Reduction in the median length of stay for children intensive  
10 treatment settings; and

11 (vii) Percent and number of children who reenter out-of-home care  
12 following an exit from care.

13 (c) In addition to outcome data, the report shall include  
14 information related to:

15 (i) The number of children and families served;

16 (ii) The type of services provided, including the extent to which  
17 evidence-based services and promising practices are being used;

18 (iii) The duration of the services provided;

19 (iv) The cost of services provided during the reporting period;

20 (v) Any changes in racial and ethnic disproportionality among the  
21 children served by the lead agencies; and

22 (vi) The results of stakeholder and tribal partners' satisfaction  
23 surveys.

24 (d) The initial report also shall include lead agency start-up  
25 costs incurred during the first six months of state fiscal year 2012.

26 (3) \$36,000 of the general fund--state appropriation for fiscal  
27 year 2012, \$36,000 of the general fund--state appropriation for fiscal  
28 year 2013, and \$32,000 of the general fund--federal appropriation are  
29 provided solely for the implementation of chapter 465, Laws of 2007  
30 (child welfare).

31 (4) \$176,000 of the general fund--state appropriation for fiscal  
32 year 2012, \$177,000 of the general fund--state appropriation for fiscal  
33 year 2013, \$656,000 of the general fund--private/local appropriation,  
34 \$253,000 of the general fund--federal appropriation, and \$725,000 of  
35 the education legacy trust account--state appropriation are provided  
36 solely for children's administration to contract with an educational  
37 advocacy provider with expertise in foster care educational outreach.  
38 The amounts in this subsection are provided solely for contracted

1 education coordinators to assist foster children in succeeding in K-12  
2 and higher education systems and to assure a focus on education during  
3 the transition to performance based contracts. Funding shall be  
4 prioritized to regions with high numbers of foster care youth and/or  
5 regions where backlogs of youth that have formerly requested  
6 educational outreach services exist. The department shall utilize  
7 private matching funds to maintain educational advocacy services.

8 (5) \$644,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$643,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for services provided through  
11 children's advocacy centers.

12 (6) \$7,874,000 of the home security fund--state appropriation is  
13 provided solely for the department to contract for services pursuant to  
14 RCW 13.32A.030 and 74.15.220. The department shall contract and  
15 collaborate with service providers in a manner that maintains the  
16 availability and geographic representation of secure and semi-secure  
17 crisis residential centers and HOPE centers. To achieve efficiencies  
18 and increase utilization, the department shall allow the co-location of  
19 these centers, except that a youth may not be placed in a secure  
20 facility or the secure portion of a co-located facility except as  
21 specifically authorized by chapter 13.32A RCW.

22 (7) \$47,000 of the general fund--state appropriation for fiscal  
23 year 2012, \$14,000 of the general fund--state appropriation for fiscal  
24 year 2013, and \$40,000 of the general fund--federal appropriation are  
25 provided solely to implement Substitute House Bill No. 1697 (dependency  
26 system). If the bill is not enacted by June 30, 2011, the amounts  
27 provided in this subsection shall lapse.

28 (8) \$564,000 of the general fund--federal appropriation is provided  
29 solely to implement Second Substitute House Bill No. 1128 (extended  
30 foster care). If the bill is not enacted by June 30, 2011, the amount  
31 provided in this subsection shall lapse.

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

1 (10) \$15,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$5,000 of the general fund--federal appropriation are  
3 provided solely to implement Engrossed Substitute House Bill No. 1774  
4 (dependency child placement). If the bill is not enacted by June 30,  
5 2011, the amounts provided in this subsection shall lapse.

6 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
7 **SERVICES--JUVENILE REHABILITATION PROGRAM**

8	General Fund--State Appropriation (FY 2012) . . . . .	\$88,514,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$88,557,000
10	General Fund--Federal Appropriation . . . . .	\$702,000
11	General Fund--Private/Local Appropriation . . . . .	\$1,912,000
12	Washington Auto Theft Prevention Authority Account--	
13	State Appropriation . . . . .	\$3,468,000
14	Juvenile Accountability Incentive Account--Federal	
15	Appropriation . . . . .	\$2,805,000
16	TOTAL APPROPRIATION . . . . .	\$185,958,000

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

19 (1) \$331,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$331,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for deposit in the county criminal  
22 justice assistance account for costs to the criminal justice system  
23 associated with the implementation of chapter 338, Laws of 1997  
24 (juvenile code revisions). The amounts provided in this subsection are  
25 intended to provide funding for county adult court costs associated  
26 with the implementation of chapter 338, Laws of 1997 and shall be  
27 distributed in accordance with RCW 82.14.310.

28 (2) \$2,716,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$2,716,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for the implementation of chapter  
31 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
32 this subsection are intended to provide funding for county impacts  
33 associated with the implementation of chapter 338, Laws of 1997 and  
34 shall be distributed to counties as prescribed in the current  
35 consolidated juvenile services (CJS) formula.

36 (3) \$3,482,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$3,482,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely to implement community juvenile  
2 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
3 code revisions). Funds provided in this subsection may be used solely  
4 for community juvenile accountability grants, administration of the  
5 grants, and evaluations of programs funded by the grants.

6 (4) \$1,130,000 of the general fund--state appropriation for fiscal  
7 year 2012 and \$1,130,000 of the general fund--state appropriation for  
8 fiscal year 2013 are provided solely to implement alcohol and substance  
9 abuse treatment programs for locally committed offenders. The juvenile  
10 rehabilitation administration shall award these moneys on a competitive  
11 basis to counties that submitted a plan for the provision of services  
12 approved by the division of alcohol and substance abuse. The juvenile  
13 rehabilitation administration shall develop criteria for evaluation of  
14 plans submitted and a timeline for awarding funding and shall assist  
15 counties in creating and submitting plans for evaluation.

16 (5) \$2,873,000 of the general fund--state appropriation for fiscal  
17 year 2012 and \$2,873,000 of the general fund--state appropriation for  
18 fiscal year 2013 are provided solely for grants to county juvenile  
19 courts for the following programs identified by the Washington state  
20 institute for public policy (institute) in its October 2006 report:  
21 "Evidence-Based Public Policy Options to Reduce Future Prison  
22 Construction, Criminal Justice Costs and Crime Rates": Functional  
23 family therapy, multi-systemic therapy, aggression replacement training  
24 and interagency coordination programs, or other programs with a  
25 positive benefit-cost finding in the institute's report. County  
26 juvenile courts shall apply to the juvenile rehabilitation  
27 administration for funding for program-specific participation and the  
28 administration shall provide grants to the courts consistent with the  
29 per-participant treatment costs identified by the institute.

30 (6) \$1,287,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$1,287,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for expansion of the following  
33 treatments and therapies in juvenile rehabilitation administration  
34 programs identified by the Washington state institute for public policy  
35 in its October 2006 report: "Evidence-Based Public Policy Options to  
36 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
37 Rates": Multidimensional treatment foster care, family integrated  
38 transitions, and aggression replacement training. The administration

1 may concentrate delivery of these treatments and therapies at a limited  
2 number of programs to deliver the treatments in a cost-effective  
3 manner.

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

31 (b) The juvenile rehabilitation administration shall phase the  
32 implementation of the formula provided in subsection (1) of this  
33 section by including a stop-loss formula of five percent in fiscal year  
34 2012 and five percent in fiscal year 2013.

35 (c) The juvenile rehabilitation administration and the juvenile  
36 courts shall establish a block grant funding formula oversight  
37 committee with equal representation from the juvenile rehabilitation  
38 administration and the juvenile courts. The purpose of this committee



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

31 (d) The juvenile courts and administrative office of the courts  
32 shall be responsible for collecting and distributing information and  
33 providing access to the data systems to the juvenile rehabilitation  
34 administration and the Washington state institute for public policy  
35 related to program and outcome data. The juvenile rehabilitation  
36 administration and the juvenile courts will work collaboratively to  
37 develop program outcomes that reinforce the greatest cost benefit to

1 the state in the implementation of evidence-based practices and  
2 disposition alternatives.

3 (8) Funding levels in the budget assume continued operation of  
4 Maple Lane School.

5 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
6 **SERVICES--MENTAL HEALTH PROGRAM**

7 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

8 General Fund--State Appropriation (FY 2012) . . . . .	\$326,164,000
9 General Fund--State Appropriation (FY 2013) . . . . .	\$331,388,000
10 General Fund--Federal Appropriation . . . . .	\$465,194,000
11 General Fund--Private/Local Appropriation . . . . .	\$17,604,000
12 Hospital Safety Net Assessment Fund--State	
13 Appropriation . . . . .	\$6,802,000
14 TOTAL APPROPRIATION . . . . .	\$1,147,152,000

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

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

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

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

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

20 (d) The number of nonforensic beds allocated for use by regional  
21 support networks at eastern state hospital shall be 192 per day. The  
22 number of nonforensic beds allocated for use by regional support  
23 networks at western state hospital shall be 557 per day.

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

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

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

1 (h) \$750,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$750,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely to continue performance-based  
4 incentive contracts to provide appropriate community support services  
5 for individuals with severe mental illness who were discharged from the  
6 state hospitals as part of the expanding community services initiative.  
7 These funds will be used to enhance community residential and support  
8 services provided by regional support networks through other state and  
9 federal funding.

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

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

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

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

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

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

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

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

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

8 (2) INSTITUTIONAL SERVICES

9	General Fund--State Appropriation (FY 2012) . . . . .	\$121,371,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$121,215,000
11	General Fund--Federal Appropriation . . . . .	\$152,593,000
12	General Fund--Private/Local Appropriation . . . . .	\$65,834,000
13	TOTAL APPROPRIATION . . . . .	\$461,013,000

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

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

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

28 (c) \$45,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$45,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for payment to the city of  
31 Lakewood for police services provided by the city at western state  
32 hospital and adjacent areas.

33 (3) SPECIAL PROJECTS

34	General Fund--State Appropriation (FY 2012) . . . . .	\$1,809,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$1,814,000
36	General Fund--Federal Appropriation . . . . .	\$2,682,000
37	TOTAL APPROPRIATION . . . . .	\$6,305,000

1 The appropriations in this subsection are subject to the following  
2 conditions and limitations: \$1,511,000 of the general fund--state  
3 appropriation for fiscal year 2012 and \$1,511,000 of the general fund--  
4 state appropriation for fiscal year 2013 are provided solely for  
5 children's evidence based mental health services. Funding is  
6 sufficient to continue serving children at the same levels as fiscal  
7 year 2009.

8 (4) PROGRAM SUPPORT

9	General Fund--State Appropriation (FY 2012) . . . . .	\$4,710,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$4,498,000
11	General Fund--Federal Appropriation . . . . .	\$7,059,000
12	TOTAL APPROPRIATION . . . . .	\$16,267,000

13 The appropriations in this subsection are subject to the following  
14 conditions and limitations: \$53,000 of the general fund--state  
15 appropriation for fiscal year 2012 is provided solely for  
16 implementation of Substitute House Bill No. 1170 (triage facilities).  
17 If the bill is not enacted by June 30, 2011, the amounts provided in  
18 this subsection shall lapse.

19 NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
20 **SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM**

21 (1) COMMUNITY SERVICES

22	General Fund--State Appropriation (FY 2012) . . . . .	\$417,931,000
23	General Fund--State Appropriation (FY 2013) . . . . .	\$425,240,000
24	General Fund--Federal Appropriation . . . . .	\$731,599,000
25	TOTAL APPROPRIATION . . . . .	\$1,574,770,000

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

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

32 (b) Amounts appropriated in this section reflect a reduction to  
33 funds appropriated for in-home care. The department shall reduce the  
34 number of in-home hours authorized. The reduction shall be scaled  
35 based on the acuity level of care recipients. The largest hour

1 reductions shall be to lower acuity patients and the smallest hour  
2 reductions shall be to higher acuity patients.

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

13 (d) \$1,159,000 of the general fund--state appropriation for fiscal  
14 year 2012, \$1,242,000 of the general fund--state appropriation for  
15 fiscal year 2013, and \$2,400,000 of the general fund--federal  
16 appropriation are provided solely for state contributions for  
17 individual provider health care benefits. Pursuant to the collective  
18 bargaining agreement negotiated with the exclusive bargaining  
19 representative of individual providers established under RCW  
20 74.39A.270, the state shall contribute to the multiemployer health  
21 benefits trust fund \$1.96 per paid hour worked by individual providers.

22 (e) \$1,006,000 of the general fund--state appropriation for fiscal  
23 year 2012, \$1,073,000 of the general fund--state appropriation for  
24 fiscal year 2013, and \$2,077,000 of the general fund--federal  
25 appropriation are provided solely for home care agencies to purchase  
26 health coverage for home care providers. In order to negotiate the  
27 most comprehensive health benefits package for its employees, each  
28 agency may determine benefit levels according to the hours an employee  
29 works to provide state-funded personal care. At a minimum, employees  
30 who work 35 hours a week or greater must receive a comprehensive  
31 medical benefit. The department shall not pay an agency for benefits  
32 provided to an employee who otherwise receives health care coverage  
33 through other family members, other employment-based coverage, or  
34 military or veteran's coverage. The department shall require annually,  
35 each home care agency to review each of its employee's available health  
36 coverage and to provide a written declaration to the department  
37 verifying that health benefits purchased with public funds are solely

1 for employees that do not have other available coverage. Home care  
2 agencies may determine a reasonable employee copremium not to exceed 20  
3 percent of the total benefit cost.

4 (f) \$1,127,000 of the general fund--state appropriation for fiscal  
5 year 2012, \$1,199,000 of the general fund--state appropriation for  
6 fiscal year 2013, and \$2,322,000 of the general fund--federal  
7 appropriation are provided solely for the state's contribution to the  
8 training partnership, as provided in RCW 74.39A.360, for instructional  
9 costs associated with the training of individual providers. House Bill  
10 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)  
11 make statutory changes to the increased training requirements and  
12 therefore the state shall contribute to the partnership \$0.17 per paid  
13 hour worked by all home care workers. This amount is pursuant to the  
14 collective bargaining agreement negotiated with the exclusive  
15 bargaining representative of individual providers established under RCW  
16 74.39A.270. Expenditures for the purposes specified in this subsection  
17 shall not exceed the amounts provided in this subsection.

18 (g) Funding in this subsection is sufficient to transfer  
19 approximately 400 nonmedicaid clients receiving employment services  
20 onto medicaid waiver services. The department shall no longer  
21 authorize or pay for state-only funded employment services.  
22 Nonmedicaid clients who are currently receiving employment services  
23 shall receive an eligibility review for home and community-based  
24 medicaid waiver services. If the department determines the client is  
25 eligible for the waiver, the department shall authorize these  
26 individuals to receive medicaid waiver services.

27 (h) The appropriation in this subsection includes funding to  
28 provide employment services to 168 young adults with developmental  
29 disabilities who are currently receiving waiver services, are living  
30 with their family, and who need employment opportunities and assistance  
31 after high school graduation.

32 (i) The state will no longer operate state operated living  
33 alternative (SOLA) facilities. The department shall work closely with  
34 the 112 clients living in SOLAs and the clients' legal representatives  
35 to facilitate transitioning the clients' homes to a supported living  
36 model of care. In this transition, the department shall maintain the  
37 clients' current lease agreements to the extent possible and shall seek  
38 contracts with supported living vendors who are able to meet the



1 client-specific needs for each individual home. The department shall  
2 engage clients and their legal representatives in the selection of the  
3 supported living vendor. Clients who do not wish to continue in their  
4 homes under the supported living model shall be offered an alternative  
5 placement in a residential habilitation center.

6 (j) \$1,098,000 of the general fund--state appropriation for fiscal  
7 year 2012, \$1,097,000 of the general fund--state appropriation for  
8 fiscal year 2013, and \$2,195,000 of the general fund--federal  
9 appropriation are provided solely to provide dental coverage through  
10 the aging and disability services administration's home and community-  
11 based waiver programs. Services shall include preventive, routine, and  
12 emergent dental care for eligible long-term care clients and clients  
13 with developmental disabilities.

14 (k) \$75,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$75,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for the restoration of direct  
17 support to local organizations that utilize parent-to-parent networks  
18 and communication to promote access and quality of care for individuals  
19 with developmental disabilities and their families.

20 (2) INSTITUTIONAL SERVICES

21	General Fund--State Appropriation (FY 2012) . . . . .	\$89,967,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$89,624,000
23	General Fund--Federal Appropriation . . . . .	\$163,071,000
24	General Fund--Private/Local Appropriation . . . . .	\$23,041,000
25	TOTAL APPROPRIATION . . . . .	\$365,703,000

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

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

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

1 (c) In addition to other reductions, the appropriations in this  
2 subsection reflect reductions targeted specifically to state government  
3 administrative costs. These administrative reductions shall be  
4 achieved, to the greatest extent possible, by reducing those  
5 administrative costs that do not affect direct client services or  
6 direct service delivery or programs.

7 (3) PROGRAM SUPPORT

8	General Fund--State Appropriation (FY 2012) . . . . .	\$1,433,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$1,431,000
10	General Fund--Federal Appropriation . . . . .	\$1,379,000
11	TOTAL APPROPRIATION . . . . .	\$4,243,000

12 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
13 **SERVICES--AGING AND ADULT SERVICES PROGRAM**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$789,164,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$814,224,000
16	General Fund--Federal Appropriation . . . . .	\$1,677,962,000
17	General Fund--Private/Local Appropriation . . . . .	\$21,457,000
18	Traumatic Brain Injury Account--State Appropriation . . . . .	\$3,394,000
19	Nursing Facility Quality Assurance Account--State	
20	Appropriation . . . . .	\$42,998,000
21	TOTAL APPROPRIATION . . . . .	\$3,349,199,000

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

24 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
25 average nursing facility payment rate shall not exceed \$170.37 for  
26 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,  
27 including the rate add-ons described in (a) and (b) of this subsection.  
28 However, if the waiver requested from the federal centers for medicare  
29 and medicaid services in relation to the nursing facility quality  
30 assurance payments created by House Bill No. 1982 (nursing home quality  
31 incentive payments) is for any reason not approved and implemented, the  
32 weighted average nursing facility payment rate shall not exceed \$162.15  
33 for fiscal year 2012 and shall not exceed \$163.28 for fiscal year 2013.  
34 There will be no adjustments for economic trends and conditions in  
35 fiscal years 2012 and 2013. The economic trends and conditions factor  
36 or factors defined in the biennial appropriations act shall not be  
37 compounded with the economic trends and conditions factor or factors

1 defined in any other biennial appropriations acts before applying it to  
2 the component rate allocations established in accordance with chapter  
3 74.46 RCW. When no economic trends and conditions factor for either  
4 fiscal year is defined in a biennial appropriations act, no economic  
5 trends and conditions factor or factors defined in any earlier biennial  
6 appropriations act shall be applied solely or compounded to the  
7 component rate allocations established in accordance with chapter 74.46  
8 RCW.

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

21 (b) The department shall do a comparative analysis of the  
22 facility-based payment rates calculated on July 1, 2011, comparing the  
23 payment methodology defined as proposed by the governor in House Bill  
24 No. 1087 (an act relating to fiscal matters) to the facility-based  
25 payment rates calculated to produce the fiscal year 2010 weighted  
26 average nursing facility payment rate published in chapter 37, Laws of  
27 2010. If the former is smaller than the latter, the difference shall  
28 be provided to the individual nursing facilities as an add-on payment  
29 per medicaid resident day.

30 (c) The department shall provide a medicaid rate add-on to  
31 reimburse the medicaid share of the skilled nursing facility safety net  
32 assessment as a medicaid allowable cost. The nursing facility safety  
33 net rate add-on may not be included in the calculation of the annual  
34 statewide weighted average nursing facility payment rate.

35 (d) If the waiver requested from the federal centers for medicare  
36 and medicaid services in relation to the nursing facility quality  
37 assurance payments created by House Bill No. 1982 (nursing home quality

1 incentive payments) is for any reason not approved and implemented,  
2 subsections (b) and (c) of this subsection do not apply.

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

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

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

21 (5) \$2,090,000 of the general fund--state appropriation for fiscal  
22 year 2012, \$2,163,000 of the general fund--state appropriation for  
23 fiscal year 2013, and \$4,183,000 of the general fund--federal  
24 appropriation are provided solely for state contributions for  
25 individual provider health care benefits. Pursuant to the collective  
26 bargaining agreement negotiated with the exclusive bargaining  
27 representative of individual providers established under RCW  
28 74.39A.270, the state shall contribute to the multiemployer health  
29 benefits trust fund \$1.96 per paid hour worked by individual providers.

30 (6) \$9,051,000 of the general fund--state appropriation for fiscal  
31 year 2012, \$9,651,000 of the general fund--state appropriation for  
32 fiscal year 2013, and \$18,702,000 of the general fund--federal  
33 appropriation are provided solely for home care agencies to purchase  
34 health coverage for home care providers. In order to negotiate the  
35 most comprehensive health benefits package for its employees, each  
36 agency may determine benefit levels according to the hours an employee  
37 works to provide state-funded personal care. At a minimum, employees  
38 who work 35 hours a week or greater must receive a comprehensive

1 medical benefit. The department shall not pay an agency for benefits  
2 provided to an employee who otherwise receives health care coverage  
3 through other family members, other employment-based coverage, or  
4 military or veteran's coverage. The department shall require annually,  
5 each home care agency to review each of its employee's available health  
6 coverage and to provide a written declaration to the department  
7 verifying that health benefits purchased with public funds are solely  
8 for employees that do not have other available coverage. Home care  
9 agencies may determine a reasonable employee copremium not to exceed 20  
10 percent of the total benefit cost.

11 (7) \$2,063,000 of the general fund--state appropriation for fiscal  
12 year 2012, \$2,195,000 of the general fund--state appropriation for  
13 fiscal year 2013, and \$4,260,000 of the general fund--federal  
14 appropriation are provided solely for the state's contribution to the  
15 training partnership, as provided in RCW 74.39A.360, for instructional  
16 costs associated with the training of individual providers. House Bill  
17 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)  
18 make statutory changes to the increased training requirements and  
19 therefore the state shall contribute to the partnership \$0.17 per paid  
20 hour worked by all home care workers. This amount is pursuant to the  
21 collective bargaining agreement negotiated with the exclusive  
22 bargaining representative of individual providers established under RCW  
23 74.39A.270. Expenditures for the purposes specified in this subsection  
24 shall not exceed the amounts provided in this subsection.

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

29 (9) \$3,210,000 of the general fund--state appropriation for fiscal  
30 year 2012, \$3,396,000 of the general fund--state appropriation for  
31 fiscal year 2013, and \$6,606,000 of the general fund--federal  
32 appropriation are provided solely to provide dental coverage through  
33 the aging and disability services administration's home and community-  
34 based waiver programs. Services shall include preventive, routine, and  
35 emergent dental care for eligible long-term care clients and clients  
36 with developmental disabilities.

37 (10) The department shall eliminate the adult day health program

1 under the state plan 1915(i) option and shall reestablish it under the  
2 long-term care home and community-based waiver.

3 (11) \$4,588,000 of the general fund--state appropriation for fiscal  
4 year 2012, \$4,559,000 of the general fund--state appropriation for  
5 fiscal year 2013, and \$9,237,000 of the general fund--federal  
6 appropriation are provided solely for the continued operation of  
7 community residential and support services for persons who are older  
8 adults or who have co-occurring medical and behavioral disorders and  
9 who have been discharged or diverted from a state psychiatric hospital.  
10 These funds shall be used to serve individuals whose treatment needs  
11 constitute substantial barriers to community placement, who no longer  
12 require active psychiatric treatment at an inpatient hospital level of  
13 care, and who no longer meet the criteria for inpatient involuntary  
14 commitment.

15 (12) \$1,840,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$1,877,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for operation of the volunteer  
18 services program. Funding shall be prioritized towards serving  
19 populations traditionally served by long-term care services to include  
20 senior citizens and persons with disabilities.

21 (13) \$3,316,000 of the traumatic brain injury account--state  
22 appropriation is provided solely to continue services for persons with  
23 traumatic brain injury (TBI) as defined in Substitute House Bill No.  
24 1614 (traumatic brain injury strategic partnership).

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

29 (15) \$30,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$30,000 of the general fund--federal appropriation are  
31 provided solely to implement Engrossed Second Substitute House Bill No.  
32 1901 (reshaping the delivery of long-term care services). If the bill  
33 is not enacted by June 30, 2011, the amounts provided in this  
34 subsection shall lapse.

35 NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
36 **SERVICES--ECONOMIC SERVICES PROGRAM**

37 General Fund--State Appropriation (FY 2012) . . . . . \$478,700,000

1	General Fund--State Appropriation (FY 2013) . . . . .	\$483,895,000
2	General Fund--Federal Appropriation . . . . .	\$1,105,038,000
3	General Fund--Private/Local Appropriation . . . . .	\$30,592,000
4	TOTAL APPROPRIATION . . . . .	\$2,098,225,000

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

7 (1) \$297,623,000 of the general fund--state appropriation for  
8 fiscal year 2012, \$297,623,000 of the general fund--state appropriation  
9 for fiscal year 2013, net of child support pass-through recoveries, and  
10 \$660,654,000 of the general fund--federal appropriation are provided  
11 solely for all components of the WorkFirst program. Within the amounts  
12 provided for the WorkFirst program, the department may provide  
13 assistance using state-only funds for families eligible for temporary  
14 assistance for needy families.

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

19 (b) The department shall report quarterly to the legislative fiscal  
20 committees:

21 (i) The outcome data regarding job retention and wage progression  
22 to appropriate fiscal and policy committees of the legislature  
23 regarding families who leave assistance, measured after 12 months, 24  
24 months, and 36 months and the percentage of families who have returned  
25 to temporary assistance for needy families after 12 months, 24 months,  
26 and 36 months;

27 (ii) The spending plan for the WorkFirst programs. The plan shall  
28 identify how spending levels in the 2011-2013 biennium will be adjusted  
29 to stay within available federal grant levels and the appropriated  
30 state-fund levels;

31 (iii) Information regarding the amount expended from general  
32 fund--state and general fund--federal by activity, maintenance of  
33 effort allotments, expenditure amounts, and caseloads for the WorkFirst  
34 program to the legislative fiscal committees.

35 (c) The department may establish a career services work transition  
36 program.

37 (d) Beginning in fiscal year 2013, pursuant to Substitute Bill No.

1 1782, funding for the temporary assistance for needy families and  
2 WorkFirst program must be expended in accordance with legislative  
3 policy.

4 (2) \$17,371,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$21,494,000 of the general fund--state appropriation for  
6 fiscal year 2013, in addition to supplemental security income  
7 recoveries, are provided solely for cash assistance for persons who are  
8 unable to engage in gainful employment due to age, blindness, or  
9 disability and are likely to meet the federal supplemental security  
10 income disability standard.

11 (a) The department shall aggressively pursue opportunities to  
12 facilitate client applications for federal supplemental security  
13 income. The department shall initiate and file the federal  
14 supplemental security income interim agreement as quickly as possible  
15 in order to maximize the recovery of federal funds.

16 (b) The department shall continue the interagency agreement with  
17 the department of veterans' affairs to establish a process for referral  
18 of veterans who may be eligible for veterans' services. This agreement  
19 must include out-stationing department of veterans' affairs staff in  
20 selected community service office locations in King and Pierce counties  
21 to facilitate applications for veterans' services.

22 (3) Pursuant to RCW 74.08A.120, a benefit is not provided in the  
23 state food assistance program during the 2011-2013 fiscal biennium.

24 (4) \$157,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$157,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for the department to increase  
27 access to the PRISM database.

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

34 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
35 **SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM**

36	General Fund--State Appropriation (FY 2012) . . . . .	\$81,231,000
37	General Fund--State Appropriation (FY 2013) . . . . .	\$81,072,000



1	General Fund--Federal Appropriation . . . . .	\$123,111,000
2	General Fund--Private/Local Appropriation . . . . .	\$632,000
3	Criminal Justice Treatment Account--State	
4	Appropriation . . . . .	\$17,760,000
5	Problem Gambling Account--State Appropriation . . . . .	\$1,455,000
6	TOTAL APPROPRIATION . . . . .	\$305,261,000

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

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

14 (2) \$3,500,000 of the general fund--federal appropriation (from the  
15 substance abuse prevention and treatment federal block grant) is  
16 provided solely for the continued funding of existing county drug and  
17 alcohol use prevention programs.

18 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
19 **SERVICES--VOCATIONAL REHABILITATION PROGRAM**

20	General Fund--State Appropriation (FY 2012) . . . . .	\$11,672,000
21	General Fund--State Appropriation (FY 2013) . . . . .	\$11,778,000
22	General Fund--Federal Appropriation . . . . .	\$102,622,000
23	Telecommunications Devices for the Hearing and	
24	Speech Impaired--State Appropriation . . . . .	\$2,775,000
25	TOTAL APPROPRIATION . . . . .	\$128,847,000

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

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

34 (2) \$480,000 of the telecommunications devices for the hearing and  
35 speech impaired account--state appropriation is provided solely for the  
36 office of deaf and hard of hearing to enter into an interagency

1 agreement with the department of services for the blind to support  
2 contracts for services that provide employment support and help with  
3 life activities for deaf-blind individuals in King county.

4 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
5 **SERVICES--SPECIAL COMMITMENT PROGRAM**

6	General Fund--State Appropriation (FY 2012) . . . . .	\$58,726,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$58,682,000
8	TOTAL APPROPRIATION . . . . .	\$117,408,000

9 The appropriations in this section are subject to the following  
10 conditions and limitations: \$8,978,000 of the general fund--state  
11 appropriation for fiscal year 2012 and \$8,978,000 of the general fund--  
12 state appropriation for fiscal year 2013 are provided solely for  
13 increased legal expenses resulting from the state supreme court's  
14 ruling in *In re McCuiston*.

15 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
16 **SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

17	General Fund--State Appropriation (FY 2012) . . . . .	\$28,342,000
18	General Fund--State Appropriation (FY 2013) . . . . .	\$28,105,000
19	General Fund--Federal Appropriation . . . . .	\$40,479,000
20	General Fund--Private/Local Appropriation . . . . .	\$716,000
21	TOTAL APPROPRIATION . . . . .	\$97,642,000

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

24 (1) \$300,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$300,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for the Washington state mentors  
27 program to continue its public-private partnerships to provide  
28 technical assistance and training to mentoring programs that serve  
29 at-risk youth.

30 (2) \$445,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$445,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for funding of the teamchild  
33 project through the governor's juvenile justice advisory committee.

34 (3) \$178,000 of the general fund--state appropriation for fiscal  
35 year 2012 and \$178,000 of the general fund--state appropriation for

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

3 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
4 **SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$66,921,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$64,011,000
7	General Fund--Federal Appropriation . . . . .	\$59,701,000
8	TOTAL APPROPRIATION . . . . .	\$190,633,000

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

11 (1) \$2,272,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$2,272,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for increased legal expenses  
14 resulting from the state supreme court's ruling in *In re McCuiston*.

15 (2) \$580,000 of the general fund--state appropriation for fiscal  
16 year 2012 is provided solely for implementation of Second Substitute  
17 House Bill No. 1741 (temporary assistance/needily families). If the bill  
18 is not enacted by June 30, 2011, the amount provided in this subsection  
19 shall lapse.

20 NEW SECTION. **Sec. 213. FOR THE STATE HEALTH CARE AUTHORITY**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$2,067,673,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$2,183,015,000
23	General Fund--Federal Appropriation . . . . .	\$5,390,843,000
24	General Fund--Private/Local Appropriation . . . . .	\$68,886,000
25	Emergency Medical Services and Trauma Care Systems	
26	Trust Account--State Appropriation . . . . .	\$15,081,000
27	Hospital Safety Net Assessment Fund--State	
28	Appropriation . . . . .	\$402,385,000
29	State Health Care Authority Administration Account--	
30	State Appropriation . . . . .	\$34,975,000
31	Medical Aid Account--State Appropriation . . . . .	\$535,000
32	TOTAL APPROPRIATION . . . . .	\$10,163,393,000

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

35 (1) \$3,034,000 of the general fund--state appropriation for fiscal  
36 year 2012, \$2,060,000 of the general fund--state appropriation for

1 fiscal year 2013, and \$22,336,000 of the general fund--federal  
2 appropriation are provided solely for the second phase of development  
3 and implementation of the system that is replacing the existing  
4 medicaid management information system, which will expand the system to  
5 include long-term care reimbursements. The amounts provided in this  
6 subsection are conditioned on the health care authority satisfying the  
7 requirements of section 902 of this act.

8 (2) Based on quarterly expenditure reports and caseload forecasts,  
9 if the health care authority estimates that expenditures for the  
10 medical assistance program will exceed the appropriations, the health  
11 care authority shall take steps including but not limited to reduction  
12 of rates or elimination of optional services to reduce expenditures so  
13 that total program costs do not exceed the annual appropriation  
14 authority.

15 (3) In determining financial eligibility for medicaid-funded  
16 services, the health care authority is authorized to disregard  
17 recoveries by Holocaust survivors of insurance proceeds or other  
18 assets, as defined in RCW 48.104.030.

19 (4) The legislature affirms that it is in the state's interest for  
20 Harborview medical center to remain an economically viable component of  
21 the state's health care system.

22 (5) When a person is ineligible for medicaid solely by reason of  
23 residence in an institution for mental diseases, the health care  
24 authority shall provide the person with the same benefits as he or she  
25 would receive if eligible for medicaid, using state-only funds to the  
26 extent necessary.

27 (6) \$7,102,000 of the general fund--state appropriation for fiscal  
28 year 2012, \$7,102,000 of the general fund--state appropriation for  
29 fiscal year 2013, and \$14,204,000 of the general fund--federal  
30 appropriation are provided solely for low-income care disproportionate  
31 share hospital payments under RCW 74.09.730(1)(a).

32 (7) \$6,000,000 of the general fund--federal appropriation is  
33 provided solely for supplemental payments to nursing homes operated by  
34 public hospital districts. The public hospital district shall be  
35 responsible for providing the required nonfederal match for the  
36 supplemental payment, and the payments shall not exceed the maximum  
37 allowable under federal rules. It is the legislature's intent that the  
38 payments shall be supplemental to and shall not in any way offset or

1 reduce the payments calculated and provided in accordance with part E  
2 of chapter 74.46 RCW. It is the legislature's further intent that  
3 costs otherwise allowable for rate-setting and settlement against  
4 payments under chapter 74.46 RCW shall not be disallowed solely because  
5 such costs have been paid by revenues retained by the nursing home from  
6 these supplemental payments. The supplemental payments are subject to  
7 retrospective interim and final cost settlements based on the nursing  
8 homes' as-filed and final medicare cost reports. The timing of the  
9 interim and final cost settlements shall be at the health care  
10 authority's discretion. During either the interim cost settlement or  
11 the final cost settlement, the health care authority shall recoup from  
12 the public hospital districts the supplemental payments that exceed the  
13 medicaid cost limit and/or the medicare upper payment limit. The  
14 health care authority shall apply federal rules for identifying the  
15 eligible incurred medicaid costs and the medicare upper payment limit.

16 (8) The health care authority shall continue the inpatient hospital  
17 certified public expenditures program for the 2011-2013 fiscal  
18 biennium. The program shall apply to all public hospitals, including  
19 those owned or operated by the state, except those classified as  
20 critical access hospitals or state psychiatric institutions. The  
21 health care authority shall submit reports to the governor and  
22 legislature by November 1, 2011, and by November 1, 2012, that evaluate  
23 whether savings continue to exceed costs for this program. If the  
24 certified public expenditures (CPE) program in its current form is no  
25 longer cost-effective to maintain, the health care authority shall  
26 submit a report to the governor and legislature detailing  
27 cost-effective alternative uses of local, state, and federal resources  
28 as a replacement for this program. During fiscal year 2012 and fiscal  
29 year 2013, hospitals in the program shall be paid and shall retain one  
30 hundred percent of the federal portion of the allowable hospital cost  
31 for each medicaid inpatient fee-for-service claim payable by medical  
32 assistance and one hundred percent of the federal portion of the  
33 maximum disproportionate share hospital payment allowable under federal  
34 regulations. Inpatient medicaid payments shall be established using an  
35 allowable methodology that approximates the cost of claims submitted by  
36 the hospitals. Payments made to each hospital in the program in each  
37 fiscal year of the biennium shall be compared to a baseline amount.  
38 The baseline amount will be determined by the total of (a) the

1 inpatient claim payment amounts that would have been paid during the  
2 fiscal year had the hospital not been in the CPE program based on the  
3 reimbursement rates developed, implemented, and consistent with  
4 policies approved in the 2011-13 biennial operating appropriations act  
5 and in effect on July 1, 2011, (b) one half of the indigent assistance  
6 disproportionate share hospital payment amounts paid to and retained by  
7 each hospital during fiscal year 2005, and (c) all of the other  
8 disproportionate share hospital payment amounts paid to and retained by  
9 each hospital during fiscal year 2005 to the extent the same  
10 disproportionate share hospital programs exist in the 2011-13 biennium.  
11 If payments during the fiscal year exceed the hospital's baseline  
12 amount, no additional payments will be made to the hospital except the  
13 federal portion of allowable disproportionate share hospital payments  
14 for which the hospital can certify allowable match. If payments during  
15 the fiscal year are less than the baseline amount, the hospital will be  
16 paid a state grant equal to the difference between payments during the  
17 fiscal year and the applicable baseline amount. Payment of the state  
18 grant shall be made in the applicable fiscal year and distributed in  
19 monthly payments. The grants will be recalculated and redistributed as  
20 the baseline is updated during the fiscal year. The grant payments are  
21 subject to an interim settlement within eleven months after the end of  
22 the fiscal year. A final settlement shall be performed. To the extent  
23 that either settlement determines that a hospital has received funds in  
24 excess of what it would have received as described in this subsection,  
25 the hospital must repay the excess amounts to the state when requested.  
26 \$32,673,000 of the general fund--state appropriation for fiscal year  
27 2012, of which \$6,570,000 is appropriated in section 204(1) of this  
28 act, and \$29,693,000 of the general fund--state appropriation for  
29 fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1)  
30 of this act, are provided solely for state grants for the participating  
31 hospitals. CPE hospitals will receive the inpatient and outpatient  
32 reimbursement rate restorations in RCW 74.60.080 and rate increases in  
33 RCW 74.60.090 funded through the hospital safety net assessment fund  
34 rather than through the baseline mechanism specified in this  
35 subsection.

36 (9) The health care authority shall seek public-private  
37 partnerships and federal funds that are or may become available to

1 provide on-going support for outreach and education efforts under the  
2 federal children's health insurance program reauthorization act of  
3 2009.

4 (10) The health care authority shall target funding for maternity  
5 support services towards pregnant women with factors that lead to  
6 higher rates of poor birth outcomes, including hypertension, a preterm  
7 or low birth weight birth in the most recent previous birth, a  
8 cognitive deficit or developmental disability, substance abuse, severe  
9 mental illness, unhealthy weight or failure to gain weight, tobacco  
10 use, or African American or Native American race. The health care  
11 authority shall prioritize evidence-based practices for delivery of  
12 maternity support services. To the extent practicable, the health care  
13 authority shall develop a mechanism to increase federal funding for  
14 maternity support services by leveraging local public funding for those  
15 services.

16 (11) \$998,000 of the general fund--state appropriation for fiscal  
17 year 2012, \$979,000 of the general fund--state appropriation for fiscal  
18 year 2013, and \$1,980,000 of the general fund--federal appropriation  
19 are provided solely to increase prior authorization activities for  
20 advanced imaging procedures.

21 (12) \$249,000 of the general fund--state appropriation for fiscal  
22 year 2012, \$246,000 of the general fund--state appropriation for fiscal  
23 year 2013, and \$495,000 of the general fund--federal appropriation are  
24 provided solely to increase prior authorization activities for surgical  
25 procedures, which may include orthopedic procedures, spinal procedures  
26 and interventions, and nerve procedures.

27 (13) \$150,000 of the general fund--state appropriation for fiscal  
28 year 2012, \$150,000 of the general fund--state appropriation for fiscal  
29 year 2013, and \$300,000 of the general fund--federal appropriation are  
30 provided solely for a prescriptive practices improvement collaborative  
31 focusing upon atypical antipsychotics and other medications commonly  
32 used in the treatment of severe and persistent mental illnesses among  
33 adults. The project shall promote collaboration among community mental  
34 health centers, other major prescribers of atypical antipsychotic  
35 medications to adults enrolled in state medical assistance programs,  
36 and psychiatrists, pharmacists, and other specialists at the University  
37 of Washington department of psychiatry and/or other research  
38 universities. The collaboration shall include patient-specific

1 prescriber consultations by psychiatrists and pharmacists specializing  
2 in treatment of severe and persistent mental illnesses among adults;  
3 production of profiles to assist prescribers and clinics in tracking  
4 their prescriptive practices and their patients' medication use and  
5 adherence relative to evidence-based practices guidelines, other  
6 prescribers, and patients at other clinics; and in-service seminars at  
7 which participants can share and increase their knowledge of evidence-  
8 based and other effective prescriptive practices.

9 (14) \$75,000 of the general fund--state appropriation for fiscal  
10 year 2012, \$75,000 of the general fund--state appropriation for fiscal  
11 year 2013, and \$150,000 of the general fund--federal appropriation are  
12 provided solely to assist with development and implementation of  
13 evidence-based strategies regarding the appropriate, safe, and  
14 effective role of C-section surgeries and early induced labor in births  
15 and neonatal care. The strategies shall be identified and implemented  
16 in consultation with clinical research specialists, physicians,  
17 hospitals, advanced registered nurse practitioners, and organizations  
18 concerned with maternal and child health.

19 (15) \$1,657,000 of the general fund--state appropriation for fiscal  
20 year 2012, \$1,705,000 of the general fund--state appropriation for  
21 fiscal year 2013, \$145,000 of the hospital safety net assessment fund--  
22 state appropriation, and \$2,754,000 of the general fund--federal  
23 appropriation are provided solely to provide health coverage for  
24 children transitioned from the basic health plan.

25 (16) \$258,000 of the general fund--state appropriation for fiscal  
26 year 2012, \$258,000 of the general fund--state appropriation for fiscal  
27 year 2013, \$19,691,000 of the general fund--local appropriation, and  
28 \$516,000 of the general fund--federal appropriation are provided solely  
29 to implement an intergovernmental transfer program to use local funds  
30 to match federal funds for school-based medical services.

31 (17) \$1,555,000 of the general fund--state appropriation for fiscal  
32 year 2012, \$1,580,000 of the general fund--state appropriation for  
33 fiscal year 2013, and \$2,171,000 of the general fund--federal  
34 appropriation are provided solely to continue to provide dental  
35 services to pregnant women. Services shall include preventive,  
36 routine, and emergent dental care.

37 (18) \$395,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$395,000 of the general fund--state appropriation for fiscal



1 year 2013, and \$790,000 of the general fund--federal appropriation are  
2 provided solely for continued operation of the dental education in care  
3 of persons with disabilities (DECOD) program at the University of  
4 Washington.

5 (19) \$112,000 of the general fund--state appropriation for fiscal  
6 year 2012, \$112,000 of the general fund--state appropriation for fiscal  
7 year 2013, and \$1,928,000 of the general fund--federal appropriation  
8 are provided solely for the provider incentive program and other  
9 initiatives related to the health information technology Medicaid plan.

10 (20) \$1,439,000 of the general fund--state appropriation for fiscal  
11 year 2012, \$1,228,000 of the general fund--state appropriation for  
12 fiscal year 2013, and \$2,890,000 of the general fund--federal  
13 appropriation are provided solely for efforts to reduce Medicaid fraud  
14 and abuse and to seek coverage or recovery from other medical payers.

15 (21) \$2,926,000 of the general fund--local appropriation and  
16 \$2,928,000 of the general fund--federal appropriation are provided  
17 solely to support medical airlift services.

18 (22) \$1,570,000 of the general fund--private/local appropriation is  
19 provided solely for antipsychotic prescription medications for medical  
20 assistance patients. The health care authority shall enter into an  
21 interagency agreement with the office of the attorney general for  
22 expenditure of \$1,570,000 of the state's proceeds of the *cy pres*  
23 settlement in *State of Washington v. AstraZeneca* (Seroquel) for this  
24 purpose.

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

32 (24) \$354,000 of the general fund--state appropriation for fiscal  
33 year 2012, \$346,000 of the general fund--state appropriation for fiscal  
34 year 2013, and \$699,000 of the general fund--federal appropriation are  
35 provided solely to support the health care authority's efforts to  
36 submit and obtain approval from the federal government for a  
37 demonstration project that would allow the state greater flexibility  
38 within its medicaid program pursuant to Engrossed Second Substitute

1 Senate Bill No. 5596 (medicaid modernization). If the bill is not  
2 enacted by June 30, 2011, the amounts provided in this subsection shall  
3 lapse.

4 NEW SECTION. **Sec. 214. FOR THE HUMAN RIGHTS COMMISSION**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$2,258,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$2,270,000
7	General Fund--Federal Appropriation . . . . .	\$1,994,000
8	TOTAL APPROPRIATION . . . . .	\$6,522,000

9 NEW SECTION. **Sec. 215. FOR THE BOARD OF INDUSTRIAL INSURANCE**

10 **APPEALS**

11	Worker and Community Right-to-Know Account--State	
12	Appropriation . . . . .	\$10,000
13	Accident Account--State Appropriation . . . . .	\$18,145,000
14	Medical Aid Account--State Appropriation . . . . .	\$18,145,000
15	TOTAL APPROPRIATION . . . . .	\$36,300,000

16 NEW SECTION. **Sec. 216. FOR THE CRIMINAL JUSTICE TRAINING**

17 **COMMISSION**

18	General Fund--State Appropriation (FY 2012) . . . . .	\$14,506,000
19	General Fund--State Appropriation (FY 2013) . . . . .	\$14,500,000
20	General Fund--Federal Appropriation . . . . .	\$456,000
21	General Fund--Private/Local Appropriation . . . . .	\$3,121,000
22	Death Investigations Account--State Appropriation . . . . .	\$148,000
23	Municipal Criminal Justice Assistance Account--	
24	State Appropriation . . . . .	\$460,000
25	Washington Auto Theft Prevention Authority Account--	
26	State Appropriation . . . . .	\$8,768,000
27	TOTAL APPROPRIATION . . . . .	\$41,959,000

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

30 (1) \$321,000 of the general fund--local appropriation is provided  
31 solely to purchase ammunition for the basic law enforcement academy.  
32 Jurisdictions shall reimburse to the criminal justice training  
33 commission the costs of ammunition, based on the average cost of  
34 ammunition per cadet, for cadets that they enroll in the basic law  
35 enforcement academy.

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

3 NEW SECTION.      **Sec. 217.**      **FOR THE DEPARTMENT OF LABOR AND**  
4 **INDUSTRIES**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$18,268,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$19,253,000
7	General Fund--Federal Appropriation . . . . .	\$12,655,000
8	Asbestos Account--State Appropriation . . . . .	\$426,000
9	Electrical License Account--State Appropriation . . . . .	\$37,984,000
10	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
11	Worker and Community Right-to-Know Account--	
12	State Appropriation . . . . .	\$1,000,000
13	Public Works Administration Account--State	
14	Appropriation . . . . .	\$5,666,000
15	Manufactured Home Installation Training Account--	
16	State Appropriation . . . . .	\$158,000
17	Accident Account--State Appropriation . . . . .	\$251,523,000
18	Accident Account--Federal Appropriation . . . . .	\$13,622,000
19	Medical Aid Account--State Appropriation . . . . .	\$253,641,000
20	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
21	Plumbing Certificate Account--State Appropriation . . . . .	\$1,736,000
22	Pressure Systems Safety Account--State Appropriation . . . . .	\$4,179,000
23	TOTAL APPROPRIATION . . . . .	\$623,325,000

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

26 (1) Pursuant to RCW 43.135.055, the department is authorized to  
27 increase fees related to factory assembled structures, contractor  
28 registration, electricians, plumbers, asbestos removal, boilers,  
29 elevators, and manufactured home installers. These increases are  
30 necessary to support expenditures authorized in this section,  
31 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
32 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

33 (2) \$50,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$50,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for the crime victims compensation  
36 program to pay claims for mental health services for crime victim  
37 compensation program clients who have an established relationship with

1 a mental health provider and subsequently obtain coverage under the  
2 medicaid program or the medical care services program under chapter  
3 74.09 RCW. Prior to making such payment, the program must have  
4 determined that payment for the specific treatment or provider is not  
5 available under the medicaid or medical care services program. In  
6 addition, the program shall make efforts to contact any healthy options  
7 or medical care services health plan in which the client may be  
8 enrolled to help the client obtain authorization to pay the claim on an  
9 out-of-network basis.

10 (3) \$1,772,000 of the accident account--state appropriation and  
11 \$1,771,000 of the medical aid account--state appropriation are provided  
12 solely for implementation of Second Substitute House Bill No. 1523  
13 (social and health care programs). If the bill is not enacted by June  
14 30, 2011, the amount provided in this subsection shall lapse.

15 (4) \$1,096,000 of the accident account--state appropriation and  
16 \$1,096,000 of the medical aid account--state appropriation are provided  
17 solely for implementation of Engrossed Substitute House Bill No. 1725  
18 (workers' compensation). If the bill is not enacted by June 30, 2011,  
19 the amounts provided in this subsection shall lapse.

20 (5) \$51,000 of the accident account--state appropriation and  
21 \$51,000 of the medical aid account--state appropriation are provided  
22 solely for implementation of Engrossed Substitute House Bill No. 1367  
23 (for hire vehicles, operators). If the bill is not enacted by June 30,  
24 2011, the amounts provided in this subsection shall lapse.

25 (6) \$9,433,000 of the accident medical aid account--state  
26 appropriation is provided solely for implementation of Engrossed  
27 Substitute House Bill No. 1869 (occupational health best practices).  
28 If the bill is not enacted by June 30, 2011, the amount provided in  
29 this subsection shall lapse.

30 (7) \$1,817,000 of the accident account--state appropriation and  
31 \$1,812,000 of the medical aid account--state appropriation are provided  
32 solely for implementation of Engrossed Substitute House Bill No. 1487  
33 (retrospective rating plan claims). If the bill is not enacted by June  
34 30, 2011, the amounts provided in this subsection shall lapse.

35 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS**  
36 (1) HEADQUARTERS  
37 General Fund--State Appropriation (FY 2012) . . . . . \$1,897,000

1 General Fund--State Appropriation (FY 2013) . . . . . \$1,899,000  
 2 Charitable, Educational, Penal, and Reformatory  
 3 Institutions Account--State Appropriation . . . . . \$10,000  
 4 TOTAL APPROPRIATION . . . . . \$3,806,000

5 (2) FIELD SERVICES

6 General Fund--State Appropriation (FY 2012) . . . . . \$4,810,000  
 7 General Fund--State Appropriation (FY 2013) . . . . . \$4,812,000  
 8 General Fund--Federal Appropriation . . . . . \$2,759,000  
 9 General Fund--Private/Local Appropriation . . . . . \$4,223,000  
 10 Veterans Innovations Program Account--State  
 11 Appropriation . . . . . \$161,000  
 12 Veteran Estate Management Account--Private/Local  
 13 Appropriation . . . . . \$1,109,000  
 14 TOTAL APPROPRIATION . . . . . \$17,874,000

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

17 (a) The department shall collaborate with the department of social  
 18 and health services to identify and assist eligible general assistance  
 19 unemployable clients to access the federal department of veterans  
 20 affairs benefits.

21 (b) \$161,000 of the veterans innovations program account--state  
 22 appropriation is provided solely for the department to continue support  
 23 for returning combat veterans through the veterans innovation program,  
 24 including emergency financial assistance through the defenders' fund  
 25 and long-term financial assistance through the competitive grant  
 26 program.

27 (c) The post traumatic stress disorder program has provided state  
 28 funded services to soldiers who may qualify for federal outpatient  
 29 mental health treatment but have not yet been adjudicated for federal  
 30 benefits. The department shall prioritize state funding towards  
 31 assisting and facilitating with the adjudication of soldiers who may  
 32 qualify for federal veterans benefits. The state shall be the payer of  
 33 last resort. State funded treatment shall be prioritized to rural  
 34 areas that are not near a federally funded veterans medical center, a  
 35 federally funded readjustment counseling services center, or a  
 36 federally funded veterans community-based clinic.

37 (3) INSTITUTIONAL SERVICES

1	General Fund--State Appropriation (FY 2012)	\$1,741,000
2	General Fund--State Appropriation (FY 2013)	\$963,000
3	General Fund--Federal Appropriation	\$57,521,000
4	General Fund--Private/Local Appropriation	\$34,530,000
5	TOTAL APPROPRIATION	\$94,755,000

**NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF HEALTH**

7	General Fund--State Appropriation (FY 2012)	\$81,891,000
8	General Fund--State Appropriation (FY 2013)	\$81,381,000
9	General Fund--Federal Appropriation	\$536,389,000
10	General Fund--Private/Local Appropriation	\$149,687,000
11	Hospital Data Collection Account--State Appropriation	\$220,000
12	Health Professions Account--State Appropriation	\$85,983,000
13	Aquatic Lands Enhancement Account--State Appropriation	\$610,000
14	Emergency Medical Services and Trauma Care Systems	
15	Trust Account--State Appropriation	\$12,327,000
16	Safe Drinking Water Account--State Appropriation	\$4,545,000
17	Drinking Water Assistance Account--Federal	
18	Appropriation	\$23,251,000
19	Waterworks Operator Certification--State	
20	Appropriation	\$1,560,000
21	Drinking Water Assistance Administrative Account--	
22	State Appropriation	\$326,000
23	Biotoxin Account--State Appropriation	\$1,167,000
24	State Toxics Control Account--State Appropriation	\$3,771,000
25	Medical Test Site Licensure Account--State	
26	Appropriation	\$2,354,000
27	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
28	Community and Economic Development Fee Account--State	
29	Appropriation	\$596,000
30	Public Health Supplemental Account--Private/Local	
31	Appropriation	\$3,602,000
32	Accident Account--State Appropriation	\$316,000
33	Medical Aid Account--State Appropriation	\$57,000
34	Tobacco Prevention and Control Account--State	
35	Appropriation	\$37,000
36	TOTAL APPROPRIATION	\$991,582,000

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

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

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

1 (3) It is the intent of the legislature that the reductions in  
2 appropriations to the AIDS/HIV programs shall be achieved, to the  
3 greatest extent possible, by reducing those state government  
4 administrative costs that do not affect direct client services or  
5 direct service delivery or programs.

6 (4) \$137,000 of the health professions account--state appropriation  
7 is provided solely for implementation of Substitute House Bill No. 1133  
8 (massage practitioner license). If the bill is not enacted by June 30,  
9 2011, the amount provided in this subsection shall lapse.

10 (5) \$1,670,000 of the safe drinking water account--state  
11 appropriation is provided solely for implementation of Substitute House  
12 Bill No. 1468 (public water system permits). If the bill is not  
13 enacted by June 30, 2011, the amount provided in this subsection shall  
14 lapse.

15 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF CORRECTIONS**

16 (1) ADMINISTRATION AND SUPPORT SERVICES

17	General Fund--State Appropriation (FY 2012) . . . . .	\$57,040,000
18	General Fund--State Appropriation (FY 2013) . . . . .	\$56,437,000
19	TOTAL APPROPRIATION . . . . .	\$113,477,000

20 The appropriations in this subsection are subject to the following  
21 conditions and limitations: \$35,000 of the general fund--state  
22 appropriation for fiscal year 2012 and \$35,000 of the general fund--  
23 state appropriation for fiscal year 2013 are provided solely for the  
24 support of a statewide council on mentally ill offenders that includes  
25 as its members representatives of community-based mental health  
26 treatment programs, current or former judicial officers, and directors  
27 and commanders of city and county jails and state prison facilities.  
28 The council will investigate and promote cost-effective approaches to  
29 meeting the long-term needs of adults and juveniles with mental  
30 disorders who have a history of offending or who are at-risk of  
31 offending, including their mental health, physiological, housing,  
32 employment, and job training needs.

33 (2) CORRECTIONAL OPERATIONS

34	General Fund--State Appropriation (FY 2012) . . . . .	\$639,752,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$606,151,000
36	General Fund--Federal Appropriation . . . . .	\$3,300,000
37	General Fund--Private/Local Appropriation . . . . .	\$2,336,000



1	Washington Auto Theft Prevention Authority Account--	
2	State Appropriation . . . . .	\$10,124,000
3	TOTAL APPROPRIATION . . . . .	\$1,261,663,000

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

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

11       (b) During the 2011-2013 fiscal biennium, when contracts are  
12 established or renewed for offender pay phone and other telephone  
13 services provided to inmates, the department shall select the  
14 contractor or contractors primarily based on the following factors:

15       (i) The lowest rate charged to both the inmate and the person paying  
16 for the telephone call; and (ii) the lowest commission rates paid to  
17 the department, while providing reasonable compensation to cover the  
18 costs of the department to provide the telephone services to inmates  
19 and provide sufficient revenues for the activities funded from the  
20 institutional welfare betterment account.

21       (c) The Harborview medical center and the University of Washington  
22 medical center shall provide inpatient and outpatient hospital services  
23 to offenders confined in department of corrections facilities at a rate  
24 no greater than the average rate that the department has negotiated  
25 with other community hospitals in Washington state.

26       (d) \$4,014,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$4,014,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for in-prison evidence-based  
29 programs and for the reception diagnostic center program as part of the  
30 offender re-entry initiative.

31       (e) \$102,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$102,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely to implement House Bill No. 1290  
34 (health care employee overtime). If the bill is not enacted by June  
35 30, 2011, the amounts provided in this subsection shall lapse.

36       (f) \$32,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$33,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely to implement Substitute House Bill

1 No. 1718 (offenders with developmental disabilities). If the bill is  
2 not enacted by June 30, 2011, the amounts provided in this subsection  
3 shall lapse.

4 (3) COMMUNITY SUPERVISION

5	General Fund--State Appropriation (FY 2012) . . . . .	\$135,291,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$133,843,000
7	TOTAL APPROPRIATION . . . . .	\$269,134,000

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

10 (a) The department shall accomplish personnel reductions with the  
11 least possible impact on correctional custody staff, community custody  
12 staff, and correctional industries. For the purposes of this  
13 subsection, correctional custody staff means employees responsible for  
14 the direct supervision of offenders.

15 (b) \$1,585,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$1,585,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for evidence-based community  
18 programs and for community justice centers as part of the offender  
19 re-entry initiative.

20 (c) \$875,000 of the general fund--state appropriation for fiscal  
21 year 2012 is provided solely to implement Substitute House Bill No.  
22 1632 (cost of supervision). If the bill is not enacted by June 30,  
23 2011, the amount provided in this subsection shall lapse.

24 (4) CORRECTIONAL INDUSTRIES

25	General Fund--State Appropriation (FY 2012) . . . . .	\$3,623,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$3,617,000
27	TOTAL APPROPRIATION . . . . .	\$7,240,000

28 The appropriations in this subsection are subject to the following  
29 conditions and limitations: \$132,000 of the general fund--state  
30 appropriation for fiscal year 2012 and \$132,000 of the general  
31 fund--state appropriation for fiscal year 2013 are provided solely for  
32 transfer to the jail industries board. The board shall use the amounts  
33 provided only for administrative expenses, equipment purchases, and  
34 technical assistance associated with advising cities and counties in  
35 developing, promoting, and implementing consistent, safe, and efficient  
36 offender work programs.

37 (5) INTERAGENCY PAYMENTS

1	General Fund--State Appropriation (FY 2012) . . . . .	\$39,190,000
2	General Fund--State Appropriation (FY 2013) . . . . .	\$36,555,000
3	TOTAL APPROPRIATION . . . . .	\$75,745,000

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

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

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

13 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF SERVICES FOR THE**  
14 **BLIND**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$2,304,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$2,299,000
17	General Fund--Federal Appropriation . . . . .	\$19,419,000
18	General Fund--Private/Local Appropriation . . . . .	\$30,000
19	TOTAL APPROPRIATION . . . . .	\$24,052,000

20 NEW SECTION. **Sec. 222. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

21	General Fund--Federal Appropriation . . . . .	\$269,150,000
22	General Fund--Private/Local Appropriation . . . . .	\$34,481,000
23	Unemployment Compensation Administration Account--	
24	Federal Appropriation . . . . .	\$368,389,000
25	Administrative Contingency Account--State Appropriation . .	\$20,394,000
26	Employment Service Administrative Account--State	
27	Appropriation . . . . .	\$34,479,000
28	TOTAL APPROPRIATION . . . . .	\$726,893,000

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

31 (1) \$39,666,000 of the unemployment compensation administration  
32 account--federal appropriation is from amounts made available to the  
33 state by section 903 (d), (f), and (g) of the social security act (Reed  
34 act). This amount is provided solely for continuing current  
35 unemployment insurance functions and department services to employers  
36 and job seekers.

1 (2) \$35,584,000 of the unemployment compensation administration  
2 account--federal appropriation is from amounts made available to the  
3 state by section 903 (d), (f), and (g) of the social security act (Reed  
4 act). This amount is provided solely for the replacement of the  
5 unemployment insurance tax information system for the employment  
6 security department. The employment security department shall support  
7 the department of revenue and department of labor and industries to  
8 develop a common vision to ensure technological compatibility between  
9 the three agencies to facilitate a coordinated business tax system for  
10 the future that improves services to business customers. The amounts  
11 provided in this subsection are conditioned on the department  
12 satisfying the requirements of section 902 of this act.

13 (3) \$25,000 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 implementation of system  
17 changes to the unemployment insurance tax information system required  
18 under chapter 4, Laws of 2011 (unemployment insurance program).

19 (4) \$1,459,000 of the unemployment compensation administration  
20 account--federal appropriation is from amounts available to the state  
21 by section 903 (d), (f), and (g) of the social security act (Reed act).  
22 This amount is provided solely for implementation of chapter 4, Laws of  
23 2011 (unemployment insurance program).

24 (5) \$60,000 of the unemployment compensation administration  
25 account--federal appropriation is provided solely for costs associated  
26 with the initial review and evaluation of the training benefits program  
27 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment  
28 insurance program). The initial review shall be developed by the joint  
29 legislative audit and review committee. This appropriation is provided  
30 from funds made available to the state by section 903 (d), (f), and (g)  
31 of the social security act (Reed act).

32 (6) Funding in this section is reduced to reflect savings from  
33 House Bill No. 1189 (family leave insurance program).

34 (End of part)

PART III  
NATURAL RESOURCES

NEW SECTION.    **Sec. 301.    FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund--State Appropriation (FY 2012)	\$410,000
General Fund--State Appropriation (FY 2013)	\$419,000
General Fund--Federal Appropriation	\$32,000
General Fund--Private/Local Appropriation	\$799,000
TOTAL APPROPRIATION	\$1,660,000

NEW SECTION.    **Sec. 302.    FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2012)	\$44,731,000
General Fund--State Appropriation (FY 2013)	\$43,992,000
General Fund--Federal Appropriation	\$79,024,000
General Fund--Private/Local Appropriation	\$16,804,000
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	\$3,722,000
Flood Control Assistance Account--State Appropriation	\$2,987,000
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$14,679,000
State Drought Preparedness Account--State Appropriation	\$118,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$435,000
Freshwater Aquatic Algae Control Account--State Appropriation	\$512,000
Water Rights Tracking System Account--State Appropriation	\$46,000
Site Closure Account--State Appropriation	\$728,000
Wood Stove Education and Enforcement Account--State Appropriation	\$616,000
Worker and Community Right-to-Know Account--State Appropriation	\$1,721,000
Water Rights Processing Account--State Appropriation	\$136,000
State Toxics Control Account--State Appropriation	\$113,423,000

1	State Toxics Control Account--Private/Local	
2	Appropriation . . . . .	\$983,000
3	Local Toxics Control Account--State Appropriation . . . . .	\$26,581,000
4	Water Quality Permit Account--State Appropriation . . . . .	\$38,605,000
5	Underground Storage Tank Account--State Appropriation . . . . .	\$3,348,000
6	Biosolids Permit Account--State Appropriation . . . . .	\$1,858,000
7	Hazardous Waste Assistance Account--State Appropriation . . . . .	\$6,011,000
8	Air Pollution Control Account--State Appropriation . . . . .	\$2,502,000
9	Oil Spill Prevention Account--State Appropriation . . . . .	\$5,829,000
10	Air Operating Permit Account--State Appropriation . . . . .	\$2,816,000
11	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$1,710,000
12	Oil Spill Response Account--State Appropriation . . . . .	\$7,076,000
13	Metals Mining Account--State Appropriation . . . . .	\$14,000
14	Water Pollution Control Revolving Account--State	
15	Appropriation . . . . .	\$630,000
16	Water Pollution Control Revolving Account--Federal	
17	Appropriation . . . . .	\$2,583,000
18	TOTAL APPROPRIATION . . . . .	\$424,493,000

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

1 (4) \$45,000 of the general fund--state appropriation for fiscal  
2 year 2012 is provided solely for implementation of Engrossed Second  
3 Substitute House Bill No. 1952 (SEPA process). If the bill is not  
4 enacted by June 30, 2011, the amount provided in this subsection shall  
5 lapse.

6 (5) During the 2011-2013 fiscal biennium, the department may not  
7 expend any state funds on climate change mitigation or adaptation  
8 strategies and may not use state funds to enforce or administer any  
9 requirements in state law related to climate change and monitoring  
10 green house gas emissions.

11 NEW SECTION. **Sec. 303. FOR THE STATE PARKS AND RECREATION**  
12 **COMMISSION**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$10,473,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$10,607,000
15	General Fund--Federal Appropriation . . . . .	\$5,981,000
16	Winter Recreation Program Account--State Appropriation . . .	\$1,770,000
17	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$233,000
18	Snowmobile Account--State Appropriation . . . . .	\$4,867,000
19	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$363,000
20	Parks Renewal and Stewardship Account--State	
21	Appropriation . . . . .	\$125,037,000
22	Parks Renewal and Stewardship Account--Private/Local	
23	Appropriation . . . . .	\$300,000
24	TOTAL APPROPRIATION . . . . .	\$159,631,000

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

27 (1) \$9,921,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$9,921,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely to assist state parks in its  
30 implementation of a new fee structure. The goal of this structure is  
31 to make the parks system self-supporting. By August 1, 2012, state  
32 parks must submit a report to the office of financial management  
33 detailing its progress toward this goal and outlining any additional  
34 statutory changes needed for successful implementation.

35 (2) \$79,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$79,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for a grant for the operation of  
2 the Northwest avalanche center.

3 (3) \$53,550,000 of the parks renewal and stewardship account--state  
4 appropriation is provided solely for implementation of House Bill No.  
5 1796 (Washington's heritage). If the bill is not enacted by June 30,  
6 2011, the amount provided in this subsection shall lapse.

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

13 NEW SECTION. **Sec. 304. FOR THE RECREATION AND CONSERVATION**  
14 **FUNDING BOARD**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$937,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$963,000
17	General Fund--Federal Appropriation . . . . .	\$3,346,000
18	General Fund--Private/Local Appropriation . . . . .	\$274,000
19	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
20	Vessel Response Account--State Appropriation . . . . .	\$100,000
21	Firearms Range Account--State Appropriation . . . . .	\$37,000
22	Recreation Resources Account--State Appropriation . . . . .	\$3,043,000
23	NOVA Program Account--State Appropriation . . . . .	\$900,000
24	TOTAL APPROPRIATION . . . . .	\$9,878,000

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

33 NEW SECTION. **Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE**  
34 **HEARINGS OFFICE**

35	General Fund--State Appropriation (FY 2012) . . . . .	\$2,478,000
36	General Fund--State Appropriation (FY 2013) . . . . .	\$2,490,000



1 TOTAL APPROPRIATION . . . . . \$4,968,000

2 NEW SECTION. **Sec. 306. FOR THE CONSERVATION COMMISSION**

3 General Fund--State Appropriation (FY 2012) . . . . . \$6,457,000  
4 General Fund--State Appropriation (FY 2013) . . . . . \$6,476,000  
5 General Fund--Federal Appropriation . . . . . \$1,301,000  
6 TOTAL APPROPRIATION . . . . . \$14,234,000

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

9 (1) The conservation commission, in cooperation with all  
10 conservation districts, will seek to minimize conservation district  
11 overhead costs. These efforts may include merging conservation  
12 districts along county lines.

13 (2) \$122,000 of the general fund--federal appropriation is provided  
14 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center  
15 process). If the bill is not enacted by June 30, 2011, the amount  
16 provided in this subsection shall lapse.

17 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

18 General Fund--State Appropriation (FY 2012) . . . . . \$39,025,000  
19 General Fund--State Appropriation (FY 2013) . . . . . \$37,599,000  
20 General Fund--Federal Appropriation . . . . . \$107,370,000  
21 General Fund--Private/Local Appropriation . . . . . \$51,566,000  
22 ORV and Nonhighway Vehicle Account--State Appropriation . . . \$393,000  
23 Aquatic Lands Enhancement Account--State Appropriation . . . \$6,992,000  
24 Recreational Fisheries Enhancement--State Appropriation . . \$3,601,000  
25 Warm Water Game Fish Account--State Appropriation . . . . . \$3,125,000  
26 Eastern Washington Pheasant Enhancement Account--State  
27 Appropriation . . . . . \$849,000  
28 Aquatic Invasive Species Enforcement Account--State  
29 Appropriation . . . . . \$210,000  
30 Aquatic Invasive Species Prevention Account--State  
31 Appropriation . . . . . \$741,000  
32 State Wildlife Account--State Appropriation . . . . . \$91,246,000  
33 Special Wildlife Account--State Appropriation . . . . . \$2,399,000  
34 Special Wildlife Account--Federal Appropriation . . . . . \$3,431,000  
35 Special Wildlife Account--Private/Local Appropriation . . . . \$487,000  
36 Wildlife Rehabilitation Account--State Appropriation . . . . . \$260,000

1	Regional Fisheries Enhancement Salmonid Recovery	
2	Account--Federal Appropriation . . . . .	\$5,001,000
3	Oil Spill Prevention Account--State Appropriation . . . . .	\$919,000
4	Oyster Reserve Land Account--State Appropriation . . . . .	\$927,000
5	TOTAL APPROPRIATION . . . . .	\$356,141,000

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

8       (1) \$294,000 of the aquatic lands enhancement account--state  
9 appropriation is provided solely for the implementation of hatchery  
10 reform recommendations defined by the hatchery scientific review group.

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

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

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

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

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

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

37       (3) Prior to submitting its 2013-2015 biennial operating and  
38 capital budget request related to state fish hatcheries to the office

1 of financial management, the department shall contract with the  
2 hatchery scientific review group (HSRG) to review this request. This  
3 review shall: (a) Determine if the proposed requests are consistent  
4 with HSRG recommendations; (b) prioritize the components of the  
5 requests based on their contributions to protecting wild salmonid  
6 stocks and meeting the recommendations of the HSRG; and (c) evaluate  
7 whether the proposed requests are being made in the most cost effective  
8 manner. The department shall provide a copy of the HSRG review to the  
9 office of financial management with their agency budget proposal.

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

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

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

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

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

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

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

4 (10) \$7,114,000 of the state wildlife account--state appropriation  
5 is provided solely for the implementation of House Bill No. 1796  
6 (Washington's heritage). If the bill is not enacted by June 30, 2011,  
7 the amount provided in this subsection shall lapse.

8 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$35,631,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$35,348,000
11	General Fund--Federal Appropriation . . . . .	\$28,145,000
12	General Fund--Private/Local Appropriation . . . . .	\$2,381,000
13	Forest Development Account--State Appropriation . . . . .	\$42,673,000
14	ORV and Nonhighway Vehicle Account--State Appropriation . .	\$4,508,000
15	Surveys and Maps Account--State Appropriation . . . . .	\$2,399,000
16	Aquatic Lands Enhancement Account--State	
17	Appropriation . . . . .	\$7,389,000
18	Resources Management Cost Account--State	
19	Appropriation . . . . .	\$83,600,000
20	Surface Mining Reclamation Account--State	
21	Appropriation . . . . .	\$3,540,000
22	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
23	Forest and Fish Support Account--State Appropriation . . . .	\$7,939,000
24	Aquatic Land Dredged Material Disposal Site	
25	Account--State Appropriation . . . . .	\$844,000
26	Natural Resources Conservation Areas Stewardship	
27	Account--State Appropriation . . . . .	\$34,000
28	State Toxics Control Account--State Appropriation . . . . .	\$80,000
29	Air Pollution Control Account--State Appropriation . . . . .	\$1,319,000
30	NOVA Program Account--State Appropriation . . . . .	\$669,000
31	Derelict Vessel Removal Account--State Appropriation . . . .	\$1,765,000
32	Agricultural College Trust Management Account--State	
33	Appropriation . . . . .	\$1,916,000
34	TOTAL APPROPRIATION . . . . .	\$265,180,000

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

1 (1) \$977,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$915,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for deposit into the agricultural  
4 college trust management account and are provided solely to manage  
5 approximately 70,700 acres of Washington State University's  
6 agricultural college trust lands.

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

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

25 (4) \$333,000 of the forest and fish support account--state  
26 appropriation is provided solely for adaptive management, monitoring,  
27 and participation grants to nongovernmental organizations.

28 (5) \$487,000 of the general fund--state appropriation is provided  
29 solely to fund interagency agreements with the department of ecology  
30 and the department of fish and wildlife as part of the adaptive  
31 management process.

32 (6) \$1,000,000 of the general fund--federal appropriation and  
33 \$1,000,000 of the forest and fish support account--state appropriation  
34 are provided solely for continuing scientific studies already underway  
35 as part of the adaptive management process. Funds may not be used to  
36 initiate new studies unless the department secures new federal funding  
37 for the adaptive management process.

1 (7) The department is authorized to increase the silviculture  
2 burning permit fee in the 2011-2013 biennium as necessary to meet the  
3 actual costs of conducting business.

4 (8) \$440,000 of the state general fund--state appropriation for  
5 fiscal year 2012 and \$440,000 of the state general fund--state  
6 appropriation for fiscal year 2013 are provided solely for forest work  
7 crews that support correctional camps and are contingent upon  
8 continuing operations of Naselle youth camp.

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

14 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$16,488,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$16,272,000
17	General Fund--Federal Appropriation . . . . .	\$23,217,000
18	General Fund--Private/Local Appropriation . . . . .	\$190,000
19	Aquatic Lands Enhancement Account--State	
20	Appropriation . . . . .	\$2,101,000
21	State Toxics Control Account--State Appropriation . . . . .	\$5,191,000
22	Water Quality Permit Account--State Appropriation . . . . .	\$62,000
23	TOTAL APPROPRIATION . . . . .	\$63,521,000

24 The appropriations in this section are subject to the following  
25 conditions and limitations: \$5,308,445 of the general fund--state  
26 appropriation for fiscal year 2012 and \$5,302,905 of the general fund--  
27 state appropriation for fiscal year 2013 are provided solely for  
28 implementing the food assistance program as defined in RCW 43.23.290.

29 NEW SECTION. **Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY**  
30 **INSURANCE PROGRAM**

31	Pollution Liability Insurance Program Trust	
32	Account--State Appropriation . . . . .	\$681,000

33 NEW SECTION. **Sec. 311. FOR THE PUGET SOUND PARTNERSHIP**

34	General Fund--State Appropriation (FY 2012) . . . . .	\$2,797,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$2,785,000

1	General Fund--Federal Appropriation . . . . .	\$9,620,000
2	General Fund--Private/Local Appropriation . . . . .	\$25,000
3	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$499,000
4	State Toxics Control Account--State Appropriation . . . . .	\$735,000
5	TOTAL APPROPRIATION . . . . .	\$16,461,000

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

8 (1) \$706,000 of the state toxics control account--state  
9 appropriation is provided solely for activities that contribute to  
10 Puget Sound protection and recovery, including provision of independent  
11 advice and assessment of the state's oil spill prevention,  
12 preparedness, and response programs, including review of existing  
13 activities and recommendations for any necessary improvements. The  
14 partnership may carry out this function through an existing committee,  
15 such as the ecosystem coordination board or the leadership council, or  
16 may appoint a special advisory council. Because this is a unique  
17 statewide program, the partnership may invite participation from  
18 outside the Puget Sound region.

19 (2) Within the amounts appropriated in this section, the Puget  
20 Sound partnership shall facilitate an ongoing monitoring consortium to  
21 integrate monitoring efforts for storm water, water quality, watershed  
22 health, and other indicators to enhance monitoring efforts in Puget  
23 Sound.

(End of part)

**PART IV**  
**TRANSPORTATION**

**NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING**

4	General Fund--State Appropriation (FY 2012) . . . . .	\$1,290,000
5	General Fund--State Appropriation (FY 2013) . . . . .	\$1,544,000
6	Architects' License Account--State Appropriation . . . . .	\$1,086,000
7	Professional Engineers' Account--State	
8	Appropriation . . . . .	\$3,573,000
9	Real Estate Commission Account--State Appropriation . . . . .	\$10,043,000
10	Uniform Commercial Code Account--State Appropriation . . . . .	\$3,183,000
11	Real Estate Education Account--State Appropriation . . . . .	\$276,000
12	Real Estate Appraiser Commission Account--State	
13	Appropriation . . . . .	\$1,724,000
14	Business and Professions Account--State Appropriation . . . . .	\$15,942,000
15	Real Estate Research Account--State Appropriation . . . . .	\$622,000
16	Geologists' Account--State Appropriation . . . . .	\$49,000
17	Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
18	TOTAL APPROPRIATION . . . . .	\$39,363,000

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

21 (1) Pursuant to RCW 43.135.055, the department is authorized to  
22 increase fees for cosmetologists, funeral directors, cemeteries, court  
23 reporters and appraisers. These increases are necessary to support the  
24 expenditures authorized in this section, consistent with RCW 43.24.086.

25 (2) \$8,000 of the business and professions account--state  
26 appropriation is provided solely to implement House Bill No. 1745  
27 (collection agencies). If the bill is not enacted by June 30, 2011,  
28 the amount provided in this subsection shall lapse.

**NEW SECTION. Sec. 402. FOR THE STATE PATROL**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$41,564,000
31	General Fund--State Appropriation (FY 2013) . . . . .	\$38,418,000
32	General Fund--Federal Appropriation . . . . .	\$16,081,000
33	General Fund--Private/Local Appropriation . . . . .	\$3,021,000
34	Death Investigations Account--State Appropriation . . . . .	\$5,735,000



1	County Criminal Justice Assistance Account--State	
2	Appropriation . . . . .	\$3,302,000
3	Municipal Criminal Justice Assistance Account--State	
4	Appropriation . . . . .	\$1,332,000
5	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
6	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
7	Fire Service Training Account--State Appropriation . . . . .	\$9,087,000
8	Aquatic Invasive Species Enforcement Account--State	
9	Appropriation . . . . .	\$54,000
10	State Toxics Control Account--State Appropriation . . . . .	\$508,000
11	Fingerprint Identification Account--State	
12	Appropriation . . . . .	\$8,964,000
13	Vehicle License Fraud Account--State Appropriation . . . . .	\$21,000
14	TOTAL APPROPRIATION . . . . .	\$136,220,000

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

17       (1) \$200,000 of the fire service training account--state  
18 appropriation is provided solely for two FTEs in the office of the  
19 state director of fire protection to exclusively review K-12  
20 construction documents for fire and life safety in accordance with the  
21 state building code. It is the intent of this appropriation to provide  
22 these services only to those districts that are located in counties  
23 without qualified review capabilities.

24       (2) \$8,000,000 of the disaster response account--state  
25 appropriation is provided solely for Washington state fire service  
26 resource mobilization costs incurred in response to an emergency or  
27 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
28 patrol shall submit a report quarterly to the office of financial  
29 management and the legislative fiscal committees detailing information  
30 on current and planned expenditures from this account. This work shall  
31 be done in coordination with the military department.

32       (3) \$400,000 of the fire service training account--state  
33 appropriation is provided solely for the firefighter apprenticeship  
34 training program.

35       (4) In accordance with RCW 43.43.742 the state patrol is authorized  
36 to increase the following fees in fiscal year 2012 as necessary to meet

1 the actual costs of conducting business and the appropriation levels in  
2 this section: Notary service fees.

(End of part)

PART V  
EDUCATION

NEW SECTION.      **Sec. 501.**      **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2012) . . . . .	\$26,576,000
General Fund--State Appropriation (FY 2013) . . . . .	\$22,902,000
General Fund--Federal Appropriation . . . . .	\$87,577,000
TOTAL APPROPRIATION . . . . .	\$137,055,000

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

(1) A maximum of \$18,617,000 of the general fund--state appropriation for fiscal year 2012 and \$14,769,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$12,358,000 of the general fund--state appropriation for fiscal year 2012 and \$9,788,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

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

(iii) Within the amounts provided, the office of the superintendent of public instruction shall develop a model policy that further defines the recommended roles and responsibilities of graduation coaches and identifies best practices for how graduation coaches work in coordination with school counselors and in the context of a comprehensive school guidance and counseling program.

1 (iv) Within the amounts provided, \$1,600,000 in fiscal year 2012 is  
2 for development of a new electronic certification system for educators,  
3 pursuant to Substitute House Bill No. 1449 (educator certificate fee).  
4 Beginning in fiscal year 2013, if system development is complete, the  
5 e-certification system will be supported by proceeds from the educator  
6 certification processing account.

7 (b) Funding within this section is sufficient for the  
8 implementation of new school finance systems required by chapter 236,  
9 Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009  
10 (state's education system), including technical staff, systems  
11 reprogramming, and workgroup deliberations, including the quality  
12 education council.

13 (c) \$851,000 of the general fund--state appropriation for fiscal  
14 year 2012 and \$851,000 of the general fund--state appropriation for  
15 fiscal year 2013 are provided solely for the operation and expenses of  
16 the state board of education, including basic education assistance  
17 activities.

18 (d) \$1,636,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$1,253,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely to the professional educator  
21 standards board for the following:

22 (i) \$909,000 in fiscal year 2012 and \$909,000 in fiscal year 2013  
23 are for the operation and expenses of the Washington professional  
24 educator standards board; and

25 (ii) \$687,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$305,000 of the general fund--state appropriation for  
27 fiscal year 2013 are for conditional scholarship loans and mentor  
28 stipends provided through the alternative routes to certification  
29 program administered by the professional educator standards board,  
30 including the pipeline for paraeducators program and the retooling to  
31 teach conditional loan programs. Funding within this subsection  
32 (1)(d)(ii) is also provided for the recruiting Washington teachers  
33 program. Funding reductions in this subsection (1)(d)(ii) in the 2011-  
34 2013 fiscal biennium are intended to be one-time.

35 (iii) \$40,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$39,000 of the general fund--state appropriation for  
37 fiscal year 2013 are provided solely for the implementation of  
38 Engrossed Second Substitute House Bill No. 1593 (principal

1 certification), including the development of a residency provisional  
2 principal certification for candidates with demonstrated professional  
3 and managerial leadership experiences. If the bill is not enacted by  
4 June 30, 2011, the amounts provided in this subsection shall lapse.

5 (e) \$100,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$100,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for the ongoing work of the  
8 achievement gap oversight and accountability committee.

9 (f) \$45,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$45,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for the implementation of chapter  
12 380, Laws of 2009 (enacting the interstate compact on educational  
13 opportunity for military children).

14 (g) \$60,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$15,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for the implementation of Second  
17 Substitute House Bill No. 1163 (bullying prevention), which requires  
18 the office of the superintendent of public instruction to convene an  
19 ongoing workgroup on school bullying and harassment prevention. If the  
20 bill is not enacted by June 30, 2011, the amounts provided in this  
21 subsection shall lapse.

22 (h) \$181,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$181,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for the implementation of  
25 Engrossed Second Substitute House Bill No. 1546 (innovation schools and  
26 zones). The funding supports a school innovation program which grants  
27 waivers of state statutes or administrative rules to encourage  
28 innovation in educational practice. If the bill is not enacted by June  
29 30, 2011, the amounts provided in this subsection shall lapse.

30 (i) \$182,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$59,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for the implementation of  
33 Engrossed Second Substitute House Bill No. 1443 (education reforms).  
34 If the bill is not enacted by June 30, 2011, the amounts provided in  
35 this subsection shall lapse.

36 (j) \$1,319,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$1,319,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for implementing a comprehensive

1 data system to include financial, student, and educator data, including  
2 development and maintenance of the comprehensive education data and  
3 research system (CEDARS). The office of the superintendent of public  
4 instruction will convene a data governance group to define operating  
5 rules and a governance structure for K-12 data collections, and  
6 collaborate with the education research and data center to facilitate  
7 analysis of data across education sectors.

8 (2) \$9,320,000 of the general fund--state appropriation for fiscal  
9 year 2012, \$9,220,000 of the general fund--state appropriation for  
10 fiscal year 2013, and \$55,890,000 of the general fund--federal  
11 appropriation are for statewide programs.

12 (a) HEALTH AND SAFETY

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

20 (ii) \$96,000 of the general fund--state appropriation for fiscal  
21 year 2012 and \$96,000 of the general fund--state appropriation for  
22 fiscal year 2013 are provided solely for a school safety training  
23 program provided by the criminal justice training commission. The  
24 commission, in collaboration with the school safety center advisory  
25 committee, shall provide the school safety training for all school  
26 administrators and school safety personnel.

27 (iii) \$100,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$100,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the school safety center in  
30 the office of the superintendent of public instruction subject to the  
31 following conditions and limitations:

32 (A) The safety center shall: Disseminate successful models of  
33 school safety plans and cooperative efforts; provide assistance to  
34 schools to establish a comprehensive safe school plan; select models of  
35 cooperative efforts that have been proven successful; act as an  
36 information dissemination and resource center when an incident occurs  
37 in a school district either in Washington or in another state;

1 coordinate activities relating to school safety; review and approve  
2 manuals and curricula used for school safety models and training; and  
3 develop and maintain a school safety information web site.

4 (B) The school safety center advisory committee shall develop a  
5 training program, using the best practices in school safety, for all  
6 school safety personnel.

7 (b) TECHNOLOGY

8 \$1,570,000 of the general fund--state appropriation for fiscal year  
9 2012 and \$1,570,000 of the general fund--state appropriation for fiscal  
10 year 2013 are provided solely for K-20 telecommunications network  
11 technical support in the K-12 sector to prevent system failures and  
12 avoid interruptions in school utilization of the data processing and  
13 video-conferencing capabilities of the network. These funds may be  
14 used to purchase engineering and advanced technical support for the  
15 network.

16 (c) GRANTS AND ALLOCATIONS

17 (i) \$675,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$675,000 of the general fund--state appropriation for  
19 fiscal year 2013 are provided solely for the Washington state achievers  
20 scholarship program. The funds shall be used to support community  
21 involvement officers that recruit, train, and match community volunteer  
22 mentors with students selected as achievers scholars.

23 (ii) \$900,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$900,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for contracting with a college  
26 scholarship organization with expertise in conducting outreach to  
27 students concerning eligibility for the Washington college bound  
28 scholarship consistent with chapter 405, Laws of 2007.

29 (iii) \$2,000,000 of the general fund--state appropriation for  
30 fiscal year 2012 and \$2,000,000 of the general fund--state  
31 appropriation for fiscal year 2013 are provided solely for the  
32 dissemination of the navigation 101 curriculum to all districts. The  
33 funding shall support electronic student planning tools and software  
34 for analyzing the impact of navigation 101 on student performance, as  
35 well as grants to a maximum of one hundred school districts each year,  
36 based on progress and need for the implementation of the navigation 101  
37 program. The implementation grants shall be awarded to a cross-section  
38 of school districts reflecting a balance of geographic and demographic

1 characteristics. Within the amounts provided, the office of the  
2 superintendent of public instruction will create a navigation 101  
3 accountability model to analyze the impact of the program.

4 (iv) \$337,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$337,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for implementation of the building  
7 bridges statewide program for comprehensive dropout prevention,  
8 intervention, and reengagement strategies.

9 (v) \$135,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$130,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for implementing the provisions of  
12 Engrossed House Bill No. 1703, requiring the office of the  
13 superintendent of public instruction, where practicable, to prepare  
14 fiscal notes that show the fiscal impact of proposed legislation on  
15 each school district. If the bill is not enacted by June 30, 2011, the  
16 amounts provided in this subsection shall lapse.

17 NEW SECTION. **Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC**  
18 **INSTRUCTION--FOR GENERAL APPORTIONMENT**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$5,224,313,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$5,349,293,000
21	TOTAL APPROPRIATION . . . . .	\$10,573,606,000

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

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

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

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

35 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS  
36 Allocations for certificated instructional staff salaries for the



1 2011-12 and 2012-13 school years are determined using formula-generated  
2 staff units calculated pursuant to this subsection.

3 (a) Certificated instructional staff units, as defined in RCW  
4 28A.150.410, shall be allocated to reflect the minimum class size  
5 allocations, requirements, and school prototypes assumptions as  
6 provided in RCW 28A.150.260. The superintendent shall adjust  
7 allocations to school districts based on the district's annual average  
8 full-time equivalent student enrollment in each grade.

9 (b) Additional certificated instructional staff units provided in  
10 this subsection (2) that exceed the minimum requirements in RCW  
11 28A.150.260 are enhancements outside the program of basic education,  
12 except as otherwise provided in this section.

13 (c)(i) The superintendent shall base allocations for each level of  
14 prototypical school on the following regular education average class  
15 size of full-time equivalent students per teacher:

16 General education class size:

17 Grade	2011-12 School year	2012-13 School year
18 Grades K-3 .....	25.00	24.52
19 Grade 4 .....	27.00	27.00
20 Grades 5-6 .....	27.00	27.00
21 Grades 7-8 .....	28.53	28.53
22 Grades 9-12 .....	28.74	28.74

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

26 (ii) Pursuant to RCW 28A.150.200 to implement RCW  
27 28A.150.260(4)(b), class size reductions in grades K-3 that exceed the  
28 requirements of RCW 28A.150.260(4)(a) are within the program of basic  
29 education.

30 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher  
31 planning period, expressed as a percentage of a teacher work day, is  
32 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

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

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

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

11 Career and Technical Education

12 students . . . . .	2.02 per 1000 student FTE's
13 Skill Center students . . . . .	2.36 per 1000 student FTE's

14 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

25 Career and Technical Education students . . . . .	2.5 percent
26 Skill Center students . . . . .	19.75 percent

27 (4) CLASSIFIED STAFF ALLOCATIONS

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

33 (5) CENTRAL OFFICE ALLOCATIONS

34 In addition to classified and administrative staff units allocated  
35 in subsections (3) and (4) of this section, classified and  
36 administrative staff units are provided for the 2011-12 and 2012-13

1 school year for the central office administrative costs of operating a  
2 school district, at the following rates:

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

8 (b) Of the central office staff units calculated in (a) of this  
9 subsection, 74.53 percent are allocated as classified staff units, as  
10 generated in subsection (4) of this section, and 25.47 percent shall be  
11 allocated as administrative staff units, as generated in subsection (3)  
12 of this section.

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

18 (d) For students in approved career-technical and skill center  
19 programs, central office classified units are allocated at the same  
20 staff unit per student rate as those generated for general education  
21 students of the same grade in this subsection (5), and central office  
22 administrative staff units are allocated at staff unit per student  
23 rates that exceed the general education rate established for students  
24 in the same grade in this subsection (5) by 3.69 percent for career and  
25 technical education students, and 21.92 percent for skill center  
26 students.

27 (6) FRINGE BENEFIT ALLOCATIONS

28 Fringe benefit allocations shall be calculated at a rate of 16.30  
29 percent in the 2011-12 school year and 16.30 percent in the 2012-13  
30 school year for certificated salary allocations provided under  
31 subsections (2), (3), and (5) of this section, and a rate of 18.68  
32 percent in the 2011-12 school year and 18.68 percent in the 2012-13  
33 school year for classified salary allocations provided under  
34 subsections (4) and (5) of this section.

35 (7) INSURANCE BENEFIT ALLOCATIONS

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

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

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

10 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS  
11 Funding is allocated per annual average full-time equivalent  
12 student for the maintenance, supplies, and operating costs (MSOC)  
13 incurred by school districts, consistent with the requirements of RCW  
14 28A.150.260.

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

MSOC RATES/STUDENT FTE		
MSOC Component	2011-12 SCHOOL YEAR	2012-13 SCHOOL YEAR
Technology	\$57.02	\$57.99
Utilities and Insurance	\$154.93	\$157.56
Curriculum and Textbooks	\$61.22	\$62.26
Other Supplies and Library Materials	\$129.97	\$132.18
Instructional Professional Development for Certificated and Classified Staff	\$9.47	\$9.63
Facilities Maintenance	\$76.75	\$78.06
Security and Central Office	\$53.17	\$54.08
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$542.53	\$551.76

30 (b) Students in approved skill center programs generate per student  
31 FTE MSOC allocations which equal the rate for general education  
32 students calculated in (a) of this subsection, multiplied by a factor  
33 of 2.187.

1 (c) Students in approved exploratory and preparatory career and  
2 technical education programs generate a per student MSOC allocation  
3 that is equal to the rate for general education students calculated in  
4 (a) of this subsection, multiplied by a factor of 2.459.

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

8 (9) SUBSTITUTE TEACHER ALLOCATIONS

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

13 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

14 (i) Beginning in the 2011-12 school year, general apportionment  
15 allocations resulting from this section and compensation factors in  
16 sections 503 and 504 of this act shall be multiplied by a factor of  
17 .801 for students participating in alternative learning experience  
18 (ALE) programs defined in WAC 392-121-182.

19 (ii) School districts providing ALE programs as defined in WAC  
20 392-121-182 may not provide any compensation, reimbursement, gift,  
21 reward, or gratuity to any parents, guardians, or students for  
22 participation in ALE programs. This prohibition includes, but is not  
23 limited to, providing funds to parents, guardians, or students for the  
24 purchase of educational materials, supplies, experiences, services, or  
25 technological equipment. A district may purchase educational  
26 materials, equipment, or other nonconsumable supplies for students' use  
27 in ALE programs if the purchase is consistent with laws and rules and  
28 made in the same manner as such purchases are made for students in the  
29 district's non-ALE program. Items so purchased remain the property of  
30 the school district upon ALE program completion. These requirements in  
31 this subsection extend to private and multidistrict cooperative ALE  
32 providers, and each district shall be responsible for monitoring the  
33 compliance of its ALE providers with this subsection.

34 (iii) The superintendent of public instruction shall require all  
35 districts receiving general apportionment funding for alternative  
36 learning experience (ALE) programs as defined in WAC 392-121-182 to  
37 provide separate financial accounting of expenditures for the ALE  
38 programs offered in district or with a provider, including but not

1 limited to private companies and multidistrict cooperatives, as well as  
2 accurate, monthly headcount and FTE enrollment claimed for basic  
3 education, including separate counts of resident and nonresident  
4 students.

5 (11) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND  
6 NECESSARY PLANTS

7 For small school districts and remote and necessary school plants  
8 within any district which have been judged to be remote and necessary  
9 by the state board of education, additional staff units are provided to  
10 ensure a minimum level of staffing support. Additional administrative  
11 and certificated instructional staff units provided to districts in  
12 this subsection shall be reduced by the staff units otherwise provided  
13 in subsections (2) through (5) of this section on a per district basis.

14 (a) For districts enrolling not more than twenty-five average  
15 annual full-time equivalent students in grades K-8, and for small  
16 school plants within any school district which have been judged to be  
17 remote and necessary by the state board of education and enroll not  
18 more than twenty-five average annual full-time equivalent students in  
19 grades K-8:

20 (i) For those enrolling no students in grades 7 and 8, 1.76  
21 certificated instructional staff units and 0.24 certificated  
22 administrative staff units for enrollment of not more than five  
23 students, plus one-twentieth of a certificated instructional staff unit  
24 for each additional student enrolled; and

25 (ii) For those enrolling students in grades 7 or 8, 1.68  
26 certificated instructional staff units and 0.32 certificated  
27 administrative staff units for enrollment of not more than five  
28 students, plus one-tenth of a certificated instructional staff unit for  
29 each additional student enrolled;

30 (b) For specified enrollments in districts enrolling more than  
31 twenty-five but not more than one hundred average annual full-time  
32 equivalent students in grades K-8, and for small school plants within  
33 any school district which enroll more than twenty-five average annual  
34 full-time equivalent students in grades K-8 and have been judged to be  
35 remote and necessary by the state board of education:

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

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

4 (c) For districts operating no more than two high schools with  
5 enrollments of less than three hundred average annual full-time  
6 equivalent students, for enrollment in grades 9-12 in each such school,  
7 other than alternative schools:

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

13 (ii) For all other small high schools under this subsection, nine  
14 certificated instructional staff units and one-half of a certificated  
15 administrative staff unit for the first sixty average annual full-time  
16 equivalent students, and additional staff units based on a ratio of  
17 0.8732 certificated instructional staff units and 0.1268 certificated  
18 administrative staff units per each additional forty-three and one-half  
19 average annual full-time equivalent students;

20 (d) For each nonhigh school district having an enrollment of more  
21 than seventy annual average full-time equivalent students and less than  
22 one hundred eighty students, operating a grades K-8 program or a grades  
23 1-8 program, an additional one-half of a certificated instructional  
24 staff unit;

25 (e) For each nonhigh school district having an enrollment of more  
26 than fifty annual average full-time equivalent students and less than  
27 one hundred eighty students, operating a grades K-6 program or a grades  
28 1-6 program, an additional one-half of a certificated instructional  
29 staff unit;

30 (f)(i) For enrollments generating certificated staff unit  
31 allocations under this subsection, one classified staff unit for each  
32 2.94 certificated staff units allocated under such subsections;

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

37 (g) School districts receiving additional staff units to support  
38 small student enrollments and remote and necessary plants under

1 subsection (11) of this section shall generate additional MSOC  
2 allocations consistent with the nonemployee related costs (NERC)  
3 allocation formula in place for the 2010-11 school year as provided  
4 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental  
5 budget), adjusted for annually for inflation.

6 (12) Any school district board of directors may petition the  
7 superintendent of public instruction by submission of a resolution  
8 adopted in a public meeting to reduce or delay any portion of its basic  
9 education allocation for any school year. The superintendent of public  
10 instruction shall approve such reduction or delay if it does not impair  
11 the district's financial condition. Any delay shall not be for more  
12 than two school years. Any reduction or delay shall have no impact on  
13 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
14 pursuant to chapter 28A.500 RCW.

15 (13) The superintendent may distribute a maximum of \$2,479,000  
16 outside the basic education formula during fiscal years 2012 and 2013  
17 as follows:

18 (a) \$589,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$599,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for fire protection for school  
21 districts located in a fire protection district as now or hereafter  
22 established pursuant to chapter 52.04 RCW.

23 (b) \$436,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$436,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for programs providing skills  
26 training for secondary students who are enrolled in extended day  
27 school-to-work programs, as approved by the superintendent of public  
28 instruction. The funds shall be allocated at a rate not to exceed \$500  
29 per full-time equivalent student enrolled in those programs.

30 (c) Funding in this section is sufficient to fund adjustments to  
31 school districts' allocations resulting from the implementation of the  
32 prototypical school funding formula, pursuant to chapter 236, Laws of  
33 2010 (K-12 education funding). The funding in this section is intended  
34 to hold school districts harmless in total for funding changes  
35 resulting from conversion to the prototypical school formula in the  
36 general apportionment program, the learning assistance program, the  
37 transitional bilingual program, and the highly capable program, after  
38 adjustment for changes in enrollment and other caseload adjustments.



1 (14) \$208,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$211,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for school district emergencies as  
4 certified by the superintendent of public instruction. At the close of  
5 the fiscal year the superintendent of public instruction shall report  
6 to the office of financial management and the appropriate fiscal  
7 committees of the legislature on the allocations provided to districts  
8 and the nature of the emergency.

9 (15) Amounts in this section include adjustments made by the  
10 superintendent of public instruction for the repayment of financial  
11 contingency funds allocated in fiscal year 2011, as specified in  
12 section 501 of the 2011 supplemental budget (chapter 5, Laws of 2011).  
13 For any amount allocated to a district in state fiscal year 2011, the  
14 superintendent of public instruction shall deduct in state fiscal year  
15 2012 from the district's general apportionment the amount of the  
16 emergency contingency allocation and any earnings by the school  
17 district on the investment of a temporary cash surplus due to the  
18 emergency contingency allocation. Repayments or advances will be  
19 accomplished by a reduction in the school district's apportionment  
20 payments on or before June 30th of the school year following the  
21 distribution of the emergency contingency allocation. All  
22 disbursements, repayments, and outstanding allocations to be repaid of  
23 the emergency contingency pool shall be reported to the office of  
24 financial management and the appropriate fiscal committees of the  
25 legislature on July 1st and January 1st of each year.

26 (16) Funding in this section is sufficient to fund a maximum of 1.6  
27 FTE enrollment for skills center students pursuant to chapter 463, Laws  
28 of 2007.

29 (17) Beginning in the 2011-12 school year, students participating  
30 in running start programs may be funded up to a combined maximum  
31 enrollment of 1.0 FTE including school district and institution of  
32 higher education enrollment. Additionally, the office of the  
33 superintendent of public instruction, in consultation with the state  
34 board for community and technical colleges, the higher education  
35 coordinating board, and the education data center, shall annually track  
36 and report to the fiscal committees of the legislature on the combined  
37 FTE experience of students participating in the running start program,

1 including course load analyses at both the high school and community  
2 and technical college system.

3 (18) If two or more school districts consolidate and each district  
4 was receiving additional basic education formula staff units pursuant  
5 to subsection (11) of this section, the following apply:

6 (a) For three school years following consolidation, the number of  
7 basic education formula staff units shall not be less than the number  
8 of basic education formula staff units received by the districts in the  
9 school year prior to the consolidation; and

10 (b) For the fourth through eighth school years following  
11 consolidation, the difference between the basic education formula staff  
12 units received by the districts for the school year prior to  
13 consolidation and the basic education formula staff units after  
14 consolidation pursuant to subsection (11) of this section shall be  
15 reduced in increments of twenty percent per year.

16 (19)(a) Indirect cost charges by a school district to approved  
17 career and technical education middle and secondary programs shall not  
18 exceed 15 percent of the combined basic education and career and  
19 technical education program enhancement allocations of state funds.  
20 Middle and secondary career and technical education programs are  
21 considered separate programs for funding and financial reporting  
22 purposes under this section.

23 (b) Career and technical education program full-time equivalent  
24 enrollment shall be reported on the same monthly basis as the  
25 enrollment for students eligible for basic support, and payments shall  
26 be adjusted for reported career and technical education program  
27 enrollments on the same monthly basis as those adjustments for  
28 enrollment for students eligible for basic support.

29 NEW SECTION. **Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC**  
30 **INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION**

31 (1) The following calculations determine the salaries used in the  
32 state allocations for certificated instructional, certificated  
33 administrative, and classified staff units as provided in RCW  
34 28A.150.280 and under section 503 of this act:

35 (a) Salary allocations for certificated instructional staff units  
36 are determined for each district by multiplying the district's  
37 certificated instructional total base salary shown on LEAP Document 2

1 by the district's average staff mix factor for certificated  
 2 instructional staff in that school year, computed using LEAP document  
 3 1; and

4 (b) Salary allocations for certificated administrative staff units  
 5 and classified staff units for each district are determined based on  
 6 the district's certificated administrative and classified salary  
 7 allocation amounts shown on LEAP Document 2.

8 (2) For the purposes of this section:

9 (a) "LEAP Document 1" means the staff mix factors for certificated  
 10 instructional staff according to education and years of experience, as  
 11 developed by the legislative evaluation and accountability program  
 12 committee on April 1, 2011, at 6:00 hours; and

13 (b) "LEAP Document 2" means the school year salary allocations for  
 14 certificated administrative staff and classified staff and derived and  
 15 total base salaries for certificated instructional staff as developed  
 16 by the legislative evaluation and accountability program committee on  
 17 April 1, 2011, at 6:00 hours.

18 (3) Incremental fringe benefit factors are applied to salary  
 19 adjustments at a rate of 15.66 percent for school year 2011-12 and  
 20 15.66 percent for school year 2012-13 for certificated instructional  
 21 and certificated administrative staff and 15.18 percent for school year  
 22 2011-12 and 15.18 percent for the 2012-13 school year for classified  
 23 staff.

24 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary  
 25 allocation schedules for certificated instructional staff are  
 26 established for basic education salary allocations:

27 Table Of Total Base Salaries For Certificated Instructional Staff

28 For School Year 2011-12

29 \*\*\* Education Experience \*\*\*

30	Years									MA+90
31	of									OR
32	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
33	0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
34	1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
35	2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
36	3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276

1	4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
2	5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
3	6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
4	7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
5	8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
6	9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
7	10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
8	11				46,772	50,121	52,557	50,249	53,599	56,034
9	12				48,249	51,761	54,269	51,835	55,238	57,748
10	13					53,440	56,024	53,476	56,918	59,501
11	14					55,128	57,844	55,165	58,716	61,322
12	15					56,563	59,349	56,599	60,242	62,917
13	16 or					57,693	60,535	57,731	61,447	64,174
14	more									

Table Of Total Base Salaries For Certificated Instructional Staff  
For School Year 2012-13  
\*\*\* Education Experience \*\*\*

18	Years									MA+90
19	of									OR
20	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
21	0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
22	1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
23	2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
24	3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
25	4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
26	5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
27	6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
28	7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
29	8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
30	9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
31	10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
32	11				46,772	50,121	52,557	50,249	53,599	56,034
33	12				48,249	51,761	54,269	51,835	55,238	57,748
34	13					53,440	56,024	53,476	56,918	59,501
35	14					55,128	57,844	55,165	58,716	61,322

1	15	56,563	59,349	56,599	60,242	62,917
2	16 or	57,693	60,535	57,731	61,447	64,174
3	more					

4 (b) During the 2011-12 and 2012-13 school years, the salary  
5 allocations for certificated instructional staff shall exclude the  
6 following:

7 (i) Any years of service earned after August 31, 2010;

8 (ii) Any educational credits earned after October 1, 2010,  
9 excluding certificated instructional staff meeting the criteria in  
10 (iii) of this subsection;

11 (iii) For certificated instructional staff with zero years of  
12 experience, districts shall recognize credits earned as of October 1,  
13 2010;

14 (iv) For certificated instructional staff receiving initial  
15 certification after October 1, 2010, districts shall recognize credits  
16 earned as of the date of approval of their Washington state  
17 instructional certificate.

18 (c) As used in this subsection, the column headings "BA+(N)" refer  
19 to the number of credits earned since receiving the baccalaureate  
20 degree.

21 (d) For credits earned after the baccalaureate degree but before  
22 the masters degree, any credits in excess of forty-five credits may be  
23 counted after the masters degree. Thus, as used in this subsection,  
24 the column headings "MA+(N)" refer to the total of:

25 (i) Credits earned since receiving the masters degree; and

26 (ii) Any credits in excess of forty-five credits that were earned  
27 after the baccalaureate degree but before the masters degree.

28 (5) For the purposes of this section:

29 (a) "BA" means a baccalaureate degree.

30 (b) "MA" means a masters degree.

31 (c) "PHD" means a doctorate degree.

32 (d) "Years of service" shall be calculated under the same rules  
33 adopted by the superintendent of public instruction.

34 (e) "Credits" means college quarter hour credits and equivalent  
35 in-service credits computed in accordance with RCW 28A.415.020 and  
36 28A.415.023.

1 (6) No more than ninety college quarter-hour credits received by  
2 any employee after the baccalaureate degree may be used to determine  
3 compensation allocations under the state salary allocation schedule and  
4 LEAP documents referenced in this part V, or any replacement schedules  
5 and documents, unless:

6 (a) The employee has a masters degree; or

7 (b) The credits were used in generating state salary allocations  
8 before January 1, 1992.

9 (7) The salary allocation schedules established in this section are  
10 for allocation purposes only except as provided in RCW 28A.400.200(2).

11 NEW SECTION. **Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC**  
12 **INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS**

13 (1)(a) Additional salary adjustments as necessary to fund the base  
14 salaries for certificated instructional staff as listed for each  
15 district in LEAP Document 2, defined in section 504(2)(b) of this act.  
16 Allocations for these salary adjustments shall be provided to all  
17 districts that are not grandfathered to receive salary allocations  
18 above the statewide salary allocation schedule, and to certain  
19 grandfathered districts to the extent necessary to ensure that salary  
20 allocations for districts that are currently grandfathered do not fall  
21 below the statewide salary allocation schedule.

22 (b) Additional salary adjustments to certain districts as necessary  
23 to fund the per full-time-equivalent salary allocations for  
24 certificated administrative staff as listed for each district in LEAP  
25 Document 2, defined in section 504(2)(b) of this act.

26 (c) Additional salary adjustments to certain districts as necessary  
27 to fund the per full-time-equivalent salary allocations for classified  
28 staff as listed for each district in LEAP Document 2, defined in  
29 section 504(2)(b) of this act.

30 (d) The appropriations in this subsection (1) include associated  
31 incremental fringe benefit allocations at 15.66 percent for the 2011-12  
32 school year and 15.66 percent for the 2012-13 school year for  
33 certificated instructional and certificated administrative staff and  
34 15.18 percent for the 2011-12 school year and 15.18 percent for the  
35 2012-13 school year for classified staff.

36 (e) The appropriations in this section include the increased or  
37 decreased portion of salaries and incremental fringe benefits for all

1 relevant state-funded school programs in part V of this act. Changes  
2 for general apportionment (basic education) are based on the salary  
3 allocation schedules and methodology in sections 503 and 504 of this  
4 act. Changes for special education result from changes in each  
5 district's basic education allocation per student. Changes for  
6 educational service districts and institutional education programs are  
7 determined by the superintendent of public instruction using the  
8 methodology for general apportionment salaries and benefits in sections  
9 503 and 504 of this act.

10 (f) The appropriations in this section include no salary  
11 adjustments for substitute teachers.

12 (2) The maintenance rate for insurance benefit allocations is  
13 \$768.00 per month for the 2011-12 and 2012-13 school years. The  
14 appropriations in this section reflect the incremental change in cost  
15 of allocating rates of \$768.00 per month for the 2011-12 school year  
16 and \$768.00 per month for the 2012-13 school year.

17 (3) The rates specified in this section are subject to revision  
18 each year by the legislature.

19 NEW SECTION. **Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC**  
20 **INSTRUCTION--FOR PUPIL TRANSPORTATION**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$333,983,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$339,536,000
23	TOTAL APPROPRIATION . . . . .	\$673,519,000

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

26 (1) Each general fund fiscal year appropriation includes such funds  
27 as are necessary to complete the school year ending in the fiscal year  
28 and for prior fiscal year adjustments.

29 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
30 shall allocate funding to school district programs for the  
31 transportation of students as provided in RCW 28A.160.192.

32 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
33 allocate funding to school districts programs for the transportation of  
34 students as provided in section 505, chapter 564, Laws of 2009, as  
35 amended through section 1404 of this act.

36 (3) A maximum of \$878,000 of this fiscal year 2012 appropriation  
37 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be

1 expended for regional transportation coordinators and related  
2 activities. The transportation coordinators shall ensure that data  
3 submitted by school districts for state transportation funding shall,  
4 to the greatest extent practical, reflect the actual transportation  
5 activity of each district.

6 (4) The office of the superintendent of public instruction shall  
7 provide reimbursement funding to a school district for school bus  
8 purchases only after the superintendent of public instruction  
9 determines that the school bus was purchased from the list established  
10 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process  
11 based on the lowest price quote based on similar bus categories to  
12 those used to establish the list pursuant to RCW 28A.160.195.

13 (5) The superintendent of public instruction shall base  
14 depreciation payments for school district buses on the pre-sales tax  
15 five-year average of lowest bids in the appropriate category of bus.  
16 In the final year on the depreciation schedule, the depreciation  
17 payment shall be based on the lowest bid in the appropriate bus  
18 category for that school year.

19 (6) Funding levels in this section reflect waivers granted by the  
20 state board of education for four-day school weeks as allowed under RCW  
21 28A.305.141.

22 NEW SECTION.      **Sec. 506.      FOR THE SUPERINTENDENT OF PUBLIC**  
23 **INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS**

24	General Fund--State Appropriation (FY 2012) . . . . .	\$3,159,000
25	General Fund--State Appropriation (FY 2013) . . . . .	\$3,159,000
26	General Fund--Federal Appropriation . . . . .	\$391,988,000
27	TOTAL APPROPRIATION . . . . .	\$398,306,000

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

30 (1) \$3,000,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$3,000,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for state matching money for  
33 federal child nutrition programs.

34 (2) \$100,000 of the general fund--state appropriation for fiscal  
35 year 2012 and \$100,000 of the general fund--state appropriation for  
36 fiscal year 2013 are provided solely for summer food programs for  
37 children in low-income areas.



1 (3) \$59,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$59,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely to reimburse school districts for  
4 school breakfasts served to students enrolled in the free or reduced  
5 price meal program pursuant to chapter 287, Laws of 2005 (requiring  
6 school breakfast programs in certain schools).

7 NEW SECTION. **Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC**  
8 **INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$676,516,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$710,700,000
11	General Fund--Federal Appropriation . . . . .	\$664,564,000
12	Education Legacy Trust Account--State Appropriation . . . . .	\$756,000
13	TOTAL APPROPRIATION . . . . .	\$2,052,536,000

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

16 (1) Funding for special education programs is provided on an excess  
17 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
18 that special education students as a class receive their full share of  
19 the general apportionment allocation accruing through sections 502 and  
20 504 of this act. To the extent a school district cannot provide an  
21 appropriate education for special education students under chapter  
22 28A.155 RCW through the general apportionment allocation, it shall  
23 provide services through the special education excess cost allocation  
24 funded in this section.

25 (2)(a) The superintendent of public instruction shall ensure that:  
26 (i) Special education students are basic education students first;  
27 (ii) As a class, special education students are entitled to the  
28 full basic education allocation; and  
29 (iii) Special education students are basic education students for  
30 the entire school day.

31 (b) The superintendent of public instruction shall continue to  
32 implement the full cost method of excess cost accounting, as designed  
33 by the committee and recommended by the superintendent, pursuant to  
34 section 501(1)(k), chapter 372, Laws of 2006.

35 (c) Beginning with the 2010-11 school year award cycle, the office  
36 of the superintendent of public instruction shall make award  
37 determinations for state safety net funding in August of each school

1 year. Determinations on school district eligibility for state safety  
2 net awards shall be based on analysis of actual expenditure data from  
3 the current school year.

4 (3) Each fiscal year appropriation includes such funds as are  
5 necessary to complete the school year ending in the fiscal year and for  
6 prior fiscal year adjustments.

7 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent  
8 shall allocate funding to school district programs for special  
9 education students as provided in RCW 28A.150.390.

10 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
11 allocate funding to school district programs for special education  
12 students as provided in section 507, chapter 564, Laws of 2009, as  
13 amended through section 1406 of this act.

14 (5) The following applies throughout this section: The definitions  
15 for enrollment and enrollment percent are as specified in RCW  
16 28A.150.390(3). Each district's general fund--state funded special  
17 education enrollment shall be the lesser of the district's actual  
18 enrollment percent or 12.7 percent.

19 (6) At the request of any interdistrict cooperative of at least 15  
20 districts in which all excess cost services for special education  
21 students of the districts are provided by the cooperative, the maximum  
22 enrollment percent shall be calculated in accordance with RCW  
23 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate  
24 rather than individual district units. For purposes of this  
25 subsection, the average basic education allocation per full-time  
26 equivalent student shall be calculated in the aggregate rather than  
27 individual district units.

28 (7) \$16,403,927 of the general fund--state appropriation for fiscal  
29 year 2012, \$31,355,344 of the general fund--state appropriation for  
30 fiscal year 2013, and \$29,574,000 of the general fund--federal  
31 appropriation are provided solely for safety net awards for districts  
32 with demonstrated needs for special education funding beyond the  
33 amounts provided in subsection (4) of this section. If the federal  
34 safety net awards based on the federal eligibility threshold exceed the  
35 federal appropriation in this subsection (7) in any fiscal year, the  
36 superintendent shall expend all available federal discretionary funds  
37 necessary to meet this need. At the conclusion of each school year,

1 the superintendent shall recover safety net funds that were distributed  
2 prospectively but for which districts were not subsequently eligible.

3 (a) For the 2011-12 and 2012-13 school years, safety net funds  
4 shall be awarded by the state safety net oversight committee as  
5 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

6 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
7 operate the safety net oversight committee and shall award safety net  
8 funds as provided in section 507, chapter 564, Laws of 2009, as amended  
9 through section 1406 of this act.

10 (8) A maximum of \$678,000 may be expended from the general fund--  
11 state appropriations to fund 5.43 full-time equivalent teachers and 2.1  
12 full-time equivalent aides at children's orthopedic hospital and  
13 medical center. This amount is in lieu of money provided through the  
14 home and hospital allocation and the special education program.

15 (9) The superintendent shall maintain the percentage of federal  
16 flow-through to school districts at 85 percent. In addition to other  
17 purposes, school districts may use increased federal funds for high-  
18 cost students, for purchasing regional special education services from  
19 educational service districts, and for staff development activities  
20 particularly relating to inclusion issues.

21 (10) A school district may carry over from one year to the next  
22 year up to 10 percent of the general fund--state funds allocated under  
23 this program; however, carryover funds shall be expended in the special  
24 education program.

25 (11) \$251,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$251,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for two additional full-time  
28 equivalent staff to support the work of the safety net committee and to  
29 provide training and support to districts applying for safety net  
30 awards.

31 (12) \$50,000 of the general fund--state appropriation for fiscal  
32 year 2012, \$50,000 of the general fund--state appropriation for fiscal  
33 year 2013, and \$100,000 of the general fund--federal appropriation  
34 shall be expended to support a special education ombudsman program  
35 within the office of superintendent of public instruction.

36 NEW SECTION.      **Sec. 508.      FOR THE SUPERINTENDENT OF PUBLIC**

1 **INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$8,120,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$7,979,000
4	TOTAL APPROPRIATION . . . . .	\$16,099,000

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

7 (1) The educational service districts shall continue to furnish  
8 financial services required by the superintendent of public instruction  
9 and RCW 28A.310.190 (3) and (4).

10 (2) Within the amounts provided in this section, funding is  
11 provided for regional professional development related to mathematics  
12 and science curriculum and instructional strategies. Funding shall be  
13 distributed among the educational service districts in the same  
14 proportion as distributions in the 2007-2009 biennium. Each  
15 educational service district shall use this funding solely for salary  
16 and benefits for a certificated instructional staff with expertise in  
17 the appropriate subject matter and in professional development  
18 delivery, and for travel, materials, and other expenditures related to  
19 providing regional professional development support.

20 (3) The educational service districts, at the request of the state  
21 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may  
22 receive and screen applications for school accreditation, conduct  
23 school accreditation site visits pursuant to state board of education  
24 rules, and submit to the state board of education post-site visit  
25 recommendations for school accreditation. The educational service  
26 districts may assess a cooperative service fee to recover actual plus  
27 reasonable indirect costs for the purposes of this subsection.

28 (4) \$166,000 of the general fund--state appropriation for fiscal  
29 year 2012 is provided solely for the implementation of Substitute House  
30 Bill No. 1431 (school district insolvency). Funding is provided to  
31 develop a clear legal framework and process for dissolution of a school  
32 district. If the bill is not enacted by June 30, 2011, the amount  
33 provided in this subsection shall lapse.

34 NEW SECTION. **Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC**  
35 **INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

36	General Fund--State Appropriation (FY 2012) . . . . .	\$303,337,000
37	General Fund--State Appropriation (FY 2013) . . . . .	\$308,445,000

1 TOTAL APPROPRIATION . . . . . \$611,782,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: For purposes of RCW 84.52.0531, the  
4 increase per full-time equivalent student is 3 percent from the 2010-11  
5 school year to the 2011-12 school year and 5 percent from the 2011-12  
6 school year to the 2012-13 school year.

7 NEW SECTION. **Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC**  
8 **INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS**

9 General Fund--State Appropriation (FY 2012) . . . . . \$16,650,000

10 General Fund--State Appropriation (FY 2013) . . . . . \$16,297,000

11 TOTAL APPROPRIATION . . . . . \$32,947,000

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

14 (1) Each general fund--state fiscal year appropriation includes  
15 such funds as are necessary to complete the school year ending in the  
16 fiscal year and for prior fiscal year adjustments.

17 (2) State funding provided under this section is based on salaries  
18 and other expenditures for a 220-day school year. The superintendent  
19 of public instruction shall monitor school district expenditure plans  
20 for institutional education programs to ensure that districts plan for  
21 a full-time summer program. During the 2011-12 and 2012-13 school  
22 years, the salary allocations and subsequent compensation allocations  
23 for certificated instructional staff shall exclude the following:

24 (a) Any years of service earned after August 31, 2010;

25 (b) Any educational credits earned after October 1, 2010, excluding  
26 certificated instructional staff meeting the criteria in (c) of this  
27 subsection;

28 (c) For certificated instructional staff with zero years of  
29 experience, districts shall recognize credits earned as of October 1,  
30 2010; and

31 (d) For certificated instructional staff receiving initial  
32 certification after October 1, 2010, districts shall recognize credits  
33 earned as of the date of approval of their Washington state  
34 instructional certificate.

35 (3) State funding for each institutional education program shall be  
36 based on the institution's annual average full-time equivalent student

1 enrollment. Staffing ratios for each category of institution shall  
2 remain the same as those funded in the 1995-97 biennium.

3 (4) The funded staffing ratios for education programs for juveniles  
4 age 18 or less in department of corrections facilities shall be the  
5 same as those provided in the 1997-99 biennium.

6 (5) \$509,000 of the general fund--state appropriation for fiscal  
7 year 2012 and \$509,000 of the general fund--state appropriation for  
8 fiscal year 2013 are provided solely to maintain at least one  
9 certificated instructional staff and related support services at an  
10 institution whenever the K-12 enrollment is not sufficient to support  
11 one full-time equivalent certificated instructional staff to furnish  
12 the educational program. The following types of institutions are  
13 included: Residential programs under the department of social and  
14 health services for developmentally disabled juveniles, programs for  
15 juveniles under the department of corrections, programs for juveniles  
16 under the juvenile rehabilitation administration, and programs for  
17 juveniles operated by city and county jails.

18 (6) Ten percent of the funds allocated for each institution may be  
19 carried over from one year to the next.

20 NEW SECTION. **Sec. 511. FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$8,965,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$9,081,000
23	TOTAL APPROPRIATION . . . . .	\$18,046,000

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

26 (1) Each general fund fiscal year appropriation includes such funds  
27 as are necessary to complete the school year ending in the fiscal year  
28 and for prior fiscal year adjustments.

29 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
30 shall allocate funding to school district programs for highly capable  
31 students as provided in RCW 28A.150.260(10)(c). In calculating the  
32 allocations, the superintendent shall assume the following: (i)  
33 Additional instruction of 2.1590 hours per week per funded highly  
34 capable program student; (ii) fifteen highly capable program students  
35 per teacher; (iii) 36 instructional weeks per year; (iv) 900  
36 instructional hours per teacher; and (v) the district's average staff

1 mix and compensation rates as provided in sections 503 and 504 of this  
2 act.

3 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
4 allocate funding to school districts programs for highly capable  
5 students as provided in section 511, chapter 564, Laws of 2009, as  
6 amended through section 1409 of this act.

7 NEW SECTION. **Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC**  
8 **INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT**

9 General Fund--Federal Appropriation . . . . . \$7,352,000

10 NEW SECTION. **Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC**  
11 **INSTRUCTION--EDUCATION REFORM PROGRAMS**

12 General Fund--State Appropriation (FY 2012) . . . . . \$82,543,000

13 General Fund--State Appropriation (FY 2013) . . . . . \$133,149,000

14 General Fund--Federal Appropriation . . . . . \$152,655,000

15 Education Legacy Trust Account--State Appropriation . . . . . \$32,533,000

16 TOTAL APPROPRIATION . . . . . \$400,880,000

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

19 (1) \$39,956,000 of the general fund--state appropriation for fiscal  
20 year 2012, \$43,477,000 of the general fund--state appropriation for  
21 fiscal year 2013, \$1,350,000 of the education legacy trust  
22 account--state appropriation, and \$15,868,000 of the general fund--  
23 federal appropriation are provided solely for development and  
24 implementation of the Washington state assessment system, including:  
25 (a) Development and implementation of retake assessments for high  
26 school students who are not successful in one or more content areas and  
27 (b) development and implementation of alternative assessments or  
28 appeals procedures to implement the certificate of academic  
29 achievement. The superintendent of public instruction shall report  
30 quarterly on the progress on development and implementation of  
31 alternative assessments or appeals procedures. Within these amounts,  
32 the superintendent of public instruction shall contract for the early  
33 return of 10th grade student assessment results, on or around June 10th  
34 of each year.

35 (2) \$395,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$395,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for the Washington state  
2 leadership and assistance for science education reform (LASER) regional  
3 partnership activities coordinated at the Pacific science center,  
4 including instructional material purchases, teacher and principal  
5 professional development, and school and community engagement events.

6 (3) \$105,754,000 of the general fund--federal appropriation is for  
7 preparing, training, and recruiting high quality teachers and  
8 principals under Title II of the no child left behind act.

9 (4) \$980,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$980,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for improving technology  
12 infrastructure, monitoring and reporting on school district technology  
13 development, promoting standards for school district technology,  
14 promoting statewide coordination and planning for technology  
15 development, and providing regional educational technology support  
16 centers, including state support activities, under chapter 28A.650 RCW.

17 (5) \$3,852,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$2,624,000 of the general fund--state appropriation for  
19 fiscal year 2013 are provided solely for continued implementation of  
20 chapter 235, Laws of 2010 (education reform) including development of  
21 new performance-based evaluation systems for certificated educators.

22 (6)(a) \$40,792,000 of the general fund--state appropriation for  
23 fiscal year 2013 is provided solely for the following bonuses for  
24 teachers who hold valid, unexpired certification from the national  
25 board for professional teaching standards and who are teaching in a  
26 Washington public school, subject to the following conditions and  
27 limitations:

28 (i) For national board certified teachers, a bonus of \$5,090 per  
29 teacher in the 2011-12 and 2012-13 school years, adjusted for inflation  
30 in each school year in which Initiative 732 cost of living adjustments  
31 are provided;

32 (ii) An additional \$5,000 annual bonus shall be paid to national  
33 board certified teachers who teach in either: (A) High schools where  
34 at least 50 percent of student headcount enrollment is eligible for  
35 federal free or reduced price lunch, (B) middle schools where at least  
36 60 percent of student headcount enrollment is eligible for federal free  
37 or reduced price lunch, or (C) elementary schools where at least 70



1 percent of student headcount enrollment is eligible for federal free or  
2 reduced price lunch;

3 (iii) The superintendent of public instruction shall adopt rules to  
4 ensure that national board certified teachers meet the qualifications  
5 for bonuses under (a)(ii) of this subsection for less than one full  
6 school year receive bonuses in a pro-rated manner. Beginning in the  
7 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection  
8 will be paid in July of each school year. Bonuses in (a)(i) and (ii)  
9 of this subsection shall be reduced by a factor of 40 percent for first  
10 year NBPTS certified teachers, to reflect the portion of the  
11 instructional school year they are certified; and

12 (iv) During the 2011-12 and 2012-13 school years, and within  
13 available funds, certificated instructional staff who have met the  
14 eligibility requirements and have applied for certification from the  
15 national board for professional teaching standards may receive a  
16 conditional loan of two thousand dollars or the amount set by the  
17 office of the superintendent of public instruction to contribute toward  
18 the current assessment fee, not including the initial up-front  
19 candidacy payment. The fee shall be an advance on the first annual  
20 bonus under RCW 28A.405.415. The conditional loan is provided in  
21 addition to compensation received under a district's salary schedule  
22 and shall not be included in calculations of a district's average  
23 salary and associated salary limitation under RCW 28A.400.200.  
24 Recipients who fail to receive certification after three years are  
25 required to repay the conditional loan, not including the initial up-  
26 front candidacy payment, as set by the national board for professional  
27 teaching standards and administered by the office of the superintendent  
28 of public instruction. The office of the superintendent of public  
29 instruction shall adopt rules to define the terms for initial grant of  
30 the assessment fee and repayment, including applicable fees.

31 (7)(a) \$3,750,000 of the general fund--state appropriation for  
32 fiscal year 2012 and \$3,750,000 of the general fund--state  
33 appropriation for fiscal year 2013 are provided solely for phase I  
34 development grants and phase II implementation grants for school  
35 districts to adopt revised evaluation systems for teachers and  
36 principals that use the criteria and four-level rating systems  
37 specified under RCW 28A.405.100 and are based on the models developed  
38 by the pilot school districts under RCW 28A.405.100(7).

1 (b) In phase I, a school district is eligible to receive a  
2 development grant if the district submits to the office of the  
3 superintendent of public instruction by December 1, 2011, a resolution  
4 adopted by the school district board of directors and a memorandum of  
5 understanding signed by the local associations representing teachers  
6 and principals that the district will adopt revised evaluation systems  
7 by the end of the 2011-12 school year, in consultation and negotiation  
8 with the teachers and principals of the district.

9 (c) In phase II, a school district is eligible to receive an  
10 implementation grant if the district has executed agreements with the  
11 local associations representing teachers and principals to implement  
12 revised evaluation systems no later than the beginning of the 2012-13  
13 school year. A school district may qualify for a grant under this  
14 subsection (11)(c) if the revised evaluation systems are implemented  
15 for some but not all staff, but implementation must be district-wide  
16 and not occur only in certain schools.

17 (d) School districts that adopted or implemented revised evaluation  
18 systems before the dates specified under this subsection are eligible  
19 to receive grants.

20 (e) The office of the superintendent of public instruction shall  
21 allocate development and implementation grants to school districts not  
22 to exceed the amounts provided under this subsection, with allocation  
23 to eligible districts on a first-come, first-served basis. Grant  
24 amounts shall be based on \$10 per full-time equivalent student, except  
25 that no district shall receive less than \$10,000 per grant or more than  
26 \$250,000 per grant.

27 (8) \$265,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$265,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the leadership internship  
30 program for superintendents, principals, and program administrators.

31 (9) \$450,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$450,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for the development of a  
34 leadership academy for school principals and administrators. The  
35 superintendent of public instruction shall contract with an independent  
36 organization to design, field test, and implement a state-of-the-art  
37 education leadership academy that will be accessible throughout the  
38 state. Initial development of the content of the academy activities

1 shall be supported by private funds. Semiannually the independent  
2 organization shall report on amounts committed by foundations and  
3 others to support the development and implementation of this program.  
4 Leadership academy partners shall include the state level organizations  
5 for school administrators and principals, the superintendent of public  
6 instruction, the professional educator standards board, and others as  
7 the independent organization shall identify.

8 (10) \$150,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$150,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for support of FIRST Robotics  
11 programs, if equally matched by private donations.

12 (11) \$1,092,000 of the general fund--state appropriation for fiscal  
13 year 2012, \$1,118,000 of the general fund--state appropriation for  
14 fiscal year 2013, and \$283,000 of the education legacy trust  
15 account--state appropriation are for administrative support of  
16 education reform programs.

17 (12) \$27,933,000 of the general fund--state appropriation for  
18 fiscal year 2012, \$27,933,000 of the general fund--state appropriation  
19 for fiscal year 2013, and \$23,927,000 of the education legacy trust  
20 account--state appropriation are provided solely for grants for  
21 voluntary full-day kindergarten at the highest poverty schools. The  
22 office of the superintendent of public instruction shall provide  
23 allocations to districts for recipient schools in accordance with the  
24 funding formulas provided in sections 503, 504, and 505 of this act.  
25 Although the allocations are formula driven, the office of the  
26 superintendent of public instruction shall consider funding provided in  
27 this subsection as a fixed amount, and shall limit the number of  
28 recipient schools so as to stay within the amounts appropriated each  
29 fiscal year in this subsection. The funding in this subsection is  
30 estimated to provide full-day kindergarten programs for only the free  
31 and reduced price lunch eligible students within the elementary schools  
32 in which the sum total of enrollment in kindergarten in those schools  
33 equals 21.5 percent of total kindergarten enrollment in the 2011-12  
34 school year, and 23 percent of total kindergarten enrollment in the  
35 2012-13 school year. Funding priority shall be given to schools with  
36 the highest poverty levels, as measured by prior year free and reduced  
37 price lunch eligibility rates in each school. For the purpose of

1 calculating a school district levy base, funding provided in this  
2 subsection shall be considered a state block grant program under RCW  
3 84.52.0531.

4 (a) Of the amounts provided in this subsection, a maximum of  
5 \$272,000 may be used for administrative support of the full-day  
6 kindergarten program within the office of the superintendent of public  
7 instruction.

8 (b) Student enrollment pursuant to this program shall not be  
9 included in the determination of a school district's overall K-12 FTE  
10 for the allocation of student achievement programs and other funding  
11 formulas unless specifically stated.

12 (c) The full-day kindergarten programs provided in this subsection  
13 shall be considered outside the program of basic education.

14 (13) \$500,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$500,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for a beginning educator support  
17 program. School districts and/or regional consortia may apply for  
18 grant funding beginning in the 2009-10 school year. The superintendent  
19 shall implement this program in five to fifteen school districts and/or  
20 regional consortia. The program provided by a district and/or regional  
21 consortia shall include: A paid orientation; assignment of a qualified  
22 mentor; development of a professional growth plan for each beginning  
23 teacher aligned with professional certification; release time for  
24 mentors and new teachers to work together, and teacher observation time  
25 with accomplished peers. \$250,000 of this amount may be used to  
26 provide state-wide professional development opportunities for mentors  
27 and beginning educators. The superintendent of public instruction  
28 shall adopt rules to establish and operate a research-based beginning  
29 educator support program no later than August 31, 2009.

30 (14) \$1,667,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$1,667,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely to eliminate the lunch co-pay for  
33 students in grades kindergarten through third grade who are eligible  
34 for reduced price lunch.

35 (15) \$5,285,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$5,285,000 of the general fund--state appropriation for  
37 fiscal year 2013 are provided solely for: (a) The meals for kids  
38 program under RCW 28A.235.145 through 28A.235.155; (b) elimination of

1 the breakfast co-pay for students eligible for reduced price lunch; and  
2 (c) additional assistance for school districts initiating a summer food  
3 service program.

4 (16) \$3,860,000 of the education legacy trust account--state  
5 appropriation is provided solely for a math and science instructional  
6 coaches program pursuant to chapter 396, Laws of 2007. Funding shall  
7 be used to provide grants to schools and districts to provide salaries,  
8 benefits, and professional development activities for up to twenty-five  
9 instructional coaches in middle and high school math and twenty-five  
10 instructional coaches in middle and high school science in each year of  
11 the biennium.

12 NEW SECTION.      **Sec. 514.      FOR THE SUPERINTENDENT OF PUBLIC**  
13 **INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$86,852,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$92,479,000
16	General Fund--Federal Appropriation . . . . .	\$65,263,000
17	TOTAL APPROPRIATION . . . . .	\$244,594,000

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

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

23 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
24 shall allocate funding to school districts for transitional bilingual  
25 programs as provided in RCW 28A.150.260(10)(b). In calculating the  
26 allocations, the superintendent shall assume the following averages:

27 (i) Additional instruction of 4.7780 hours per week per transitional  
28 bilingual program student; (ii) fifteen transitional bilingual program  
29 students per teacher; (iii) 36 instructional weeks per year; (iv) 900  
30 instructional hours per teacher; and (v) the district's average staff  
31 mix and compensation rates as provided in sections 503 and 504 of this  
32 act.

33 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
34 allocate funding to school districts for transitional bilingual  
35 instruction programs as provided in section 514, chapter 564, Laws of  
36 2009, as amended through section 1411 of this act.

1 (c) The allocations in this section reflect the implementation of  
2 a new funding formula for the transitional bilingual instructional  
3 program, effective September 1, 2011, as specified in RCW  
4 28A.150.260(10)(b).

5 (3) The superintendent may withhold up to 1.5 percent of the school  
6 year allocations to school districts in subsection (2) of this section  
7 solely for the central provision of assessments as provided in RCW  
8 28A.180.090 (1) and (2).

9 (4) \$75,000 of the amounts appropriated in this section are  
10 provided solely to track current and former transitional bilingual  
11 program students. Beginning in the 2012-13 school year, student  
12 tracking shall be integrated into the CEDARS data system.

13 (5) The general fund--federal appropriation in this section is for  
14 migrant education under Title I Part C and English language  
15 acquisition, and language enhancement grants under Title III of the  
16 elementary and secondary education act.

17 NEW SECTION. **Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC**  
18 **INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$106,295,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$107,254,000
21	General Fund--Federal Appropriation . . . . .	\$553,925,000
22	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
23	TOTAL APPROPRIATION . . . . .	\$815,454,000

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

26 (1) The general fund--state appropriations in this section are  
27 subject to the following conditions and limitations:

28 (a) The appropriations include such funds as are necessary to  
29 complete the school year ending in the fiscal year and for prior fiscal  
30 year adjustments.

31 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent  
32 shall allocate funding to school districts for learning assistance  
33 programs as provided in RCW 28A.150.260(10)(a). In calculating the  
34 allocations, the superintendent shall assume the following averages:

- 35 (A) Additional instruction of 1.51560 hours per week per funded  
36 learning assistance program student; (B) fifteen learning assistance  
37 program students per teacher; (C) 36 instructional weeks per year; (D)

1 900 instructional hours per teacher; and (E) the district's average  
2 staff mix and compensation rates as provided in sections 503 and 504 of  
3 this act.

4 (ii) From July 1, 2011, to August 31, 2011, the superintendent  
5 shall allocate funding to school districts for learning assistance  
6 programs as provided in section 515, chapter 564, Laws of 2009, as  
7 amended through section 1412 of this act.

8 (c) A school district's funded students for the learning assistance  
9 program shall be the sum of the district's full-time equivalent  
10 enrollment in grades K-12 for the prior school year multiplied by the  
11 district's percentage of October headcount enrollment in grades K-12  
12 eligible for free or reduced price lunch in the prior school year.

13 (2) Allocations made pursuant to subsection (1) of this section  
14 shall be adjusted to reflect ineligible applications identified through  
15 the annual income verification process required by the national school  
16 lunch program, as recommended in the report of the state auditor on the  
17 learning assistance program dated February, 2010.

18 (3) The general fund--federal appropriation in this section is  
19 provided for Title I Part A allocations of the no child left behind act  
20 of 2001.

21 (4) A school district may carry over from one year to the next up  
22 to 10 percent of the general fund-state or education legacy trust funds  
23 allocated under this program; however, carryover funds shall be  
24 expended for the learning assistance program.

25 (5) The office of the superintendent of public instruction shall  
26 research and recommend options for an adjustment factor for middle  
27 school and high school free and reduced price lunch eligibility  
28 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report  
29 to the fiscal committees of the legislature by June 1, 2012. For the  
30 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

31 NEW SECTION.      **Sec. 516.      FOR THE SUPERINTENDENT OF PUBLIC**  
32 **INSTRUCTION**

33 (1) Amounts distributed to districts by the superintendent through  
34 part V of this act are for allocations purposes only and do not entitle  
35 a particular district, district employee, or student to a specific  
36 service, beyond what has been expressly provided in statute. Part V of  
37 this act restates the requirements of various sections of Title 28A

1 RCW. If any conflict exists, the provisions of Title 28A RCW control  
2 unless this act explicitly states that it is providing an enhancement.  
3 Any amounts provided in part V of this act in excess of the amounts  
4 required by Title 28A RCW provided in statute, are not within the  
5 program of basic education.

6 (2) To the maximum extent practicable, when adopting new or revised  
7 rules or policies relating to the administration of allocations in part  
8 V of this act that result in fiscal impact, the office of the  
9 superintendent of public instruction shall attempt to seek legislative  
10 approval through the budget request process.

11 (3) Appropriations made in this act to the office of the  
12 superintendent of public instruction shall initially be allotted as  
13 required by this act. Subsequent allotment modifications shall not  
14 include transfers of moneys between sections of this act.

(End of part)



**PART VI**  
**HIGHER EDUCATION**

3        NEW SECTION.    **Sec. 601.**    The appropriations in sections 605  
4 through 611 of this act are subject to the following conditions and  
5 limitations:

6        (1) "Institutions" means the institutions of higher education  
7 receiving appropriations under sections 605 through 611 of this act.

8        (2) In addition to waivers granted under the authority of RCW  
9 28B.15.910, the governing boards and the state board may waive all or  
10 a portion of operating fees for any student. State general fund  
11 appropriations shall not be provided to replace tuition and fee revenue  
12 foregone as a result of waivers granted under this subsection.

13        (3) The institutions of higher education receiving state and  
14 federal appropriations under sections 605 through 611 of this act shall  
15 allot anticipated state, federal, and tuition expenditures by budget  
16 program and fiscal year. The office of financial management shall  
17 notify the legislative ways and means committees of the proposed  
18 allotments at least ten days prior to their approval.

19        (4) To the extent permitted by the applicable personnel system  
20 rules, and to the extent collectively bargained with represented  
21 employees, institutions of higher education are encouraged to achieve  
22 the reductions in full-time-equivalent employment and payroll levels  
23 necessary to operate within this budget through strategies that will  
24 minimize impacts on employees, their families, their communities, and  
25 short- and longer-term accomplishment of institutional mission.  
26 Institutions are encouraged to utilize strategies such as reduced work-  
27 hours per day or week, voluntary leave without pay, and temporary  
28 furloughs that enable employees to maintain permanent employment  
29 status. Institutions are further encouraged to implement such  
30 strategies in ways that will enable employees to maintain full  
31 insurance benefits, full retirement service credit, and a living wage.

32        (5)(a) For institutions receiving appropriations in section 605 of  
33 this act the only allowable salary increases provided are those with  
34 normally occurring promotions and increases related to faculty and  
35 staff retention, to the extent permitted by sections 927 through 934 of

1 this act. In fiscal year 2012 and fiscal year 2013, the state board  
2 for community and technical colleges may use salary and benefit savings  
3 from faculty turnover to provide salary increments and associated  
4 benefits for faculty who qualify through professional development and  
5 training.

6 (b) For employees under the jurisdiction of chapter 41.56 RCW,  
7 salary increases will be in accordance with the applicable collective  
8 bargaining agreement. However, an increase shall not be provided to  
9 any classified employee whose salary is above the approved salary range  
10 maximum for the class to which the employee's position is allocated.

11 (c) For each institution of higher education receiving  
12 appropriations under sections 606 through 611 of this act:

13 (i) The only allowable salary increases are those associated with  
14 normally occurring promotions and increases related to faculty and  
15 staff retention, to the extent permitted by sections 925 through 935 of  
16 this act; and

17 (ii) Institutions may provide salary increases from other sources  
18 to instructional and research faculty, exempt professional staff,  
19 teaching and research assistants, as classified by the office of  
20 financial management, and all other nonclassified staff, but not  
21 including employees under RCW 28B.16.015, to the extent permitted by  
22 sections 925 through 935 of this act. Any salary increase granted  
23 under the authority of this subsection (6)(c)(ii) shall not be included  
24 in an institution's salary base for future state funding. It is the  
25 intent of the legislature that state general fund support for an  
26 institution shall not increase during the current or any future  
27 biennium as a result of any salary increases authorized under this  
28 subsection (6)(c)(ii).

29 **NEW SECTION. Sec. 602. PUBLIC BACCALAUREATE INSTITUTIONS**

30 In order to operate within the state funds appropriated in this  
31 act, the governing boards of the state research universities, the state  
32 regional universities, and The Evergreen State College are authorized  
33 to adopt and adjust tuition and fees for the 2011-12 and 2012-13  
34 academic years as provided in this section:

35 (1) The governing boards of the University of Washington,  
36 Washington State University, and Western Washington University may  
37 increase the tuition fees, as defined in RCW 28B.15.020, charged to

1 resident undergraduate students by no more than thirteen percent over  
2 the amounts charged to resident undergraduate students for the prior  
3 academic year.

4 (2) The governing boards of Central Washington University, Eastern  
5 Washington University, and The Evergreen State College may increase the  
6 tuition fees, as defined in RCW 28B.15.020, charged to resident  
7 undergraduate students by no more than 11.5 percent over the amounts  
8 charged to resident undergraduate students for the prior academic year.

9 (3) Each governing board is authorized to increase tuition charges  
10 to graduate and professional students, and to nonresident undergraduate  
11 students, by amounts judged reasonable and necessary by the governing  
12 board.

13 (4) Each governing board is authorized to increase summer quarter  
14 or semester tuition fees for resident and nonresident undergraduate,  
15 graduate, and professional students pursuant to RCW 28B.15.067.

16 (5) Each governing board is authorized to adopt or increase charges  
17 for fee-based, self-sustaining degree programs, credit courses,  
18 noncredit workshops and courses, and special contract courses by  
19 amounts judged reasonable and necessary by the governing board.

20 (6) Each governing board is authorized to adopt or increase  
21 services and activities fees for all categories of students as provided  
22 in RCW 28B.15.069.

23 (7) Each governing board is authorized to adopt or increase  
24 technology fees as provided in RCW 28B.15.069.

25 (8) Each governing board is authorized to adopt or increase special  
26 course and lab fees, and health and counseling fees, to the extent  
27 necessary to cover the reasonable and necessary exceptional cost of the  
28 course or service.

29 (9) Each governing board is authorized to adopt or increase  
30 administrative fees such as, but not limited to, those charged for  
31 application, matriculation, special testing, and transcripts by amounts  
32 judged reasonable and necessary by the governing board.

33 NEW SECTION. **Sec. 603.** (1) Within the funds appropriated in this  
34 act, each baccalaureate institution is expected to produce at least the  
35 following numbers of bachelors degrees per academic year:

	2010-11	2012-13
	Annual Average	Annual Average
1 University of Washington	8,657	8,657
2 Washington State University	4,687	4,687
3 Central Washington University	2,324	2,324
4 Eastern Washington University	1,881	1,881
5 The Evergreen State College	1,157	1,157
6 Western Washington University	3,068	3,068

9 (2) Within the funds appropriated in section 605 of this act, the  
10 community and technical colleges are expected to enroll and educate at  
11 least the following numbers of full-time equivalent state-supported  
12 students per academic year:

	2010-11	2012-13
	Annual Average	Annual average
13 State Board for Community and		
14 Technical Colleges		
15 Adult Students	139,262	139,262
16 Running Start Students	11,558	11,558

17 (3) In achieving or exceeding these enrollment targets, each  
18 institution shall seek to:

19 (a) Maintain and to the extent possible increase enrollment  
20 opportunities at branch campuses;

21 (b) Maintain and to the extent possible increase enrollment  
22 opportunities at university centers and other partnership programs that  
23 enable students to earn baccalaureate degrees on community college  
24 campuses; and

25 (c) Eliminate and consolidate programs of study for which there is  
26 limited student or employer demand, or that are not areas of core  
27 academic strength for the institution, particularly when such programs  
28 duplicate offerings by other in-state institutions.

29 (4) For purposes of monitoring and reporting statewide enrollment,  
30  
31

1 the University of Washington and Washington State University shall  
2 notify the office of financial management of the number of full-time  
3 student equivalent enrollments budgeted for each of their campuses.

4 NEW SECTION. **Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL**  
5 **COLLEGES**

6 In order to operate within the state funds appropriated in this  
7 act, the state board for community and technical colleges and the  
8 trustees of the state's community and technical colleges are authorized  
9 to adopt and adjust tuition and fees for the 2011-12 and 2012-13  
10 academic years as provided in this section:

11 (1) The state board may increase the tuition fees charged to  
12 resident undergraduate students by no more than eleven percent over the  
13 amounts charged to resident undergraduates during the prior academic  
14 year. The board may increase tuition fees under this subsection  
15 differentially based on student credit hour load, provided that the  
16 overall increase in average tuition revenue per student does not exceed  
17 eleven percent each year.

18 (2) The state board may increase the tuition fees charged to  
19 resident undergraduates enrolled in upper division applied  
20 baccalaureate programs by no more than eleven percent over the amounts  
21 charged during the prior academic year.

22 (3) The state board may increase the tuition fees charged to  
23 nonresident students by amounts judged reasonable and necessary by the  
24 board.

25 (4) The trustees of the technical colleges are authorized to either  
26 (a) increase operating fees by no more than the percentage increases  
27 authorized for community colleges by the state board; or (b) fully  
28 adopt the tuition fee charge schedule adopted by the state board for  
29 community colleges.

30 (5) For academic years 2011-2012 and 2012-2013, the trustees of the  
31 technical colleges are authorized to increase building fees by an  
32 amount judged reasonable in order to progress toward parity with the  
33 building fees charged students attending the community colleges.

34 (6) The state board is authorized to increase the maximum allowable  
35 services and activities fee as provided in RCW 28B.15.069. The  
36 trustees of the community and technical colleges are authorized to

1 increase services and activities fees up to the maximum level  
2 authorized by the state board.

3 (7) The trustees of the community and technical colleges are  
4 authorized to adopt or increase charges for fee-based, self-sustaining  
5 programs such as summer session, international student contracts, and  
6 special contract courses by amounts judged reasonable and necessary by  
7 the trustees.

8 (8) The trustees of the community and technical colleges are  
9 authorized to adopt or increase special course and lab fees to the  
10 extent necessary to cover the reasonable and necessary exceptional cost  
11 of the course or service.

12 (9) The trustees of the community and technical colleges are  
13 authorized to adopt or increase administrative fees such as but not  
14 limited to those charged for application, matriculation, special  
15 testing, and transcripts by amounts judged reasonable and necessary by  
16 the trustees.

17 NEW SECTION. **Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND**  
18 **TECHNICAL COLLEGES**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$547,484,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$516,108,000
21	Community and Technical College Capital Project	
22	Account--State Appropriation . . . . .	\$8,037,000
23	Education Legacy Trust Account--State Appropriation . . . . .	\$95,285,000
24	TOTAL APPROPRIATION . . . . .	\$1,166,914,000

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

27 (1) \$2,725,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$2,725,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for administration and customized  
30 training contracts through the job skills program. The state board  
31 shall make an annual report by January 1st of each year to the governor  
32 and to the appropriate policy and fiscal committees of the legislature  
33 regarding implementation of this section, listing the scope of grant  
34 awards, the distribution of funds by educational sector and region of  
35 the state, and the results of the partnerships supported by these  
36 funds.

1 (2) Of the amounts appropriated in this section, \$10,000,000 is  
2 provided solely for the student achievement initiative.

3 (3) When implementing the appropriations in this section, the state  
4 board and the trustees of the individual community and technical  
5 colleges shall minimize impact on academic programs, maximize  
6 reductions in administration, and shall at least maintain, and endeavor  
7 to increase, enrollment opportunities and degree and certificate  
8 production in high employer-demand fields of study at their academic  
9 year 2008-09 levels.

10 (4) \$2,250,000 of the general fund--state appropriation for fiscal  
11 year 2012 and \$2,250,000 of the general fund--state appropriation for  
12 fiscal year 2013 are provided solely for the hospital employee  
13 education and training program under which labor, management, and  
14 college partnerships develop or expand and evaluate training programs  
15 for incumbent hospital workers that lead to careers in nursing and  
16 other high-demand health care occupations. The board shall report  
17 student progress, outcomes, and costs to the relevant fiscal and policy  
18 committees of the legislature by November 2012 and November 2013.

19 (5) Community and technical colleges are not required to send mass  
20 mailings of course catalogs to residents of their districts. Community  
21 and technical colleges shall consider lower cost alternatives, such as  
22 mailing postcards or brochures that direct individuals to online  
23 information and other ways of acquiring print catalogs.

24 (6) \$1,112,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$1,113,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for the state board to enhance  
27 online distance learning and open courseware technology. Funds shall  
28 be used to support open courseware, open textbooks, open licenses to  
29 increase access, affordability and quality of courses in higher  
30 education. The state board for community and technical colleges shall  
31 select the most appropriate courses to support open courseware based  
32 solely upon criteria of maximizing the value of instruction and  
33 reducing costs of textbooks and other instructional materials for the  
34 greatest number of students in higher education, regardless of the type  
35 of institution those students attend.

36 (7) Bellevue college is authorized to offer bachelor degrees in  
37 information technology, health care services and management,  
38 biotechnology, and preprofessional preparation for medical fields.

1 These degrees shall be directed at high school graduates and transfer-  
2 oriented degree and professional and technical degree holders. In  
3 fiscal year 2012, Bellevue college will develop a two-year plan for  
4 offering these new degrees. The plan will assume funding for these new  
5 degrees shall come through redistribution of its current per full-time  
6 enrollment funding. The plan shall be delivered to the legislature by  
7 June 30, 2012.

8 NEW SECTION. **Sec. 606. FOR THE UNIVERSITY OF WASHINGTON**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$235,810,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$194,641,000
11	University of Washington Building Account--State	
12	Appropriation . . . . .	\$239,000
13	Education Legacy Trust Account--State Appropriation . . . . .	\$6,226,000
14	Accident Account--State Appropriation . . . . .	\$6,735,000
15	Medical Aid Account--State Appropriation . . . . .	\$6,521,000
16	Biotoxin Account--State Appropriation . . . . .	\$450,000
17	TOTAL APPROPRIATION . . . . .	\$450,622,000

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

20 (1) In implementing the appropriations in this section, the  
21 president and regents shall seek to minimize impacts on student  
22 services and instructional programs by maximizing reductions in  
23 administration and other non-instructional activities.

24 (2) \$54,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$54,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for the University of Washington  
27 geriatric education center to provide a voluntary adult family home  
28 certification program. In addition to the minimum qualifications  
29 required under RCW 70.128.120, individuals participating in the  
30 voluntary adult family home certification program shall complete fifty-  
31 two hours of class requirements as established by the University of  
32 Washington geriatric education center. Individuals completing the  
33 requirements of RCW 70.128.120 and the voluntary adult family home  
34 certification program shall be issued a certified adult family home  
35 license by the department of social and health services. The  
36 department of social and health services shall adopt rules implementing  
37 the provisions of this subsection.



1 (3) \$50,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$52,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the center for international  
4 trade in forest products in the college of forest resources.

5 NEW SECTION. **Sec. 607. FOR WASHINGTON STATE UNIVERSITY**

6	General Fund--State Appropriation (FY 2012) . . . . .	\$148,804,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$140,664,000
8	Washington State University Building Account--	
9	State Appropriation . . . . .	\$5,364,000
10	Education Legacy Trust Account--State Appropriation . . . . .	\$16,782,000
11	TOTAL APPROPRIATION . . . . .	\$311,614,000

12 The appropriations in this section are subject to the following  
13 conditions and limitations: In implementing the appropriations in this  
14 section, the president and regents shall seek to minimize impacts on  
15 student services and instructional programs by maximizing reductions in  
16 administration and other non-instructional activities.

17 NEW SECTION. **Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY**

18	General Fund--State Appropriation (FY 2012) . . . . .	\$30,637,000
19	General Fund--State Appropriation (FY 2013) . . . . .	\$24,518,000
20	Education Legacy Trust Account--State Appropriation . . . . .	\$16,087,000
21	TOTAL APPROPRIATION . . . . .	\$71,242,000

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

24 (1) In implementing the appropriations in this section, the  
25 president and governing board shall seek to minimize impacts on student  
26 services and instructional programs by maximizing reductions in  
27 administration and other non-instructional activities.

28 (2) At least \$200,000 of the general fund--state appropriation for  
29 fiscal year 2012 and at least \$200,000 of the general fund--state  
30 appropriation for fiscal year 2013 shall be expended on the northwest  
31 autism center.

32 NEW SECTION. **Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY**

33	General Fund--State Appropriation (FY 2012) . . . . .	\$28,791,000
34	General Fund--State Appropriation (FY 2013) . . . . .	\$22,251,000
35	Education Legacy Trust Account--State Appropriation . . . . .	\$19,076,000

1 TOTAL APPROPRIATION . . . . . \$70,118,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: In implementing the appropriations in this  
4 section, the president and governing board shall seek to minimize  
5 impacts on student services and instructional programs by maximizing  
6 reductions in administration and other non-instructional activities.

7 **NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE**

8 General Fund--State Appropriation (FY 2012) . . . . . \$17,736,000

9 General Fund--State Appropriation (FY 2013) . . . . . \$13,584,000

10 Education Legacy Trust Account--State Appropriation . . . . . \$5,450,000

11 TOTAL APPROPRIATION . . . . . \$36,770,000

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

14 (1) In implementing the appropriations in this section, the  
15 president and governing board shall seek to minimize impacts on student  
16 services and instructional programs by maximizing reductions in  
17 administration and other non-instructional activities.

18 (2) To the extent federal or private funding is available for this  
19 purpose, the Washington state institute for public policy and the  
20 center for reinventing public education at the University of Washington  
21 shall examine the relationship between participation in pension systems  
22 and teacher quality and mobility patterns in the state. The department  
23 of retirement systems shall facilitate researchers' access to necessary  
24 individual-level data necessary to effectively conduct the study. The  
25 researchers shall ensure that no individually identifiable information  
26 will be disclosed at any time. An interim report on project findings  
27 shall be completed by November 15, 2010, and a final report shall be  
28 submitted to the governor and to the relevant committees of the  
29 legislature by October 15, 2011.

30 (3) At least \$200,000 of the general fund--state appropriation for  
31 fiscal year 2012 and at least \$200,000 of the general fund--state  
32 appropriation for fiscal year 2013 shall be expended on the Washington  
33 center for undergraduate education.

34 (4) To the extent funds are available, the Washington state  
35 institute for public policy is encouraged to continue the longitudinal  
36 analysis of long-term mental health outcomes directed in chapter 334,  
37 Laws of 2001 (mental health performance audit), to build upon the

1 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill  
2 offenders); and to assess program outcomes and cost effectiveness of  
3 the children's mental health pilot projects as required by chapter 372,  
4 Laws of 2006.

5 (5) \$50,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for the institute for public policy to  
7 provide research support to the council on quality education.

8 (6) Funding provided in this section is sufficient for The  
9 Evergreen State College to continue operations of the Longhouse Center  
10 and the Northwest Indian applied research institute.

11 (7) \$75,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$75,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided to the Washington state institute for  
14 public policy (WSIPP) to conduct a review of state investments in the  
15 family caregiver and support program. Funding for this program is  
16 provided by assumed savings from diverting seniors from entering into  
17 long-term care medicaid placements by supporting informal caregivers.  
18 WSIPP shall work with the department of social and health services to  
19 establish and review outcome data for this investment. A preliminary  
20 report on the outcomes of the investment into this program is due to  
21 the appropriate legislative committees by December 15, 2011, and a  
22 final report is due to the appropriate legislative committees by August  
23 30, 2012.

24 NEW SECTION. **Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY**

25	General Fund--State Appropriation (FY 2012) . . . . .	\$38,490,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$28,453,000
27	Education Legacy Trust Account--State Appropriation . . . . .	\$13,266,000
28	TOTAL APPROPRIATION . . . . .	\$80,209,000

29 The appropriations in this section are subject to the following  
30 conditions and limitations: In implementing the appropriations in this  
31 section, the president and governing board shall seek to minimize  
32 impacts on student services and instructional programs by maximizing  
33 reductions in administration and other non-instructional activities.

34 NEW SECTION. **Sec. 612. FOR THE HIGHER EDUCATION COORDINATING  
35 BOARD--POLICY COORDINATION AND ADMINISTRATION**

36	General Fund--State Appropriation (FY 2012) . . . . .	\$5,507,000
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1	General Fund--State Appropriation (FY 2013) . . . . .	\$10,404,000
2	General Fund--Federal Appropriation . . . . .	\$4,373,000
3	TOTAL APPROPRIATION . . . . .	\$20,284,000

4 The appropriations in this section are subject to the following  
5 conditions and limitations: \$5,000,000 of the general fund--state  
6 appropriation for fiscal year 2013 is provided solely for a new  
7 baccalaureate incentive system to be known as the bachelor degree  
8 completion initiative. Funds shall be awarded to the six public  
9 baccalaureate institutions for performance improvement on a set of  
10 measures to include:

- 11 (1) Total number of undergraduate degrees completed;
- 12 (2) Increases in the number of degrees awarded in the physical and  
13 health sciences, technology, engineering, and mathematics;
- 14 (3) Increases in the retention of first-year students receiving  
15 need-based assistance (state need grant or Pell grants) not including  
16 students who transfer to another institution of higher education; and
- 17 (4) The number of excess credits taken beyond what is required to  
18 earn a bachelors degree.

19 The measures will be designed by the education research and data  
20 center (ERDC). The baseline for each measure will be determined  
21 collaboratively by the ERDC, the council of presidents, and the board.  
22 If House Bill No. .... or Senate Bill No. .... is not enacted by June  
23 30, 2011, the appropriations in this section shall lapse.

24 NEW SECTION. **Sec. 613. FOR THE HIGHER EDUCATION COORDINATING**  
25 **BOARD--FINANCIAL AID AND GRANT PROGRAMS**

26	General Fund--State Appropriation (FY 2012) . . . . .	\$213,722,000
27	General Fund--State Appropriation (FY 2013) . . . . .	\$249,186,000
28	General Fund--Federal Appropriation . . . . .	\$13,165,000
29	Opportunity Pathways Account--State Appropriation . . . . .	\$147,000,000
30	TOTAL APPROPRIATION . . . . .	\$623,073,000

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

- 33 (1) \$36,129,000 of the general fund--state appropriation for fiscal  
34 year 2012, \$78,177,000 of the general fund--state appropriation for  
35 fiscal year 2013, \$19,671,000 of the education legacy trust account  
36 appropriation, and \$73,500,000 of the opportunity pathways  
37 appropriation are provided solely for student financial aid payments

1 under the state need grant. The state need grant shall be adjusted to  
2 offset the cost of the resident undergraduate tuition increases,  
3 limited to those tuition increases authorized under this act.

4 (2)(a) Within the funds appropriated in this section, eligibility  
5 for the state need grant shall include students with family incomes at  
6 or below 70 percent of the state median family income (MFI), adjusted  
7 for family size. 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 (b) Grant awards for students at private four-year colleges shall  
19 be set at the same level as the student would receive if attending one  
20 of the public regional universities.

21 (3) For fiscal year 2012 and fiscal year 2013, the board shall  
22 defer loan or conditional scholarship repayments to the future teachers  
23 conditional scholarship and loan repayment program for up to one year  
24 for each participant if the participant has shown evidence of efforts  
25 to find a teaching job but has been unable to secure a teaching job per  
26 the requirements of the program.

27 (4) \$2,500,000 of the education legacy trust account--state  
28 appropriation is provided solely for the gaining early awareness and  
29 readiness for undergraduate programs project.

30 (5) \$500,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$500,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for the leadership 1000 program.

33 NEW SECTION. **Sec. 614. FOR THE WORK FORCE TRAINING AND EDUCATION**  
34 **COORDINATING BOARD**

35	General Fund--State Appropriation (FY 2012) . . . . .	\$1,416,000
36	General Fund--State Appropriation (FY 2013) . . . . .	\$1,428,000
37	General Fund--Federal Appropriation . . . . .	\$62,794,000

1 TOTAL APPROPRIATION . . . . . \$65,638,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: The board shall include in its  
4 comprehensive plan specific strategies to reach the goal of increasing  
5 the percentage of Washington households living in the middle-income  
6 bracket or higher.

7 NEW SECTION. **Sec. 615. FOR THE SPOKANE INTERCOLLEGIATE RESEARCH**  
8 **AND TECHNOLOGY INSTITUTE**

9 General Fund--State Appropriation (FY 2012) . . . . . \$1,337,000  
10 General Fund--State Appropriation (FY 2013) . . . . . \$1,353,000  
11 TOTAL APPROPRIATION . . . . . \$2,690,000

12 NEW SECTION. **Sec. 616. FOR THE DEPARTMENT OF EARLY LEARNING**

13 General Fund--State Appropriation (FY 2012) . . . . . \$23,328,000  
14 General Fund--State Appropriation (FY 2013) . . . . . \$23,348,000  
15 General Fund--Federal Appropriation . . . . . \$244,943,000  
16 Opportunity Pathways Account--State Appropriation . . . . . \$80,000,000  
17 TOTAL APPROPRIATION . . . . . \$371,619,000

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

20 (1) \$14,887,000 of the general fund--state appropriation for fiscal  
21 year 2012, \$14,685,000 of the general fund--state appropriation for  
22 fiscal year 2013, and \$80,000,000 of the opportunity pathways account  
23 appropriation are provided solely for early childhood education and  
24 assistance program services. Of these amounts, \$10,284,000 is a  
25 portion of the biennial amount of state matching dollars required to  
26 receive federal child care and development fund grant dollars.

27 (2) \$638,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$638,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for child care resource and  
30 referral network services.

31 (3) \$200,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$200,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely to develop and provide culturally  
34 relevant supports for parents, family, and other caregivers.

35 (4) The department is the lead agency for and recipient of the  
36 federal child care and development fund grant. Amounts within this

1 grant shall be used to fund child care licensing, quality initiatives,  
2 agency administration, and other costs associated with child care  
3 subsidies. The department shall transfer a portion of this grant to  
4 the department of social and health services to partially fund the  
5 child care subsidies paid by the department of social and health  
6 services on behalf of the department of early learning.

7 (5) The department shall use child care development fund money to  
8 satisfy the federal audit requirement of the improper payments act  
9 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent  
10 on the audits will not count against the five percent state limit on  
11 administrative expenditures.

12 (6) Within available amounts, the department in consultation with  
13 the office of financial management and the department of social and  
14 health services shall report quarterly enrollments and active caseload  
15 for the working connections child care program to the legislative  
16 fiscal committees. The report shall also identify the number of cases  
17 participating in both temporary assistance for needy families and  
18 working connections child care.

19 (7) The appropriations in this section reflect reductions in the  
20 appropriations for the department's administrative expenses. It is the  
21 intent of the legislature that these reductions shall be achieved, to  
22 the greatest extent possible, by reducing those administrative costs  
23 that do not affect direct client services or direct service delivery or  
24 program.

25 **NEW SECTION. Sec. 617. FOR THE STATE SCHOOL FOR THE BLIND**

26	General Fund--State Appropriation (FY 2012) . . . . .	\$6,227,000
27	General Fund--State Appropriation (FY 2013) . . . . .	\$6,230,000
28	General Fund--Private/Local Appropriation . . . . .	\$2,012,000
29	TOTAL APPROPRIATION . . . . .	\$14,469,000

30 The appropriations in this section are subject to the following  
31 conditions and limitations: \$271,000 of the general fund--  
32 private/local appropriation is provided solely for the school for the  
33 blind to offer short course programs, allowing students the opportunity  
34 to leave their home schools for short periods and receive intensive  
35 training. The school for the blind shall provide this service to the  
36 extent that it is funded by contracts with school districts and  
37 educational services districts.

1        NEW SECTION.    **Sec. 618.    FOR THE WASHINGTON STATE CENTER FOR**  
2 **CHILDHOOD DEAFNESS AND HEARING LOSS**  
3 General Fund--State Appropriation (FY 2012) . . . . . \$8,936,000  
4 General Fund--State Appropriation (FY 2013) . . . . . \$8,977,000  
5 General Fund--Private/Local Appropriation . . . . . \$526,000  
6            TOTAL APPROPRIATION . . . . . \$18,439,000

7        NEW SECTION.    **Sec. 619.    FOR THE WASHINGTON STATE HISTORICAL**  
8 **SOCIETY**  
9 General Fund--State Appropriation (FY 2012) . . . . . \$1,977,000  
10 General Fund--State Appropriation (FY 2013) . . . . . \$2,023,000  
11            TOTAL APPROPRIATION . . . . . \$4,000,000

12        NEW SECTION.    **Sec. 620.    FOR THE EASTERN WASHINGTON STATE**  
13 **HISTORICAL SOCIETY**  
14 General Fund--State Appropriation (FY 2012) . . . . . \$1,391,000  
15 General Fund--State Appropriation (FY 2013) . . . . . \$1,455,000  
16            TOTAL APPROPRIATION . . . . . \$2,846,000

(End of part)



1 PART VII

2 SPECIAL APPROPRIATIONS

3 NEW SECTION. Sec. 701. FOR THE STATE TREASURER--BOND RETIREMENT  
4 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR  
5 DEBT SUBJECT TO THE DEBT LIMIT

6	General Fund--State Appropriation (FY 2012) . . . . .	\$924,047,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$981,486,000
8	State Building Construction Account--State	
9	Appropriation . . . . .	\$1,589,000
10	Columbia River Basin Water Supply Development	
11	Account--State Appropriation . . . . .	\$73,000
12	Hood Canal Aquatic Rehabilitation Bond Account--State	
13	Appropriation . . . . .	\$6,000
14	State Taxable Building Construction Account--State	
15	Appropriation . . . . .	\$345,000
16	Gardner-Evans Higher Education Construction	
17	Account--State Appropriation . . . . .	\$1,000
18	Debt-Limit Reimbursable Bond Retire Account--State	
19	Appropriation . . . . .	\$2,300,000
20	TOTAL APPROPRIATION . . . . .	\$1,909,847,000

21 The appropriations in this section are subject to the following  
22 conditions and limitations: The general fund appropriations are for  
23 expenditure into the debt-limit general fund bond retirement account.  
24 The entire general fund--state appropriation for fiscal year 2012 shall  
25 be expended into the debt-limit general fund bond retirement account by  
26 June 30, 2012.

27 NEW SECTION. Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT  
28 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR  
29 GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

30	Accident Account--State Appropriation . . . . .	\$4,110,000
31	Medical Aid Account--State Appropriation . . . . .	\$4,110,000
32	TOTAL APPROPRIATION . . . . .	\$8,220,000

**NEW SECTION. Sec. 703. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

General Fund--State Appropriation (FY 2012)	\$27,516,000
General Fund--State Appropriation (FY 2013)	\$30,758,000
Nondebt-Limit Reimbursable Bond Retirement	
Account--State Appropriation	\$140,417,000
TOTAL APPROPRIATION	\$198,691,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

**NEW SECTION. Sec. 704. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

General Fund--State Appropriation (FY 2012)	\$1,357,000
General Fund--State Appropriation (FY 2013)	\$1,357,000
State Building Construction Account--State	
Appropriation	\$1,273,000
Columbia River Basin Water Supply Development	
Account--State Appropriation	\$12,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$1,000
State Taxable Building Construction Account--State	
Appropriation	\$55,000
Gardner-Evans Higher Education Construction	
Account--State Appropriation	\$1,000
TOTAL APPROPRIATION	\$4,056,000

**NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY**

General Fund--State Appropriation (FY 2012)	\$4,000,000
General Fund--State Appropriation (FY 2013)	\$4,000,000
TOTAL APPROPRIATION	\$8,000,000

1 The appropriations in this section are subject to the following  
2 conditions and limitations: The appropriations are provided solely for  
3 expenditure into the disaster response account to be used for any  
4 Washington state fire service resource mobilization costs incurred by  
5 the Washington state patrol in response to an emergency or disaster  
6 authorized under RCW 43.43.960 and 43.43.964.

7 NEW SECTION. **Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
8 **DISASTER RESPONSE ACCOUNT**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$14,575,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$75,000
11	TOTAL APPROPRIATION . . . . .	\$14,650,000

12 The appropriations in this section are subject to the following  
13 conditions and limitations: The appropriations are provided solely for  
14 expenditure into the disaster response account. \$5,000,000 of the  
15 appropriation is provided for emergency fire suppression by the  
16 department of natural resources.

17 NEW SECTION. **Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
18 **EMERGENCY FUND**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$850,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$850,000
21	TOTAL APPROPRIATION . . . . .	\$1,700,000

22 The appropriations in this section are subject to the following  
23 conditions and limitations: The appropriations in this section are for  
24 the governor's emergency fund for the critically necessary work of any  
25 agency.

26 NEW SECTION. **Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
27 **EDUCATION TECHNOLOGY REVOLVING ACCOUNT**

28	General Fund--State Appropriation (FY 2012) . . . . .	\$8,000,000
29	General Fund--State Appropriation (FY 2013) . . . . .	\$8,000,000
30	TOTAL APPROPRIATION . . . . .	\$16,000,000

31 The appropriations in this section are subject to the following  
32 conditions and limitations: The appropriations in this section are  
33 provided solely for expenditure into the education technology revolving

1 account for the purpose of covering ongoing operational and equipment  
2 replacement costs incurred by the K-20 educational network program in  
3 providing telecommunication services to network participants.

4 NEW SECTION. **Sec. 709. SALARY ADJUSTMENT**

5	General Fund--State Appropriation (FY 2012) . . . . .	(\$87,779,000)
6	General Fund--State Appropriation (FY 2013) . . . . .	(\$88,112,000)
7	General Fund--Federal Appropriation . . . . .	(\$27,462,000)
8	General Fund--Private/Local Appropriation . . . . .	(\$2,657,000)
9	Various Other Accounts Appropriation . . . . .	(\$45,490,000)
10	TOTAL APPROPRIATION . . . . .	(\$251,500,000)

11 The appropriations in this section shall be expended solely for the  
12 purposes designated in this section and are subject to the following  
13 conditions and limitations:

14 (1) Appropriations in this section are provided solely for a 3.0  
15 percent salary reduction effective July 1, 2011, through June 30, 2013,  
16 for all employees of the executive, legislative, and judicial branches,  
17 including those employees in the Washington management service, and  
18 including employees exempt from merit system rules, except for:

19 (a) Elected officials whose salaries are set by the commission on  
20 salaries for elected officials;

21 (b) Student employees at state institutions of higher education;

22 (c) Employees at state institutions of higher education, provided,  
23 however, that appropriations to higher education institutions are  
24 reduced in an amount reflecting a 3.0 percent reduction in salary  
25 expenditures;

26 (d) Certificated employees of the state school for the blind and  
27 the center for childhood deafness and hearing loss;

28 (e) Commissioned officers of the Washington state patrol  
29 represented by the state patrol troopers' association and the  
30 Washington state patrol lieutenants' association;

31 (f) Represented ferry workers of the Washington state department of  
32 transportation, provided, however, that other reductions are included  
33 in section 504 of the 2011-2013 transportation appropriations act;

34 (g) Employees whose salary is less than \$2,500 per month; and

35 (h) Employees as specified in subsection (2) of this section.

36 (2) For employees subject to the 3.0 percent reduction in salary  
37 under subsection (1) of this section employees will receive temporary

1 salary reduction leave of up to 5.2 hours per month. The director of  
2 personnel shall adopt rules governing the accrual and use of temporary  
3 salary reduction leave.

4 (3) Appropriations also reflect a 3.0 percent cost saving in  
5 expenditures as specified in section 925 of this act.

6 (4) The department of retirement systems shall include any forgone  
7 salary under subsections (1) and (3) of this section in the final  
8 average compensation of employees affected for purposes of calculating  
9 retirement benefits, as specified in House Bill No. . . . .

10 (5) The appropriation from dedicated funds and accounts shall be  
11 made in the amounts specified and from the dedicated funds and accounts  
12 specified in OFM document 2011-01, which is hereby incorporated by  
13 reference. The office of financial management shall allocate the  
14 moneys appropriated in this section in the amounts specified and to the  
15 state agencies specified in OFM document 2011-01 and adjust  
16 appropriation schedules accordingly. The office of financial  
17 management shall make any further allotment adjustments necessary to  
18 reflect agency mergers or consolidations assumed in this act.

19 NEW SECTION. **Sec. 710. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
20 **O'BRIEN BUILDING IMPROVEMENT**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$2,846,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$2,950,000
23	TOTAL APPROPRIATION . . . . .	\$5,796,000

24 The appropriations in this section are subject to the following  
25 conditions and limitations: The appropriations are provided solely for  
26 expenditure into the general administration services account for  
27 payment of principal, interest, and financing expenses associated with  
28 the certificate of participation for the O'Brien building improvement,  
29 project number 20081007.

30 NEW SECTION. **Sec. 711. FOR THE DEPARTMENT OF HEALTH--COUNTY**  
31 **PUBLIC HEALTH ASSISTANCE**

32 The appropriations in this section are subject to the following  
33 conditions and limitations: The director of the department of health  
34 shall distribute the appropriations to the following counties and  
35 health districts in the amounts designated to support public health  
36 services, including public health nursing:

	FY 2012	FY 2013	FY 2011-13 Biennium
1			
2	Health District		
3			
4	Adams County Health District	\$30,951	\$30,951
5	Asotin County Health District	\$67,714	\$67,714
6	Benton-Franklin Health District	\$1,165,612	\$1,165,612
7	Chelan-Douglas Health District	\$184,761	\$184,761
8	Clallam County Health and Human Services Department	\$141,752	\$141,752
9			
10	Clark County Health District	\$1,057,792	\$1,057,792
11	Skamania County Health Department	\$26,681	\$26,681
12	Columbia County Health District	\$40,529	\$40,529
13	Cowlitz County Health Department	\$278,560	\$278,560
14	Garfield County Health District	\$15,028	\$15,028
15	Grant County Health District	\$118,595	\$118,596
16	Grays Harbor Health Department	\$183,870	\$183,870
17	Island County Health Department	\$91,892	\$91,892
18	Jefferson County Health and Human Services	\$85,782	\$85,782
19	Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747
20	Bremerton-Kitsap County Health District	\$554,669	\$554,669
21	Kittitas County Health Department	\$92,499	\$92,499
22	Klickitat County Health Department	\$62,402	\$62,402
23	Lewis County Health Department	\$105,801	\$105,801
24	Lincoln County Health Department	\$29,705	\$29,705
25	Mason County Department of Health Services	\$95,988	\$95,988
26	Okanogan County Health District	\$63,458	\$63,458
27	Pacific County Health Department	\$77,427	\$77,427
28	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590
29	San Juan County Health and Community Services	\$37,531	\$37,531
30	Skagit County Health Department	\$223,927	\$223,927
31	Snohomish Health District	\$2,258,207	\$2,258,207
32	Spokane County Health District	\$2,101,429	\$2,101,429
33	Northeast Tri-County Health District	\$110,454	\$110,454
34	Thurston County Health Department	\$600,419	\$600,419
35	Wahkiakum County Health Department	\$13,773	\$13,772
36	Walla Walla County-City Health Department	\$172,062	\$172,062

1	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
2	Whitman County Health Department	\$78,733	\$78,733	\$157,466
3	Yakima Health District	\$623,797	\$623,797	\$1,247,594
4	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000

5        NEW SECTION.        **Sec. 712.        FOR THE DEPARTMENT OF RETIREMENT**  
6        **SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS**

7        The appropriations in this section are subject to the following  
8        conditions and limitations: The appropriations for the law enforcement  
9        officers' and firefighters' retirement system shall be made on a  
10       monthly basis beginning July 1, 2011, consistent with chapter 41.45  
11       RCW, and the appropriations for the judges and judicial retirement  
12       systems shall be made on a quarterly basis consistent with chapters  
13       2.10 and 2.12 RCW.

14       (1) There is appropriated for state contributions to the law  
15       enforcement officers' and firefighters' retirement system:

16	General Fund--State Appropriation (FY 2012) . . . . .	\$58,700,000
17	General Fund--State Appropriation (FY 2013) . . . . .	\$62,200,000
18	TOTAL APPROPRIATION . . . . .	\$120,900,000

19       (2) There is appropriated for contributions to the judicial  
20       retirement system:

21	General Fund--State Appropriation (FY 2012) . . . . .	\$11,600,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$13,100,000
23	TOTAL APPROPRIATION . . . . .	\$24,700,000

24       NEW SECTION.        **Sec. 713.        BELATED CLAIMS**

25       The agencies and institutions of the state may expend moneys  
26       appropriated in this act, upon approval of the office of financial  
27       management, for the payment of supplies and services furnished to the  
28       agency or institution in prior fiscal biennia.

29       NEW SECTION.        **Sec. 714.        FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
30       **CONTRIBUTIONS TO RETIREMENT SYSTEMS**

31	General Fund--State Appropriation (FY 2012) . . . . .	(\$900,000)
32	General Fund--State Appropriation (FY 2013) . . . . .	(\$1,000,000)
33	Special Account Retirement System Contribution	
34	Increase Revolving Account Appropriation . . . . .	(\$500,000)
35	TOTAL APPROPRIATION . . . . .	(\$2,400,000)

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

3 (1) The appropriations in this section are provided solely to  
4 adjust agency and institution appropriations and public school funding  
5 allocations to reflect reduced employer contribution rates in the  
6 public employees' retirement system and the school employees'  
7 retirement system as a result of the provisions of House Bill No. 1981  
8 (higher education retirement plan and postretirement employment). If  
9 the bill is not enacted by June 30, 2011, the amounts provided in this  
10 section shall lapse.

11 (2) To facilitate the transfer of moneys to dedicated funds and  
12 accounts, the state treasurer shall transfer sufficient moneys to each  
13 dedicated fund or account from the special account retirement system  
14 contribution increase revolving account in accordance with schedules  
15 provided by the office of financial management.

16 NEW SECTION. **Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
17 **CONTRIBUTIONS TO RETIREMENT SYSTEMS**

18	General Fund--State Appropriation (FY 2012) . . . . .	(\$148,832,000)
19	General Fund--State Appropriation (FY 2013) . . . . .	(\$212,838,000)
20	Special Account Retirement System Contribution	
21	Increase Revolving Account Appropriation . . . . .	(\$43,932,000)
22	TOTAL APPROPRIATION . . . . .	(\$405,602,000)

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

25 (1) The appropriations in this section are provided solely to  
26 adjust agency and institution appropriations and public school funding  
27 allocations to reflect reduced employer contribution rates in the  
28 public employees' retirement system, teachers' retirement system,  
29 public safety employees' retirement system, and the school employees'  
30 retirement system as a result of the provisions of House Bill No. 2021  
31 (limiting annual increase amounts) and increase the alternative minimum  
32 benefit to \$1,500 per month. If the bill is not enacted by June 30,  
33 2011, the amounts provided in this section shall lapse.

34 (2) To facilitate the transfer of moneys to dedicated funds and  
35 accounts, the state treasurer shall transfer sufficient moneys to each  
36 dedicated fund or account from the special account retirement



1 contribution increase revolving account in accordance with schedules  
2 provided by the office of financial management.

3 NEW SECTION. **Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
4 **OFFICE OF THE ATTORNEY GENERAL**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$1,968,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$1,968,000
7	General Fund--Federal Appropriation . . . . .	\$966,000
8	General Fund--Private/Local Appropriation . . . . .	\$74,000
9	Special Account Revolving Appropriation . . . . .	\$3,190,000
10	TOTAL APPROPRIATION . . . . .	\$8,166,000

11 The appropriations in this section are subject to the following  
12 conditions and limitations: The appropriations in this section reflect  
13 increases in agency appropriations for expenditures related to work  
14 completed by the office of the attorney general. The office of  
15 financial management shall increase allotments in the amounts  
16 specified, and to the state agencies specified in LEAP omnibus document  
17 SAG-2011, dated March 31, 2011, and adjust appropriation schedules  
18 accordingly. The office of financial management shall make any further  
19 allotment adjustments necessary to reflect agency mergers or  
20 consolidations assumed in this act.

21 NEW SECTION. **Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
22 **STATE DATA CENTER RATE INCREASES**

23	General Fund--State Appropriation (FY 2012) . . . . .	\$3,411,000
24	General Fund--State Appropriation (FY 2013) . . . . .	\$2,036,000
25	General Fund--Federal Appropriation . . . . .	\$3,000
26	General Fund--Private/Local Appropriation . . . . .	\$103,000
27	Special Account Revolving Appropriation . . . . .	\$4,263,000
28	TOTAL APPROPRIATION . . . . .	\$9,816,000

29 The appropriations in this section are subject to the following  
30 conditions and limitations: The appropriations in this section reflect  
31 increases in agency appropriations related to the state data center.  
32 The office of financial management shall increase allotments in the  
33 amounts specified, and to the state agencies specified in LEAP omnibus  
34 document GLX-2011, dated March 25, 2011, and adjust appropriation  
35 schedules accordingly. The office of financial management shall make

1 any further allotment adjustments necessary to reflect agency mergers  
2 or consolidations assumed in this act.

3 NEW SECTION. **Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
4 **EXTRAORDINARY CRIMINAL JUSTICE COSTS**

5 General Fund--State Appropriation (FY 2012) . . . . . \$920,000

6 The appropriation in this section is subject to the following  
7 conditions and limitations: The director of financial management shall  
8 distribute \$329,000 to Benton county, \$338,000 to Franklin county,  
9 \$128,000 to Jefferson county, and \$125,000 to Okanogan county for  
10 extraordinary criminal justice costs.

11 NEW SECTION. **Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
12 **STATE EFFICIENCY AND RESTRUCTURING REPAYMENT**

13 General Fund--State Appropriation (FY 2012) . . . . . \$5,487,000

14 General Fund--State Appropriation (FY 2013) . . . . . \$5,487,000

15 TOTAL APPROPRIATION . . . . . \$10,974,000

16 The appropriations in this section are subject to the following  
17 conditions and limitations: The appropriations in this section are  
18 provided solely for expenditure into the cleanup settlement account on  
19 July 1, 2011, and July 1, 2012, as repayment of moneys that were  
20 transferred to the state efficiency and restructuring account.

21 NEW SECTION. **Sec. 720. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
22 **PRINTING SAVINGS**

23 (1) The office of financial management shall work with the  
24 appropriate state agencies to generate savings of \$3,950,000 per fiscal  
25 year from the state general fund that can arise from improvements in  
26 the procurement and utilization of printing brought about, in part, by  
27 the elimination of the state printer. From appropriations in this act,  
28 the office of financial management shall reduce general fund--state  
29 allotments by \$3,950,000 in fiscal year 2012 and \$3,950,000 in fiscal  
30 year 2013 to reflect the savings. The allotment reductions shall be  
31 placed in unallotted status and remain unexpended.

32 (2) The office of financial management shall conduct an analysis of  
33 the state's printing processes to identify the most reasonable  
34 strategies of attaining a statewide savings target of \$3,950,000 per  
35 fiscal year without affecting direct program activities. The results

1 of this analysis shall then be provided to the director of financial  
2 management and appropriate legislative committees by September 1, 2011.  
3 The director shall use the analysis as the basis to achieve the savings  
4 identified in subsection (1) of this section.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Table with 2 columns: Description and Amount. Rows include: General Fund Appropriation for fire insurance premium distributions (\$8,368,000), General Fund Appropriation for public utility district excise tax distributions (\$49,418,000), 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), County Criminal Justice Assistance Appropriation (\$72,256,000), Municipal Criminal Justice Assistance Appropriation (\$27,898,000), City-County Assistance Account Appropriation for local government financial assistance distribution (\$17,172,000), Liquor Excise Tax Account Appropriation for liquor excise tax distribution (\$53,986,000), Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation (\$7,441,000), Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians (\$4,748,000), Liquor Revolving Account Appropriation for liquor profits distribution (\$71,755,000), and TOTAL APPROPRIATION (\$369,921,000).

1 The total expenditures from the state treasury under the  
2 appropriations in this section shall not exceed the funds available  
3 under statutory distributions for the stated purposes.

4 NEW SECTION. **Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY**  
5 **CRIMINAL JUSTICE ASSISTANT ACCOUNT**

6 Impaired Driver Safety Account Appropriation . . . . . \$2,501,000

7 The appropriation in this section is subject to the following  
8 conditions and limitations: The amount appropriated in this section  
9 shall be distributed quarterly during the 2011-13 biennium in  
10 accordance with RCW 82.14.310. This funding is provided to counties  
11 for the costs of implementing criminal justice legislation including,  
12 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
13 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
14 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
15 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock  
16 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
17 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
18 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
19 215, Laws of 1998 (DUI provisions).

20 NEW SECTION. **Sec. 803. FOR THE STATE TREASURER--MUNICIPAL**  
21 **CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

22 Impaired Driver Safety Account Appropriation . . . . . \$1,666,000

23 The appropriation in this section is subject to the following  
24 conditions and limitations: The amount appropriated in this section  
25 shall be distributed quarterly during the 2011-2013 biennium to all  
26 cities ratably based on population as last determined by the office of  
27 financial management. The distributions to any city that substantially  
28 decriminalizes or repeals its criminal code after July 1, 1990, and  
29 that does not reimburse the county for costs associated with criminal  
30 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
31 which the city is located. This funding is provided to cities for the  
32 costs of implementing criminal justice legislation including, but not  
33 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
34 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
35 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license

1 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
2 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
3 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
4 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
5 Laws of 1998 (DUI provisions).

6 NEW SECTION. **Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES**  
7 **FOR DISTRIBUTION**

8	General Fund Appropriation for federal flood control	
9	funds distribution . . . . .	\$74,000
10	General Fund Appropriation for federal grazing fees	
11	distribution . . . . .	\$2,430,000
12	Forest Reserve Fund Appropriation for federal forest	
13	reserve fund distribution . . . . .	\$29,175,000
14	TOTAL APPROPRIATION . . . . .	\$31,679,000

15 The total expenditures from the state treasury under the  
16 appropriations in this section shall not exceed the funds available  
17 under statutory distributions for the stated purposes.

18 NEW SECTION. **Sec. 805. FOR THE STATE TREASURER--TRANSFERS**

19	State Treasurer's Service Account: For transfer to	
20	the state general fund, \$10,000,000 for fiscal	
21	year 2012 and \$15,000,000 for fiscal year 2013 . . . . .	\$25,000,000
22	Waste Reduction, Recycling, and Litter Control	
23	Account: For transfer to the state general	
24	fund, \$2,000,000 for fiscal year 2012 and	
25	\$2,000,000 for fiscal year 2013 . . . . .	\$4,000,000
26	Aquatics Lands Enhancement Account: For transfer to	
27	the state general fund, \$3,500,000 for fiscal	
28	year 2012 and \$3,500,000 for fiscal year 2013 . . . . .	\$7,000,000
29	Drinking Water Assistance Account: For transfer to	
30	the drinking water assistance repayment account . . . . .	\$38,000,000
31	Economic Development Strategic Reserve Account: For	
32	transfer to the state general fund, \$2,100,000	
33	for fiscal year 2012 and \$2,100,000 for fiscal	
34	year 2013 . . . . .	\$4,200,000
35	Public Works Assistance Account: For transfer to the	
36	water pollution control revolving account,	

1       \$7,750,000 for fiscal year 2012 and \$7,750,000 for  
2       fiscal year 2013 . . . . . \$15,500,000  
3   The Charitable, Educational, Penal, and Reformatory  
4       Institutions Account: For transfer to the state  
5       general fund, \$4,500,000 for fiscal year 2012 and  
6       \$4,500,000 for fiscal year 2013 . . . . . \$9,000,000  
7   Thurston County Capital Facilities Account: For  
8       transfer to the state general fund, \$4,000,000  
9       for fiscal year 2012 and \$4,000,000 for fiscal  
10      year 2013 . . . . . \$8,000,000  
11   Liquor Revolving Account: For transfer to the state  
12      general fund, \$42,500,000 for fiscal year 2012 and  
13      \$42,500,000 for fiscal year 2013 . . . . . \$85,000,000  
14   Public Works Assistance Account: For transfer to the  
15      drinking water assistance account, \$8,000,000 for  
16      fiscal year 2012 and \$8,000,000 for fiscal year  
17      2013 . . . . . \$16,000,000  
18   Liquor Control Board Construction and Maintenance  
19      Account: For transfer to the state general fund,  
20      \$500,000 for fiscal year 2012 and \$500,000 for  
21      fiscal year 2013 . . . . . \$1,000,000  
22   Department of Retirement Systems Expense Account:  
23      For transfer to the state general fund, \$250,000  
24      for fiscal year 2012 and \$250,000 for fiscal year  
25      2013 . . . . . \$500,000  
26   Education Construction Account: For transfer to the  
27      state general fund, \$102,000,000 for fiscal year  
28      2012 and \$102,000,000 for fiscal year 2013 . . . . . \$204,000,000  
29   General Fund: For transfer to the perpetual  
30      surveillance and maintenance account, \$40,000,000  
31      for fiscal year 2012 . . . . . \$40,000,000  
32   General Fund: For transfer to the cleanup settlement  
33      account, \$90,000,000 for fiscal year 2012 . . . . . \$90,000,000  
34   General Fund: For transfer to the institution of  
35      higher education operating fees account for the  
36      Washington State University: For transfer to the  
37      state general fund, \$7,358,000 for fiscal year 2012 . . \$7,358,000  
38   General Fund: For transfer to the institution of higher

1 education operating fees account for the University  
2 of Washington: For transfer to the state general  
3 fund, \$11,320,000 for fiscal year 2012 . . . . . \$11,320,000  
4 General Fund: For transfer to the institution of  
5 higher education operating fees account for the  
6 Eastern Washington University: For transfer to  
7 the state general fund, \$1,673,000 for fiscal  
8 year 2012 . . . . . \$1,673,000  
9 General Fund: For transfer to the institution of  
10 higher education operating fees account for the  
11 Central Washington University: For transfer to  
12 the state general fund, \$1,662,000 for fiscal  
13 year 2012 . . . . . \$1,662,000  
14 General Fund: For transfer to the institution of  
15 higher education operating fees account for the  
16 Western Washington University: For transfer to  
17 the state general fund, \$2,084,000 for fiscal  
18 year 2012 . . . . . \$2,084,000  
19 General Fund: For transfer to the institution of  
20 higher education operating fees account for The  
21 Evergreen State College: For transfer to the  
22 state general fund, \$903,000 for fiscal year 2012 . . . . . \$903,000

(End of part)



**PART IX**  
**MISCELLANEOUS**

**NEW SECTION. Sec. 901. EXPENDITURE AUTHORIZATIONS**

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2009-2011 fiscal biennium.

**NEW SECTION. Sec. 902. INFORMATION SYSTEMS PROJECTS**

Agencies shall comply with the following requirements regarding information systems projects when specifically directed to do so by this act.

(1) Agency planning and decisions concerning information technology shall be made in the context of its information technology portfolio. "Information technology portfolio" means a strategic management approach in which the relationships between agency missions and information technology investments can be seen and understood, such that: Technology efforts are linked to agency objectives and business plans; the impact of new investments on existing infrastructure and business functions are assessed and understood before implementation; and agency activities are consistent with the development of an integrated, nonduplicative statewide infrastructure.

(2) Agencies shall use their information technology portfolios in making decisions on matters related to the following:

- (a) System refurbishment, acquisitions, and development efforts;
  - (b) Setting goals and objectives for using information technology in meeting legislatively-mandated missions and business needs;
  - (c) Assessment of overall information processing performance, resources, and capabilities;
  - (d) Ensuring appropriate transfer of technological expertise for the operation of any new systems developed using external resources;
- and

1 (e) Progress toward enabling electronic access to public  
2 information.

3 (3) Each project will be planned and designed to take optimal  
4 advantage of internet technologies and protocols. Agencies shall  
5 ensure that the project is in compliance with the architecture,  
6 infrastructure, principles, policies, and standards of digital  
7 government as maintained by the office of the chief information  
8 officer.

9 (4) The agency shall produce a feasibility study for information  
10 technology projects at the direction of the office of the chief  
11 information officer and in accordance with published office of the  
12 chief information officer policies and guidelines. At a minimum, such  
13 studies shall include a statement of: (a) The purpose or impetus for  
14 change; (b) the business value to the agency, including an examination  
15 and evaluation of benefits, advantages, and cost; (c) a comprehensive  
16 risk assessment based on the proposed project's impact on both citizens  
17 and state operations, its visibility, and the consequences of doing  
18 nothing; (d) the impact on agency and statewide information  
19 infrastructure; and (e) the impact of the proposed enhancements to an  
20 agency's information technology capabilities on meeting service  
21 delivery demands.

22 (5) The agency shall produce a comprehensive management plan for  
23 each project. The plan or plans shall address all factors critical to  
24 successful completion of each project. The plan(s) shall include, but  
25 is not limited to, the following elements: A description of the  
26 problem or opportunity that the information technology project is  
27 intended to address; a statement of project objectives and assumptions;  
28 a definition and schedule of phases, tasks, and activities to be  
29 accomplished; and the estimated cost of each phase. The planning for  
30 the phased approach shall be such that the business case justification  
31 for a project needs to demonstrate how the project recovers cost or  
32 adds measurable value or positive cost benefit to the agency's business  
33 functions within each development cycle.

34 (6) The agency shall produce quality assurance plans for  
35 information technology projects. Consistent with the direction of the  
36 office of the chief information officer and the published policies and  
37 guidelines of the office of the chief information officer, the quality  
38 assurance plan shall address all factors critical to successful

1 completion of the project and successful integration with the agency  
2 and state information technology infrastructure. At a minimum, quality  
3 assurance plans shall provide time and budget benchmarks against which  
4 project progress can be measured, a specification of quality assurance  
5 responsibilities, and a statement of reporting requirements. The  
6 quality assurance plans shall set out the functionality requirements  
7 for each phase of a project.

8 (7) A copy of each feasibility study, project management plan, and  
9 quality assurance plan shall be provided to the office of the chief  
10 information officer, the office of financial management, and  
11 legislative fiscal committees. The plans and studies shall demonstrate  
12 a sound business case that justifies the investment of taxpayer funds  
13 on any new project, an assessment of the impact of the proposed system  
14 on the existing information technology infrastructure, the disciplined  
15 use of preventative measures to mitigate risk, and the leveraging of  
16 private-sector expertise as needed. Authority to expend any funds for  
17 individual information systems projects is conditioned on the approval  
18 of the relevant feasibility study, project management plan, and quality  
19 assurance plan by the office of the chief information officer and the  
20 office of financial management.

21 (8) Quality assurance status reports shall be submitted to the  
22 office of the chief information officer, the office of financial  
23 management, and legislative fiscal committees at intervals specified in  
24 the project's quality assurance plan.

25 NEW SECTION.      **Sec. 903.**      **INFORMATION TECHNOLOGY ENTERPRISE**  
26 **SERVICES**

27 Agencies may make use of the consolidated technology services  
28 agency when acquiring information technology services, products, and  
29 assets.

30 "Information technology services" means the acquisition,  
31 provisioning, or approval of hardware, software, and purchased or  
32 personal services provided by the consolidated technology services  
33 agency.

34 If an information technology enterprise service is provided by the  
35 consolidated technology services agency, or an agency has a specific  
36 requirement to acquire hardware, software, or purchased or personal

1 services directly, the agency shall consult with the consolidated  
2 technology services agency.

3 NEW SECTION. **Sec. 904. VIDEO TELECOMMUNICATIONS**

4 The consolidated technology services agency shall act as lead  
5 agency in coordinating video telecommunications services for state  
6 agencies. As lead agency, the consolidated technology services agency  
7 shall develop standards and common specifications for leased and  
8 purchased telecommunications equipment and assist state agencies in  
9 developing a video telecommunications expenditure plan. No agency may  
10 spend any portion of any appropriation in this act for new video  
11 telecommunication equipment, new video telecommunication transmission,  
12 or new video telecommunication programming, or for expanding current  
13 video telecommunication systems without first complying with chapter  
14 43.105 RCW, including but not limited to, RCW 43.105.041(2), and  
15 without first submitting a video telecommunications expenditure plan,  
16 in accordance with the policies of the consolidated technology services  
17 agency, for review and assessment by the consolidated technology  
18 services agency under RCW 43.105.052. Prior to any such expenditure by  
19 a public school, a video telecommunications expenditure plan shall be  
20 approved by the superintendent of public instruction. The office of  
21 the superintendent of public instruction shall submit the plans to the  
22 consolidated technology services agency in a form prescribed by the  
23 consolidated technology services agency. The office of the  
24 superintendent of public instruction shall coordinate the use of video  
25 telecommunications in public schools by providing educational  
26 information to local school districts and shall assist local school  
27 districts and educational service districts in telecommunications  
28 planning and curriculum development. Prior to any such expenditure by  
29 a public institution of postsecondary education, a telecommunications  
30 expenditure plan shall be approved by the higher education coordinating  
31 board. The higher education coordinating board shall coordinate the  
32 use of video telecommunications for instruction and instructional  
33 support in postsecondary education, including the review and approval  
34 of instructional telecommunications course offerings.

35 NEW SECTION. **Sec. 905. EMERGENCY FUND ALLOCATIONS**

1           Whenever allocations are made from the governor's emergency fund  
2 appropriation to an agency that is financed in whole or in part by  
3 other than general fund moneys, the director of financial management  
4 may direct the repayment of such allocated amount to the general fund  
5 from any balance in the fund or funds which finance the agency. An  
6 appropriation is not necessary to effect such repayment.

7           NEW SECTION.   **Sec. 906. STATUTORY APPROPRIATIONS**

8           In addition to the amounts appropriated in this act for revenues  
9 for distribution, state contributions to the law enforcement officers'  
10 and fire fighters' retirement system plan 2, and bond retirement and  
11 interest including ongoing bond registration and transfer charges,  
12 transfers, interest on registered warrants, and certificates of  
13 indebtedness, there is also appropriated such further amounts as may be  
14 required or available for these purposes under any statutory formula or  
15 under chapters 39.94 and 39.96 RCW or any proper bond covenant made  
16 under law.

17           NEW SECTION.   **Sec. 907. BOND EXPENSES**

18           In addition to such other appropriations as are made by this act,  
19 there is hereby appropriated to the state finance committee from  
20 legally available bond proceeds in the applicable construction or  
21 building funds and accounts such amounts as are necessary to pay the  
22 expenses incurred in the issuance and sale of the subject bonds.

23           NEW SECTION.   **Sec. 908. VOLUNTARY RETIREMENT, SEPARATION, AND**  
24 **DOWNSHIFTING INCENTIVES**

25           As a management tool to reduce costs and make more effective use of  
26 resources, while improving employee productivity and morale, agencies  
27 may implement a voluntary retirement, separation, and/or downshifting  
28 incentive program that is cost neutral or results in cost savings over  
29 a two-year period following the commencement of the program, provided  
30 that such a program is approved by the director of financial  
31 management. Agencies participating in this authorization may offer  
32 voluntary retirement, separation, and/or downshifting incentives and  
33 options according to procedures and guidelines established by the  
34 office of financial management, in consultation with the department of  
35 personnel and the department of retirement systems. The options may

1 include, but are not limited to, financial incentives for: Voluntary  
2 separation or retirement, voluntary leave without pay, voluntary work  
3 week or work hour reduction, voluntary downward movement, or temporary  
4 separation for development purposes. An employee does not have a  
5 contractual right to a financial incentive offered pursuant to this  
6 section. Offers shall be reviewed and monitored jointly by the  
7 department of personnel and the department of retirement systems.  
8 Agencies are required to submit a report by June 30, 2013, to the  
9 legislature and the office of financial management on the outcome of  
10 their approved incentive program. The report should include  
11 information on the details of the program including the cost of the  
12 incentive per participant, the total cost to the state, and the  
13 projected or actual net dollar savings over the 2011-2013 biennium.

14 NEW SECTION. **Sec. 909. COLLECTIVE BARGAINING AGREEMENTS NOT**  
15 **IMPAIRED**

16 Nothing in this act prohibits the expenditure of any funds by an  
17 agency or institution of the state for benefits guaranteed by any  
18 collective bargaining agreement in effect on the effective date of this  
19 section.

20 NEW SECTION. **Sec. 910. COLLECTIVE BARGAINING AGREEMENTS**

21 The following sections represent the results of the 2011-2013  
22 collective bargaining process required under the provisions of chapters  
23 41.80 and 41.56 RCW. Provisions of the collective bargaining  
24 agreements contained in this act are described in general terms. Only  
25 major economic terms are included in the descriptions. These  
26 descriptions do not contain the complete contents of the agreements.  
27 The collective bargaining agreements or the continuation of terms and  
28 conditions of the 2009-2011 agreements contained in Part IX of this act  
29 may also be funded by expenditures from nonappropriated accounts. If  
30 positions are funded with lidded grants or dedicated fund sources with  
31 insufficient revenue, additional funding from other sources is not  
32 provided.

33 NEW SECTION. **Sec. 911. COLLECTIVE BARGAINING AGREEMENTS--WFSE,**  
34 **TEAMSTERS, UFCW, WAFWP, IFPTE 17, COALITION OF UNIONS**

1           Agreements have been reached between the governor and the following  
2 unions: Washington federation of state employees, teamsters local  
3 union 117, united food and commercial workers, Washington association  
4 of fish and wildlife professionals, international federation of  
5 professional and technical engineers local 17, and the coalition of  
6 unions, under the provisions of chapter 41.80 RCW for the 2011-2013  
7 biennium subject to union internal processes/procedures. Funding is  
8 reduced to reflect a 3.0 percent temporary salary reduction for all  
9 employees making \$2,500 or more per month covered under the agreements  
10 for fiscal years 2012 and 2013 through June 29, 2013. Effective June  
11 30, 2013, the salary schedules effective July 1, 2009, through June 30,  
12 2011 will be reinstated. Temporary salary reduction leave is granted  
13 for the term of the 2011-2013 agreement.

14           NEW SECTION.     **Sec. 912. COLLECTIVE BARGAINING AGREEMENT--SEIU**  
15 **HEALTHCARE 1199NW**

16           An agreement has been reached between the governor and the service  
17 employees international union healthcare 1199nw under the provisions of  
18 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal  
19 processes/procedures. Funding is reduced to reflect 8 days of leave  
20 without pay per year for fiscal years 2012 and 2013.

21           NEW SECTION.     **Sec. 913. COLLECTIVE BARGAINING AGREEMENT--TERMS**  
22 **AND CONDITIONS**

23           No agreements have been reached between the governor and the  
24 following unions: Washington public employees association, Washington  
25 public employees association higher education community college  
26 coalition, Washington federation of state employees higher education  
27 community college coalition, Washington federation of state employees  
28 Central Washington University, Washington federation of state employees  
29 Western Washington University, Washington federation of state employees  
30 The Evergreen State College, and public school employees Western  
31 Washington University, under the provisions of chapter 41.80 RCW for  
32 the 2011-2013 biennium. Appropriations in this act provide funding to  
33 continue the terms and conditions of the 2009-2011 general government  
34 and higher education agreements negotiated by the office of financial  
35 management's labor relations office under the provisions of chapter  
36 41.80 RCW. For fiscal year 2012, appropriations have been reduced in

1 an amount equal to a 3 percent salary reduction for all represented  
2 employees making \$2,500 or more per month. This reduction will be  
3 implemented according to the terms and conditions of the 2009-2011  
4 agreements. For fiscal year 2013, funding is reduced to reflect a 3.0  
5 percent temporary salary reduction for all employees making \$2,500 or  
6 more per month through June 29, 2013. Effective June 30, 2013, the  
7 salary schedules effective July 1, 2009, through June 30, 2011, will be  
8 reinstated. Temporary salary reduction leave is granted for fiscal  
9 year 2013. These changes will be implemented according to law.

10 NEW SECTION. **Sec. 914. COLLECTIVE BARGAINING AGREEMENT--WSP**  
11 **TROOPERS ASSOCIATION**

12 No agreement has been reached between the governor and the  
13 Washington state patrol trooper's association under the provisions of  
14 chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in this  
15 act for the Washington state patrol provide funding to continue the  
16 provisions of the 2009-2011 agreement.

17 NEW SECTION. **Sec. 915. COLLECTIVE BARGAINING AGREEMENT--WSP**  
18 **LIEUTENANTS ASSOCIATION**

19 No agreement has been reached between the governor and the  
20 Washington state patrol lieutenant's association under the provisions  
21 of chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in  
22 this act for the Washington state patrol provide funding to continue  
23 the provisions of the 2009-2011 agreement.

24 NEW SECTION. **Sec. 916. COLLECTIVE BARGAINING AGREEMENT FOR**  
25 **NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS**

26 An agreement has been reached between the governor and the service  
27 employees international union local 925 under the provisions of chapter  
28 41.56 RCW for the 2011-2013 biennium, subject to union internal  
29 processes/procedures. Funding for an increase in the state's health  
30 care contribution for childcare workers is included in the budget.

31 NEW SECTION. **Sec. 917. COLLECTIVE BARGAINING AGREEMENT FOR**  
32 **NONSTATE EMPLOYEES--WSRCC ADULT FAMILY HOMES**

33 Appropriations in this act reflect the collective bargaining  
34 agreement reached between the governor and the Washington state



1 residential care council under the provisions of chapter 41.56 RCW for  
2 the 2011-2013 biennium. For those covered under this agreement,  
3 economic provisions are the same as the terms and conditions in the  
4 2009-2011 agreement.

5 NEW SECTION. **Sec. 918. AGREEMENTS AND TERMS AND CONDITIONS NOT**  
6 **NEGOTIATED BY THE OFFICE OF FINANCIAL MANAGEMENT'S LABOR RELATIONS**  
7 **OFFICE**

8 No agreements under chapter 41.80 RCW have been reached between the  
9 University of Washington, Washington State University, except as  
10 specifically set forth in this act, Eastern Washington University, and  
11 the Yakima Valley community college with their respective exclusive  
12 bargaining representatives under the provisions of chapter 41.80 RCW  
13 for the 2011-2013 biennium. Appropriations in this act provide funding  
14 to continue the terms and conditions of the 2009-2011 agreements. For  
15 fiscal years 2012, appropriations have been reduced in an amount equal  
16 to a 3 percent salary reduction for all represented employees making  
17 \$2,500 or more per month. This reduction will be implemented according  
18 to the terms and conditions of the 2009-2011 agreements. For fiscal  
19 year 2013, funding is reduced in an amount equal to a 3 percent salary  
20 reduction for all represented employees making \$2,500 or more per  
21 month. This reduction will be implemented according to law.

22 NEW SECTION. **Sec. 919. COLLECTIVE BARGAINING AGREEMENT--CENTRAL**  
23 **WASHINGTON UNIVERSITY PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

24 An agreement has been reached between Central Washington University  
25 and the public school employees of Washington under the provisions of  
26 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal  
27 processes/procedures. Funding is reduced to reflect a 3.0 percent  
28 temporary salary reduction for all employees making \$2,500 or more per  
29 month for fiscal years 2012 and 2013 through June 29, 2013. Effective  
30 June 30, 2013, the salary schedules effective July 1, 2009 through June  
31 30, 2011 will be reinstated. Temporary salary reduction leave is  
32 granted for the term of the 2011-2013 agreement.

33 NEW SECTION. **Sec. 920. COLLECTIVE BARGAINING AGREEMENT--**  
34 **WASHINGTON STATE UNIVERSITY POLICE GUILD**

1 An agreement has been reached between Washington State University  
2 and the Washington State University police guild. The financial  
3 provisions of the 2009-2011 remain in place for the 2011-2013 biennium.

4 NEW SECTION. **Sec. 921. COMPENSATION--NONREPRESENTED EMPLOYEES--**  
5 **INSURANCE BENEFITS**

6 Appropriations for state agencies in this act are sufficient for  
7 nonrepresented state employee health benefits for state agencies,  
8 including institutions of higher education, and are subject to the  
9 following conditions and limitations:

10 (1)(a) The monthly employer funding rate for insurance benefit  
11 premiums, public employees' benefits board administration, and the  
12 uniform medical plan, shall not exceed \$850 per eligible employee for  
13 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
14 rate shall not exceed \$850 per eligible employee.

15 (b) In order to achieve the level of funding provided for health  
16 benefits, the public employees' benefits board shall require any or all  
17 of the following: Employee premium copayments, increases in point-of-  
18 service cost sharing, the implementation of managed competition, or  
19 make other changes to benefits consistent with RCW 41.05.065.

20 (c) The health care authority shall deposit any moneys received on  
21 behalf of the uniform medical plan as a result of rebates on  
22 prescription drugs, audits of hospitals, subrogation payments, or any  
23 other moneys recovered as a result of prior uniform medical plan claims  
24 payments, into the public employees' and retirees' insurance account to  
25 be used for insurance benefits. Such receipts shall not be used for  
26 administrative expenditures.

27 (2) The health care authority, subject to the approval of the  
28 public employees' benefits board, shall provide subsidies for health  
29 benefit premiums to eligible retired or disabled public employees and  
30 school district employees who are eligible for medicare, pursuant to  
31 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
32 \$150.00 per month.

33 (3) Technical colleges, school districts, and educational service  
34 districts shall remit to the health care authority for deposit into the  
35 public employees' and retirees' insurance account established in RCW  
36 41.05.120 the following amounts:

1 (a) For each full-time employee, \$67.42 per month beginning  
2 September 1, 2011, and \$68.94 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, \$67.42 each month beginning September 1, 2011, and  
7 \$68.94 beginning September 1, 2012, prorated by the proportion of  
8 employer fringe benefit contributions for a full-time employee that the  
9 part-time employee receives. The remittance requirements specified in  
10 this subsection shall not apply to employees of a technical college,  
11 school district, or educational service district who purchase insurance  
12 benefits through contracts with the health care authority.

13 NEW SECTION. **Sec. 922. COMPENSATION--REPRESENTED EMPLOYEES**  
14 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

15 Appropriations for state agencies in this act are sufficient for  
16 represented employees outside the super coalition for health benefits,  
17 and are subject to the following conditions and limitations:

18 (1)(a) The monthly employer funding rate for insurance benefit  
19 premiums, public employees' benefits board administration, and the  
20 uniform medical plan, shall not exceed \$850 per eligible employee for  
21 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
22 rate shall not exceed \$850 per eligible employee.

23 (b) In order to achieve the level of funding provided for health  
24 benefits, the public employees' benefits board shall require any or all  
25 of the following: Employee premium copayments, increases in point-of-  
26 service cost sharing, the implementation of managed competition, or  
27 make other changes to benefits consistent with RCW 41.05.065.

28 (c) The health care authority shall deposit any moneys received on  
29 behalf of the uniform medical plan as a result of rebates on  
30 prescription drugs, audits of hospitals, subrogation payments, or any  
31 other moneys recovered as a result of prior uniform medical plan claims  
32 payments, into the public employees' and retirees' insurance account to  
33 be used for insurance benefits. Such receipts shall not be used for  
34 administrative expenditures.

35 (2) The health care authority, subject to the approval of the  
36 public employees' benefits board, shall provide subsidies for health  
37 benefit premiums to eligible retired or disabled public employees and

1 school district employees who are eligible for medicare, pursuant to  
2 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
3 \$150.00 per month.

4 (3) Technical colleges, school districts, and educational service  
5 districts shall remit to the health care authority for deposit into the  
6 public employees' and retirees' insurance account established in RCW  
7 41.05.120 the following amounts:

8 (a) For each full-time employee, \$67.42 per month beginning  
9 September 1, 2011, and \$68.94 beginning September 1, 2012;

10 (b) For each part-time employee, who at the time of the remittance  
11 is employed in an eligible position as defined in RCW 41.32.010 or  
12 41.40.010 and is eligible for employer fringe benefit contributions for  
13 basic benefits, \$67.42 each month beginning September 1, 2011, and  
14 \$68.94 beginning September 1, 2012, prorated by the proportion of  
15 employer fringe benefit contributions for a full-time employee that the  
16 part-time employee receives. The remittance requirements specified in  
17 this subsection shall not apply to employees of a technical college,  
18 school district, or educational service district who purchase insurance  
19 benefits through contracts with the health care authority.

20 NEW SECTION. **Sec. 923. COMPENSATION--REPRESENTED EMPLOYEES--**  
21 **SUPER COALITION--INSURANCE BENEFITS**

22 The collective bargaining agreement negotiated with the super  
23 coalition under chapter 41.80 RCW includes employer premiums at 85  
24 percent of the total weighted average of the projected health care  
25 premiums across all plans and tiers. Appropriations in this act for  
26 state agencies, including institutions of higher education are  
27 sufficient to fund state employees health benefits for employees  
28 represented by the super coalition on health benefits, and are subject  
29 to the following conditions and limitations:

30 (1)(a) The monthly employer funding rate for insurance benefit  
31 premiums, public employees' benefits board administration, and the  
32 uniform medical plan, shall not exceed \$850 per eligible employee for  
33 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
34 rate shall not exceed \$850 per eligible employee.

35 (b) In order to achieve the level of funding provided for health  
36 benefits, the public employees' benefits board shall require any or all

1 of the following: Employee premium copayments, increases in point-of-  
2 service cost sharing, the implementation of managed competition, or  
3 make other changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on  
5 behalf of the uniform medical plan as a result of rebates on  
6 prescription drugs, audits of hospitals, subrogation payments, or any  
7 other moneys recovered as a result of prior uniform medical plan claims  
8 payments, into the public employees' and retirees' insurance account to  
9 be used for insurance benefits. Such receipts shall not be used for  
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the  
12 public employees' benefits board, shall provide subsidies for health  
13 benefit premiums to eligible retired or disabled public employees and  
14 school district employees who are eligible for medicare, pursuant to  
15 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
16 \$150.00 per month.

17 NEW SECTION. **Sec. 924. COLLECTIVE BARGAINING AGREEMENTS**

18 For the collective bargaining agreements negotiated with the state  
19 for the 2011-2013 fiscal biennium under chapters 41.56, 41.80, or  
20 74.39A RCW, the governor may request funds necessary to implement the  
21 terms and conditions of an agreement submitted to the office of  
22 financial management after October 1st if that agreement is determined  
23 to be feasible financially to the state by the director of financial  
24 management.

25 NEW SECTION. **Sec. 925.** A new section is added to chapter 41.06  
26 RCW to read as follows:

27 (1) Except as provided in this section, from July 1, 2011, through  
28 June 29, 2013, base salaries are reduced three percent for all state  
29 employees of the executive, legislative, and judicial branches,  
30 including those employees in the Washington management service, and  
31 including exempt employees under this chapter.

32 (2) The following employees of the executive, legislative, and  
33 judicial branches are not subject to subsection (1) of this section:

34 (a) Elected officials whose salaries are set by the commission on  
35 salaries for elected officials;

36 (b) Employees at state institutions of higher education;

1 (c) Certificated employees of the state school for the blind and  
2 the center for childhood deafness and hearing loss;

3 (d) Commissioned officers of the Washington state patrol  
4 represented by the state patrol troopers association and the Washington  
5 state patrol lieutenants association;

6 (e) Represented ferry workers of the Washington state department of  
7 transportation; and

8 (f) Employees whose monthly full-time equivalent salary is less  
9 than two thousand five hundred dollars per month.

10 (3) Except as provided in subsection (4) of this section, if an  
11 employee subject to the three percent salary reduction under subsection  
12 (1) of this section is entitled to leave, the employee will receive  
13 temporary salary reduction leave of up to five and two-tenths hours per  
14 month. The director of the department of personnel shall adopt rules  
15 governing the accrual and use of temporary salary reduction leave for  
16 nonrepresented employees. For represented employees, the accrual and  
17 use of temporary salary reduction leave shall be in accordance with the  
18 provisions of the collective bargaining agreements.

19 (4) If provisions of collective bargaining agreements prevent the  
20 implementation of subsection (1) of this section, agencies of the  
21 executive, legislative, and judicial branches shall achieve a three  
22 percent salary reduction for each employee through employee leave  
23 without pay, mandatory and voluntary temporary layoffs, reduced work  
24 hours, or other actions consistent with collective bargaining  
25 agreements. This subsection does not prohibit an agency from granting  
26 temporary salary reduction leave for employees entitled to leave in  
27 accordance with subsection (3) of this section.

28 (5) Subsection (2) of this section does not prohibit employers of  
29 the executive, legislative, and judicial branches from implementing a  
30 salary reduction for employees exempted under subsection (2) of this  
31 section. Employers of the executive, legislative, and judicial  
32 branches are encouraged to implement a salary reduction for employees  
33 exempted under subsection (2) of this section, except for those  
34 employees whose monthly full-time equivalent salary is less than two  
35 thousand five hundred dollars per month.

36 (6) Subsection (2) of this section does not prohibit elected  
37 officials whose salaries are set by the commission on salaries for

1 elected officials to voluntarily agree to a reduction in salary and  
2 elected officials are encouraged to take such action.

3 (7) This section does not prohibit a state agency or institution  
4 during the 2011-2013 fiscal biennium from instituting reduced work  
5 hours, mandatory or voluntary leave without pay, reductions in  
6 salaries, or temporary layoffs as an integral part of the employer's  
7 expenditure reduction efforts, as certified by the employer. This  
8 subsection must be implemented consistent with collective bargaining  
9 agreements.

10 NEW SECTION. **Sec. 926.** A new section is added to chapter 43.03  
11 RCW to read as follows:

12 (1) From July 1, 2011, through June 29, 2013, any state elected  
13 official of the executive branch may voluntarily reduce his or her  
14 salary from that established pursuant to Article XXVIII, section 1 of  
15 the state Constitution by three percent.

16 (2) The department of personnel and office of financial management  
17 shall develop a form to be used by any state elected official of the  
18 executive branch to execute the salary reduction under subsection (1)  
19 of this section through the state's central personnel payroll system.

20 (3) A voluntary reduction in salary shall be effective and continue  
21 through June 29, 2013, unless the state elected official of the  
22 executive branch directs in writing that the department of personnel  
23 discontinue the reduction.

24 NEW SECTION. **Sec. 927.** (1) Except as provided in this section,  
25 institutions of higher education are to achieve compensation reductions  
26 as specifically set forth in the 2011-2013 fiscal biennium omnibus  
27 appropriations act. For classified employees, the three percent salary  
28 reduction shall be implemented through a temporary salary reduction,  
29 voluntary or mandatory leave without pay, temporary layoffs or  
30 reduction in work hours, or a reduction in the percentage of an  
31 employee's position.

32 (2) Student employees and employees whose monthly full-time  
33 equivalent salary is less than two thousand five hundred dollars per  
34 month are not subject to subsection (1) of this section.

35 (3) This section does not prohibit institutions of higher education

1 from implementing temporary salary reduction leave for employees who  
2 are entitled to leave.

3 **Sec. 928.** RCW 15.76.115 and 2010 1st sp.s. c 37 s 912 are each  
4 amended to read as follows:

5 The fair fund is created in the custody of the state treasury. All  
6 moneys received by the department of agriculture for the purposes of  
7 this fund and from RCW 67.16.105(~~(+4)~~) (7) shall be deposited into the  
8 fund. At the beginning of fiscal year 2002 and each fiscal year  
9 thereafter, the state treasurer shall transfer into the fair fund from  
10 the general fund the sum of two million dollars, except for fiscal year  
11 2011 the state treasurer shall transfer into the fair fund from the  
12 general fund the sum of one million one hundred three thousand dollars  
13 and for the 2011-2013 fiscal biennium the state treasurer shall  
14 transfer into the fair fund from the general fund the sum of one  
15 million two hundred fifty thousand dollars each fiscal year.  
16 Expenditures from the fund may be used only for assisting fairs in the  
17 manner provided in this chapter. Only the director of agriculture or  
18 the director's designee may authorize expenditures from the fund. The  
19 fund is subject to allotment procedures under chapter 43.88 RCW, but no  
20 appropriation is required for expenditures.

21 **Sec. 929.** RCW 41.06.070 and 2010 c 271 s 801, 2010 c 2 s 2, and  
22 2010 c 1 s 1 are each reenacted and amended to read as follows:

23 (1) The provisions of this chapter do not apply to:

24 (a) The members of the legislature or to any employee of, or  
25 position in, the legislative branch of the state government including  
26 members, officers, and employees of the legislative council, joint  
27 legislative audit and review committee, statute law committee, and any  
28 interim committee of the legislature;

29 (b) The justices of the supreme court, judges of the court of  
30 appeals, judges of the superior courts or of the inferior courts, or to  
31 any employee of, or position in the judicial branch of state  
32 government;

33 (c) Officers, academic personnel, and employees of technical  
34 colleges;

35 (d) The officers of the Washington state patrol;

36 (e) Elective officers of the state;



- 1 (f) The chief executive officer of each agency;
- 2 (g) In the departments of employment security and social and health  
3 services, the director and the director's confidential secretary; in  
4 all other departments, the executive head of which is an individual  
5 appointed by the governor, the director, his or her confidential  
6 secretary, and his or her statutory assistant directors;
- 7 (h) In the case of a multimember board, commission, or committee,  
8 whether the members thereof are elected, appointed by the governor or  
9 other authority, serve ex officio, or are otherwise chosen:
- 10 (i) All members of such boards, commissions, or committees;
- 11 (ii) If the members of the board, commission, or committee serve on  
12 a part-time basis and there is a statutory executive officer: The  
13 secretary of the board, commission, or committee; the chief executive  
14 officer of the board, commission, or committee; and the confidential  
15 secretary of the chief executive officer of the board, commission, or  
16 committee;
- 17 (iii) If the members of the board, commission, or committee serve  
18 on a full-time basis: The chief executive officer or administrative  
19 officer as designated by the board, commission, or committee; and a  
20 confidential secretary to the chair of the board, commission, or  
21 committee;
- 22 (iv) If all members of the board, commission, or committee serve ex  
23 officio: The chief executive officer; and the confidential secretary  
24 of such chief executive officer;
- 25 (i) The confidential secretaries and administrative assistants in  
26 the immediate offices of the elective officers of the state;
- 27 (j) Assistant attorneys general;
- 28 (k) Commissioned and enlisted personnel in the military service of  
29 the state;
- 30 (l) Inmate, student, part-time, or temporary employees, and part-  
31 time professional consultants, as defined by the Washington personnel  
32 resources board;
- 33 (m) The public printer or to any employees of or positions in the  
34 state printing plant;
- 35 (n) Officers and employees of the Washington state fruit  
36 commission;
- 37 (o) Officers and employees of the Washington apple commission;

1 (p) Officers and employees of the Washington state dairy products  
2 commission;

3 (q) Officers and employees of the Washington tree fruit research  
4 commission;

5 (r) Officers and employees of the Washington state beef commission;

6 (s) Officers and employees of the Washington grain commission;

7 (t) Officers and employees of any commission formed under chapter  
8 15.66 RCW;

9 (u) Officers and employees of agricultural commissions formed under  
10 chapter 15.65 RCW;

11 ~~((v)) ((Officers and employees of the nonprofit corporation formed  
12 under chapter 67.40 RCW;~~

13 ~~((w))~~) Executive assistants for personnel administration and labor  
14 relations in all state agencies employing such executive assistants  
15 including but not limited to all departments, offices, commissions,  
16 committees, boards, or other bodies subject to the provisions of this  
17 chapter and this subsection shall prevail over any provision of law  
18 inconsistent herewith unless specific exception is made in such law;

19 ~~((x))~~) (w) In each agency with fifty or more employees: Deputy  
20 agency heads, assistant directors or division directors, and not more  
21 than three principal policy assistants who report directly to the  
22 agency head or deputy agency heads;

23 ~~((y))~~) (x) All employees of the marine employees' commission;

24 ~~((z))~~) (y) Staff employed by the department of commerce to  
25 administer energy policy functions;

26 ~~((aa))~~) (z) The manager of the energy facility site evaluation  
27 council;

28 ~~((bb))~~) (aa) A maximum of ten staff employed by the department of  
29 commerce to administer innovation and policy functions, including the  
30 three principal policy assistants exempted under ~~((x))~~) (w) of this  
31 subsection;

32 ~~((cc))~~) (bb) Staff employed by Washington State University to  
33 administer energy education, applied research, and technology transfer  
34 programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5).

35 (2) The following classifications, positions, and employees of  
36 institutions of higher education and related boards are hereby exempted  
37 from coverage of this chapter:

1 (a) Members of the governing board of each institution of higher  
2 education and related boards, all presidents, vice presidents, and  
3 their confidential secretaries, administrative, and personal  
4 assistants; deans, directors, and chairs; academic personnel; and  
5 executive heads of major administrative or academic divisions employed  
6 by institutions of higher education; principal assistants to executive  
7 heads of major administrative or academic divisions; other managerial  
8 or professional employees in an institution or related board having  
9 substantial responsibility for directing or controlling program  
10 operations and accountable for allocation of resources and program  
11 results, or for the formulation of institutional policy, or for  
12 carrying out personnel administration or labor relations functions,  
13 legislative relations, public information, development, senior computer  
14 systems and network programming, or internal audits and investigations;  
15 and any employee of a community college district whose place of work is  
16 one which is physically located outside the state of Washington and who  
17 is employed pursuant to RCW 28B.50.092 and assigned to an educational  
18 program operating outside of the state of Washington;

19 (b) The governing board of each institution, and related boards,  
20 may also exempt from this chapter classifications involving research  
21 activities, counseling of students, extension or continuing education  
22 activities, graphic arts or publications activities requiring  
23 prescribed academic preparation or special training as determined by  
24 the board: PROVIDED, That no nonacademic employee engaged in office,  
25 clerical, maintenance, or food and trade services may be exempted by  
26 the board under this provision;

27 (c) Printing craft employees in the department of printing at the  
28 University of Washington.

29 (3) In addition to the exemptions specifically provided by this  
30 chapter, the director of personnel may provide for further exemptions  
31 pursuant to the following procedures. The governor or other  
32 appropriate elected official may submit requests for exemption to the  
33 director of personnel stating the reasons for requesting such  
34 exemptions. The director of personnel shall hold a public hearing,  
35 after proper notice, on requests submitted pursuant to this subsection.  
36 If the director determines that the position for which exemption is  
37 requested is one involving substantial responsibility for the  
38 formulation of basic agency or executive policy or one involving

1 directing and controlling program operations of an agency or a major  
2 administrative division thereof, the director of personnel shall grant  
3 the request and such determination shall be final as to any decision  
4 made before July 1, 1993. The total number of additional exemptions  
5 permitted under this subsection shall not exceed one percent of the  
6 number of employees in the classified service not including employees  
7 of institutions of higher education and related boards for those  
8 agencies not directly under the authority of any elected public  
9 official other than the governor, and shall not exceed a total of  
10 twenty-five for all agencies under the authority of elected public  
11 officials other than the governor.

12 The salary and fringe benefits of all positions presently or  
13 hereafter exempted except for the chief executive officer of each  
14 agency, full-time members of boards and commissions, administrative  
15 assistants and confidential secretaries in the immediate office of an  
16 elected state official, and the personnel listed in subsections (1)(j)  
17 through ~~((v))~~ (u) and ~~((y))~~ (x) and (2) of this section, shall be  
18 determined by the director of personnel. Changes to the classification  
19 plan affecting exempt salaries must meet the same provisions for  
20 classified salary increases resulting from adjustments to the  
21 classification plan as outlined in RCW 41.06.152.

22 From February 18, 2009, through June 30, ~~((2011))~~ 2013, a salary or  
23 wage increase shall not be granted to any position exempt from  
24 classification under this chapter, except that a salary or wage  
25 increase may be granted to employees pursuant to collective bargaining  
26 agreements negotiated under chapter 28B.52, 41.56, 47.64, or 41.76 RCW,  
27 ~~((or negotiated by the nonprofit corporation formed under chapter 67.40~~  
28 ~~RCW,))~~ and except that increases may be granted for positions for which  
29 the employer has demonstrated difficulty retaining qualified employees  
30 if the following conditions are met:

- 31 (a) The salary increase can be paid within existing resources; and  
32 (b) The salary increase will not adversely impact the provision of  
33 client services.

34 Any agency granting a salary increase from February 15, 2010,  
35 through June 30, 2011, to a position exempt from classification under  
36 this chapter shall submit a report to the fiscal committees of the  
37 legislature no later than July 31, 2011, detailing the positions for

1 which salary increases were granted, the size of the increases, and the  
2 reasons for giving the increases.

3 Any agency granting a salary increase from July 1, 2011, through  
4 June 30, 2013, to a position exempt from classification under this  
5 chapter shall submit a report to the fiscal committees of the  
6 legislature by July 31, 2012, and July 31, 2013, detailing the  
7 positions for which salary increases were granted during the preceding  
8 fiscal year, the size of the increases, and the reasons for giving the  
9 increases.

10 Any person holding a classified position subject to the provisions  
11 of this chapter shall, when and if such position is subsequently  
12 exempted from the application of this chapter, be afforded the  
13 following rights: If such person previously held permanent status in  
14 another classified position, such person shall have a right of  
15 reversion to the highest class of position previously held, or to a  
16 position of similar nature and salary.

17 Any classified employee having civil service status in a classified  
18 position who accepts an appointment in an exempt position shall have  
19 the right of reversion to the highest class of position previously  
20 held, or to a position of similar nature and salary.

21 A person occupying an exempt position who is terminated from the  
22 position for gross misconduct or malfeasance does not have the right of  
23 reversion to a classified position as provided for in this section.

24 From February 15, 2010, until June 30, (~~2011~~) 2013, no monetary  
25 performance-based awards or incentives may be granted by the director  
26 or employers to employees covered by rules adopted under this section.  
27 This subsection does not prohibit the payment of awards provided for in  
28 chapter 41.60 RCW.

29 From July 1, 2011, until June 30, 2013, no performance-based awards  
30 or incentives may be granted by the director or employers to employees  
31 pursuant to a performance management confirmation granted by the  
32 department of personnel under WAC 357-37-055.

33 **Sec. 930.** RCW 41.06.133 and 2010 c 2 s 3 and 2010 c 1 s 2 are each  
34 reenacted and amended to read as follows:

35 (1) The director shall adopt rules, consistent with the purposes  
36 and provisions of this chapter and with the best standards of personnel  
37 administration, regarding the basis and procedures to be followed for:

- 1 (a) The reduction, dismissal, suspension, or demotion of an  
2 employee;
- 3 (b) Training and career development;
- 4 (c) Probationary periods of six to twelve months and rejections of  
5 probationary employees, depending on the job requirements of the class,  
6 except that entry level state park rangers shall serve a probationary  
7 period of twelve months;
- 8 (d) Transfers;
- 9 (e) Promotional preferences;
- 10 (f) Sick leaves and vacations;
- 11 (g) Hours of work;
- 12 (h) Layoffs when necessary and subsequent reemployment, except for  
13 the financial basis for layoffs;
- 14 (i) The number of names to be certified for vacancies;
- 15 (j) Adoption and revision of a state salary schedule to reflect the  
16 prevailing rates in Washington state private industries and other  
17 governmental units. The rates in the salary schedules or plans shall  
18 be increased if necessary to attain comparable worth under an  
19 implementation plan under RCW 41.06.155 and, for institutions of higher  
20 education and related boards, shall be competitive for positions of a  
21 similar nature in the state or the locality in which an institution of  
22 higher education or related board is located. Such adoption and  
23 revision is subject to approval by the director of financial management  
24 in accordance with chapter 43.88 RCW;
- 25 (k) Increment increases within the series of steps for each pay  
26 grade based on length of service for all employees whose standards of  
27 performance are such as to permit them to retain job status in the  
28 classified service. From February 18, 2009, through June 30, ((2011))  
29 2013, a salary or wage increase shall not be granted to any exempt  
30 position under this chapter, except that a salary or wage increase may  
31 be granted to employees pursuant to collective bargaining agreements  
32 negotiated under chapter 28B.52, 41.56, 47.64, or 41.76 RCW, ((~~or~~  
33 ~~negotiated by the nonprofit corporation formed under chapter 67.40~~  
34 ~~RCW~~)) and except that increases may be granted for positions for which  
35 the employer has demonstrated difficulty retaining qualified employees  
36 if the following conditions are met:
- 37 (i) The salary increase can be paid within existing resources; and

1 (ii) The salary increase will not adversely impact the provision of  
2 client services;

3 Any agency granting a salary increase from February 15, 2010,  
4 through June 30, 2011, to a position exempt under this chapter shall  
5 submit a report to the fiscal committees of the legislature no later  
6 than July 31, 2011, detailing the positions for which salary increases  
7 were granted, the size of the increases, and the reasons for giving the  
8 increases;

9 Any agency granting a salary increase from July 1, 2011, through  
10 June 30, 2013, to a position exempt under this chapter shall submit a  
11 report to the fiscal committees of the legislature by July 31, 2012,  
12 and July 31, 2013, detailing the positions for which salary increases  
13 were granted during the preceding fiscal year, the size of the  
14 increases, and the reasons for giving the increases;

15 (l) Optional lump sum relocation compensation approved by the  
16 agency director, whenever it is reasonably necessary that a person make  
17 a domiciliary move in accepting a transfer or other employment with the  
18 state. An agency must provide lump sum compensation within existing  
19 resources. If the person receiving the relocation payment terminates  
20 or causes termination with the state, for reasons other than layoff,  
21 disability separation, or other good cause as determined by an agency  
22 director, within one year of the date of the employment, the state is  
23 entitled to reimbursement of the lump sum compensation from the person;

24 (m) Providing for veteran's preference as required by existing  
25 statutes, with recognition of preference in regard to layoffs and  
26 subsequent reemployment for veterans and their surviving spouses by  
27 giving such eligible veterans and their surviving spouses additional  
28 credit in computing their seniority by adding to their unbroken state  
29 service, as defined by the director, the veteran's service in the  
30 military not to exceed five years. For the purposes of this section,  
31 "veteran" means any person who has one or more years of active military  
32 service in any branch of the armed forces of the United States or who  
33 has less than one year's service and is discharged with a disability  
34 incurred in the line of duty or is discharged at the convenience of the  
35 government and who, upon termination of such service, has received an  
36 honorable discharge, a discharge for physical reasons with an honorable  
37 record, or a release from active military service with evidence of  
38 service other than that for which an undesirable, bad conduct, or

1 dishonorable discharge shall be given. However, the surviving spouse  
2 of a veteran is entitled to the benefits of this section regardless of  
3 the veteran's length of active military service. For the purposes of  
4 this section, "veteran" does not include any person who has voluntarily  
5 retired with twenty or more years of active military service and whose  
6 military retirement pay is in excess of five hundred dollars per month.

7 (2) Rules adopted under this section by the director shall provide  
8 for local administration and management by the institutions of higher  
9 education and related boards, subject to periodic audit and review by  
10 the director.

11 (3) Rules adopted by the director under this section may be  
12 superseded by the provisions of a collective bargaining agreement  
13 negotiated under RCW 41.80.001 and 41.80.010 through 41.80.130. The  
14 supersession of such rules shall only affect employees in the  
15 respective collective bargaining units.

16 (4)(a) The director shall require that each state agency report  
17 annually the following data:

18 (i) The number of classified, Washington management service, and  
19 exempt employees in the agency and the change compared to the previous  
20 report;

21 (ii) The number of bonuses and performance-based incentives awarded  
22 to agency staff and the base wages of such employees; and

23 (iii) The cost of each bonus or incentive awarded.

24 (b) A report that compiles the data in (a) of this subsection for  
25 all agencies will be provided annually to the governor and the  
26 appropriate committees of the legislature and must be posted for the  
27 public on the department of personnel's agency web site.

28 (5) From February 15, 2010, until June 30, (~~2011~~) 2013, no  
29 monetary performance-based awards or incentives may be granted by the  
30 director or employers to employees covered by rules adopted under this  
31 section. This subsection does not prohibit the payment of awards  
32 provided for in chapter 41.60 RCW.

33 From July 1, 2011, until June 30, 2013, no performance-based awards  
34 or incentives may be granted by the director or employers to employees  
35 pursuant to a performance management confirmation granted by the  
36 department of personnel under WAC 357-37-055.



1           **Sec. 931.** RCW 41.06.500 and 2010 c 2 s 4 and 2010 c 1 s 3 are each  
2 reenacted and amended to read as follows:

3           (1) Except as provided in RCW 41.06.070, notwithstanding any other  
4 provisions of this chapter, the director is authorized to adopt, after  
5 consultation with state agencies and employee organizations, rules for  
6 managers as defined in RCW 41.06.022. These rules shall not apply to  
7 managers employed by institutions of higher education or related boards  
8 or whose positions are exempt. The rules shall govern recruitment,  
9 appointment, classification and allocation of positions, examination,  
10 training and career development, hours of work, probation,  
11 certification, compensation, transfer, affirmative action, promotion,  
12 layoff, reemployment, performance appraisals, discipline, and any and  
13 all other personnel practices for managers. These rules shall be  
14 separate from rules adopted for other employees, and to the extent that  
15 the rules adopted under this section apply only to managers shall take  
16 precedence over rules adopted for other employees, and are not subject  
17 to review by the board.

18           (2) In establishing rules for managers, the director shall adhere  
19 to the following goals:

20           (a) Development of a simplified classification system that  
21 facilitates movement of managers between agencies and promotes upward  
22 mobility;

23           (b) Creation of a compensation system that provides flexibility in  
24 setting and changing salaries, and shall require review and approval by  
25 the director in the case of any salary changes greater than five  
26 percent proposed for any group of employees;

27           (c) Establishment of a performance appraisal system that emphasizes  
28 individual accountability for program results and efficient management  
29 of resources; effective planning, organization, and communication  
30 skills; valuing and managing workplace diversity; development of  
31 leadership and interpersonal abilities; and employee development;

32           (d) Strengthening management training and career development  
33 programs that build critical management knowledge, skills, and  
34 abilities; focusing on managing and valuing workplace diversity;  
35 empowering employees by enabling them to share in workplace decision  
36 making and to be innovative, willing to take risks, and able to accept  
37 and deal with change; promoting a workplace where the overall focus is

1 on the recipient of the government services and how these services can  
2 be improved; and enhancing mobility and career advancement  
3 opportunities;

4 (e) Permitting flexible recruitment and hiring procedures that  
5 enable agencies to compete effectively with other employers, both  
6 public and private, for managers with appropriate skills and training;  
7 allowing consideration of all qualified candidates for positions as  
8 managers; and achieving affirmative action goals and diversity in the  
9 workplace;

10 (f) Providing that managers may only be reduced, dismissed,  
11 suspended, or demoted for cause; and

12 (g) Facilitating decentralized and regional administration.

13 (3) From February 18, 2009, through June 30, (~~2011~~) 2013, a  
14 salary or wage increase shall not be granted to any position under this  
15 section, except that increases may be granted for positions for which  
16 the employer has demonstrated difficulty retaining qualified employees  
17 if the following conditions are met:

- 18 (a) The salary increase can be paid within existing resources; and
- 19 (b) The salary increase will not adversely impact the provision of  
20 client services.

21 Any agency granting a salary increase from February 15, 2010,  
22 through June 30, 2011, to a position under this section shall submit a  
23 report to the fiscal committees of the legislature no later than July  
24 31, 2011, detailing the positions for which salary increases were  
25 granted, the size of the increases, and the reasons for giving the  
26 increases.

27 Any agency granting a salary increase from July 1, 2011, through  
28 June 30, 2013, to a position under this section shall submit a report  
29 to the fiscal committees of the legislature by July 31, 2012, and July  
30 31, 2013, detailing the positions for which salary increases were  
31 granted during the preceding fiscal year, the size of the increases,  
32 and the reasons for giving the increases.

33 (4) From February 15, 2010, until June 30, (~~2011~~) 2013, no  
34 monetary performance-based awards or growth and development progression  
35 adjustments may be granted by the director or employers to the  
36 Washington management service employees covered by the rules adopted  
37 under this section. This subsection does not prohibit the payment of  
38 awards provided for in chapter 41.60 RCW.

1 From July 1, 2011, until June 30, 2013, no performance-based awards  
2 or incentives may be granted by the director or employers to employees  
3 pursuant to a performance management confirmation granted by the  
4 department of personnel under WAC 357-37-055.

5 **Sec. 932.** RCW 43.03.030 and 2010 c 1 s 4 are each amended to read  
6 as follows:

7 (1) Wherever the compensation of any appointive state officer or  
8 employee is fixed by statute, it may be hereafter increased or  
9 decreased in the manner provided by law for the fixing of compensation  
10 of other appointive state officers or employees; but this subsection  
11 shall not apply to the heads of state departments.

12 (2) Wherever the compensation of any state officer appointed by the  
13 governor, or of any employee in any office or department under the  
14 control of any such officer, is fixed by statute, such compensation may  
15 hereafter, from time to time, be changed by the governor, and he or she  
16 shall have power to fix such compensation at any amount not to exceed  
17 the amount fixed by statute.

18 (3) From February 18, 2009, through June 30, (~~2011~~) 2013, a  
19 salary or wage increase shall not be granted to any position under this  
20 section, except that increases may be granted for positions for which  
21 the employer has demonstrated difficulty retaining qualified employees  
22 if the following conditions are met:

23 (a) The salary increase can be paid within existing resources; and

24 (b) The salary increase will not adversely impact the provision of  
25 client services.

26 Any agency granting a salary increase from February 15, 2010,  
27 through June 30, 2011, to a position exempt under this section shall  
28 submit a report to the fiscal committees of the legislature no later  
29 than July 31, 2011, detailing the positions for which salary increases  
30 were granted, the size of the increases, and the reasons for giving the  
31 increases.

32 Any agency granting a salary increase from July 1, 2011, through  
33 June 30, 2013, to a position exempt under this section shall submit a  
34 report to the fiscal committees of the legislature by July 31, 2012,  
35 and July 31, 2013, detailing the positions for which salary increases  
36 were granted during the preceding fiscal year, the size of the  
37 increases, and the reasons for giving the increases.

1       **Sec. 933.** RCW 43.03.040 and 2010 1st sp.s. c 7 s 5 and 2010 c 1 s  
2 5 are each reenacted and amended to read as follows:

3       The directors of the several departments and members of the several  
4 boards and commissions, whose salaries are fixed by the governor and  
5 the chief executive officers of the agencies named in RCW 43.03.028(1)  
6 as now or hereafter amended shall each severally receive such salaries,  
7 payable in monthly installments, as shall be fixed by the governor or  
8 the appropriate salary fixing authority, in an amount not to exceed the  
9 recommendations of the department of personnel. From February 18,  
10 2009, through June 30, (~~2011~~) 2013, a salary or wage increase shall  
11 not be granted to any position under this section, except that  
12 increases may be granted for positions for which the employer has  
13 demonstrated difficulty retaining qualified employees if the following  
14 conditions are met:

- 15       (1) The salary increase can be paid within existing resources; and  
16       (2) The salary increase will not adversely impact the provision  
17 (~~{of}~~) of client services.

18       Any agency granting a salary increase from February 15, 2010,  
19 through June 30, 2011, to a position under this section shall submit a  
20 report to the fiscal committees of the legislature no later than July  
21 31, 2011, detailing the positions for which salary increases were  
22 granted, the size of the increases, and the reasons for giving the  
23 increases.

24       Any agency granting a salary increase from July 1, 2011, through  
25 June 30, 2013, to a position under this section shall submit a report  
26 to the fiscal committees of the legislature by July 31, 2012, and July  
27 31, 2013, detailing the positions for which salary increases were  
28 granted during the preceding fiscal year, the size of the increases,  
29 and the reasons for giving the increases.

30       **Sec. 934.** RCW 41.60.150 and 2010 c 1 s 6 are each amended to read  
31 as follows:

32       Other than suggestion awards and incentive pay unit awards,  
33 agencies shall have the authority to recognize employees, either  
34 individually or as a class, for accomplishments including outstanding  
35 achievements, safety performance, longevity, outstanding public  
36 service, or service as employee suggestion evaluators and implementors.  
37 Recognition awards may not exceed two hundred dollars in value per

1 award. Such awards may include, but not be limited to, cash or such  
2 items as pen and desk sets, plaques, pins, framed certificates, clocks,  
3 and calculators. Award costs shall be paid by the agency giving the  
4 award. From February 15, 2010, through June 30, (~~2011~~) 2013,  
5 recognition awards may not be given in the form of cash or cash  
6 equivalents such as gift certificates or gift cards.

7 NEW SECTION. **Sec. 935.** (1) Notwithstanding sections 928 through  
8 932 of this act, during the 2011-2013 fiscal biennium institutions of  
9 higher education may grant a wage or salary increase for additional  
10 academic responsibilities during the summer quarter if the following  
11 conditions are met:

- 12 (a) The salary increase can be paid within existing resources; and  
13 (b) The salary increase will not adversely impact the provision of  
14 client services.

15 (2) Any institution granting a wage or salary increase under this  
16 section from July 1, 2011, through June 30, 2013, shall submit a report  
17 to the fiscal committees of the legislature by July 31, 2012, and July  
18 31, 2013, detailing the positions for which salary increases were  
19 granted, the size of the increases, and the reasons for giving the  
20 increases.

21 **Sec. 936.** RCW 41.06.560 and 2010 c 2 s 6 are each amended to read  
22 as follows:

23 From February 15, 2010, until June 30, (~~2011~~) 2013, no monetary  
24 performance-based awards or incentives may be granted by the director  
25 or employers to employees covered by rules adopted under this section.  
26 This section does not prohibit the payment of awards provided for in  
27 chapter 41.60 RCW.

28 From July 1, 2011, until June 30, 2013, no performance-based awards  
29 or incentives may be granted by the director or employers to employees  
30 pursuant to a performance management confirmation granted by the  
31 department of personnel under WAC 357-37-055.

32 **Sec. 937.** RCW 41.50.110 and 2009 c 564 s 924 are each amended to  
33 read as follows:

34 (1) Except as provided by RCW 41.50.255 and subsection (6) of this  
35 section, all expenses of the administration of the department, the

1 expenses of administration of the retirement systems, and the expenses  
2 of the administration of the office of the state actuary created in  
3 chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43,  
4 and 44.44 RCW shall be paid from the department of retirement systems  
5 expense fund.

6 (2) In order to reimburse the department of retirement systems  
7 expense fund on an equitable basis the department shall ascertain and  
8 report to each employer, as defined in RCW 41.26.030, 41.32.010,  
9 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its  
10 proportional share of the entire expense of the administration of the  
11 retirement system that the employer participates in during the ensuing  
12 biennium or fiscal year whichever may be required. Such sum is to be  
13 computed in an amount directly proportional to the estimated entire  
14 expense of the administration as the ratio of monthly salaries of the  
15 employer's members bears to the total salaries of all members in the  
16 entire system. It shall then be the duty of all such employers to  
17 include in their budgets or otherwise provide the amounts so required.

18 (3) The department shall compute and bill each employer, as defined  
19 in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the  
20 end of each month for the amount due for that month to the department  
21 of retirement systems expense fund and the same shall be paid as are  
22 its other obligations. Such computation as to each employer shall be  
23 made on a percentage rate of salary established by the department.  
24 However, the department may at its discretion establish a system of  
25 billing based upon calendar year quarters in which event the said  
26 billing shall be at the end of each such quarter.

27 (4) The director may adjust the expense fund contribution rate for  
28 each system at any time when necessary to reflect unanticipated costs  
29 or savings in administering the department.

30 (5) An employer who fails to submit timely and accurate reports to  
31 the department may be assessed an additional fee related to the  
32 increased costs incurred by the department in processing the deficient  
33 reports. Fees paid under this subsection shall be deposited in the  
34 retirement system expense fund.

35 (a) Every six months the department shall determine the amount of  
36 an employer's fee by reviewing the timeliness and accuracy of the  
37 reports submitted by the employer in the preceding six months. If

1 those reports were not both timely and accurate the department may  
2 prospectively assess an additional fee under this subsection.

3 (b) An additional fee assessed by the department under this  
4 subsection shall not exceed fifty percent of the standard fee.

5 (c) The department shall adopt rules implementing this section.

6 (6) Expenses other than those under RCW 41.34.060(3) shall be paid  
7 pursuant to subsection (1) of this section.

8 (7) During the (~~2007-2009 and~~) 2009-2011 and 2011-2013 fiscal  
9 biennia, the legislature may transfer from the department of retirement  
10 systems' expense fund to the state general fund such amounts as reflect  
11 the excess fund balance of the fund.

12 **Sec. 938.** RCW 41.80.010 and 2010 c 104 s 1 are each amended to  
13 read as follows:

14 (1) For the purpose of negotiating collective bargaining agreements  
15 under this chapter, the employer shall be represented by the governor  
16 or governor's designee, except as provided for institutions of higher  
17 education in subsection (4) of this section.

18 (2)(a) If an exclusive bargaining representative represents more  
19 than one bargaining unit, the exclusive bargaining representative shall  
20 negotiate with each employer representative as designated in subsection  
21 (1) of this section one master collective bargaining agreement on  
22 behalf of all the employees in bargaining units that the exclusive  
23 bargaining representative represents. For those exclusive bargaining  
24 representatives who represent fewer than a total of five hundred  
25 employees each, negotiation shall be by a coalition of all those  
26 exclusive bargaining representatives. The coalition shall bargain for  
27 a master collective bargaining agreement covering all of the employees  
28 represented by the coalition. The governor's designee and the  
29 exclusive bargaining representative or representatives are authorized  
30 to enter into supplemental bargaining of agency-specific issues for  
31 inclusion in or as an addendum to the master collective bargaining  
32 agreement, subject to the parties' agreement regarding the issues and  
33 procedures for supplemental bargaining. This section does not prohibit  
34 cooperation and coordination of bargaining between two or more  
35 exclusive bargaining representatives.

36 (b) This subsection (2) does not apply to exclusive bargaining  
37 representatives who represent employees of institutions of higher

1 education, except when the institution of higher education has elected  
2 to exercise its option under subsection (4) of this section to have its  
3 negotiations conducted by the governor or governor's designee under the  
4 procedures provided for general government agencies in subsections (1)  
5 through (3) of this section.

6 (c) If five hundred or more employees of an independent state  
7 elected official listed in RCW 43.01.010 are organized in a bargaining  
8 unit or bargaining units under RCW 41.80.070, the official shall be  
9 consulted by the governor or the governor's designee before any  
10 agreement is reached under (a) of this subsection concerning  
11 supplemental bargaining of agency specific issues affecting the  
12 employees in such bargaining unit.

13 (3) The governor shall submit a request for funds necessary to  
14 implement the compensation and fringe benefit provisions in the master  
15 collective bargaining agreement or for legislation necessary to  
16 implement the agreement. Requests for funds necessary to implement the  
17 provisions of bargaining agreements shall not be submitted to the  
18 legislature by the governor unless such requests:

19 (a) Have been submitted to the director of the office of financial  
20 management by October 1 prior to the legislative session at which the  
21 requests are to be considered; and

22 (b) Have been certified by the director of the office of financial  
23 management as being feasible financially for the state.

24 The legislature shall approve or reject the submission of the  
25 request for funds as a whole. The legislature shall not consider a  
26 request for funds to implement a collective bargaining agreement unless  
27 the request is transmitted to the legislature as part of the governor's  
28 budget document submitted under RCW 43.88.030 and 43.88.060. If the  
29 legislature rejects or fails to act on the submission, either party may  
30 reopen all or part of the agreement or the exclusive bargaining  
31 representative may seek to implement the procedures provided for in RCW  
32 41.80.090.

33 (4)(a)(i) For the purpose of negotiating agreements for  
34 institutions of higher education, the employer shall be the respective  
35 governing board of each of the universities, colleges, or community  
36 colleges or a designee chosen by the board to negotiate on its behalf.

37 (ii) A governing board of a university or college may elect to have



1 its negotiations conducted by the governor or governor's designee under  
2 the procedures provided for general government agencies in subsections  
3 (1) through (3) of this section, except that:

4 (A) The governor or the governor's designee and an exclusive  
5 bargaining representative shall negotiate one master collective  
6 bargaining agreement for all of the bargaining units of employees of a  
7 university or college that the representative represents; or

8 (B) If the parties mutually agree, the governor or the governor's  
9 designee and an exclusive bargaining representative shall negotiate one  
10 master collective bargaining agreement for all of the bargaining units  
11 of employees of more than one university or college that the  
12 representative represents.

13 (iii) A governing board of a community college may elect to have  
14 its negotiations conducted by the governor or governor's designee under  
15 the procedures provided for general government agencies in subsections  
16 (1) through (3) of this section.

17 (b) Prior to entering into negotiations under this chapter, the  
18 institutions of higher education or their designees shall consult with  
19 the director of the office of financial management regarding financial  
20 and budgetary issues that are likely to arise in the impending  
21 negotiations.

22 (c)(i) If appropriations are necessary to implement the  
23 compensation and fringe benefit provisions of the bargaining agreements  
24 reached between institutions of higher education and exclusive  
25 bargaining representatives agreed to under the provisions of this  
26 chapter, the governor shall submit a request for such funds to the  
27 legislature according to the provisions of subsection (3) of this  
28 section, except as provided in (c)(ii) of this subsection.

29 (ii) In the case of a bargaining unit of employees of institutions  
30 of higher education in which the exclusive bargaining representative is  
31 certified during or after the conclusion of a legislative session, the  
32 legislature may act upon the compensation and fringe benefit provisions  
33 of the unit's initial collective bargaining agreement if those  
34 provisions are agreed upon and submitted to the office of financial  
35 management and legislative budget committees before final legislative  
36 action on the biennial or supplemental operating budget by the sitting  
37 legislature.

1 (5) There is hereby created a joint committee on employment  
2 relations, which consists of two members with leadership positions in  
3 the house of representatives, representing each of the two largest  
4 caucuses; the chair and ranking minority member of the house  
5 appropriations committee, or its successor, representing each of the  
6 two largest caucuses; two members with leadership positions in the  
7 senate, representing each of the two largest caucuses; and the chair  
8 and ranking minority member of the senate ways and means committee, or  
9 its successor, representing each of the two largest caucuses. The  
10 governor shall periodically consult with the committee regarding  
11 appropriations necessary to implement the compensation and fringe  
12 benefit provisions in the master collective bargaining agreements, and  
13 upon completion of negotiations, advise the committee on the elements  
14 of the agreements and on any legislation necessary to implement the  
15 agreements.

16 (6) If, after the compensation and fringe benefit provisions of an  
17 agreement are approved by the legislature, a significant revenue  
18 shortfall occurs resulting in reduced appropriations, as declared by  
19 proclamation of the governor or by resolution of the legislature, both  
20 parties shall immediately enter into collective bargaining for a  
21 mutually agreed upon modification of the agreement.

22 (7) After the expiration date of a collective bargaining agreement  
23 negotiated under this chapter, all of the terms and conditions  
24 specified in the collective bargaining agreement remain in effect until  
25 the effective date of a subsequently negotiated agreement, not to  
26 exceed one year from the expiration date stated in the agreement.  
27 Thereafter, the employer may unilaterally implement according to law.

28 (8) For the 2011-2013 fiscal biennium, a collective bargaining  
29 agreement related to employee health care benefits negotiated between  
30 the employer and coalition pursuant to RCW 41.80.020(3) regarding the  
31 dollar amount expended on behalf of each employee shall be a separate  
32 agreement for which the governor may request funds necessary to  
33 implement the agreement. If such an agreement is negotiated and funded  
34 by the legislature, this agreement will supersede any terms and  
35 conditions of an expired 2009-2011 biennial master collective  
36 bargaining agreement under this chapter regarding health care benefits.

1           **Sec. 939.** RCW 41.80.020 and 2010 c 283 s 16 are each amended to  
2 read as follows:

3           (1) Except as otherwise provided in this chapter, the matters  
4 subject to bargaining include wages, hours, and other terms and  
5 conditions of employment, and the negotiation of any question arising  
6 under a collective bargaining agreement.

7           (2) The employer is not required to bargain over matters pertaining  
8 to:

9           (a) Health care benefits or other employee insurance benefits,  
10 except as required in subsection (3) of this section;

11           (b) Any retirement system or retirement benefit; or

12           (c) Rules of the director of personnel or the Washington personnel  
13 resources board adopted under section 203, chapter 354, Laws of 2002.

14           (3) Matters subject to bargaining include the number of names to be  
15 certified for vacancies, promotional preferences, and the dollar amount  
16 expended on behalf of each employee for health care benefits. However,  
17 except as provided otherwise in this subsection for institutions of  
18 higher education, negotiations regarding the number of names to be  
19 certified for vacancies, promotional preferences, and the dollar amount  
20 expended on behalf of each employee for health care benefits shall be  
21 conducted between the employer and one coalition of all the exclusive  
22 bargaining representatives subject to this chapter. The exclusive  
23 bargaining representatives for employees that are subject to chapter  
24 47.64 RCW shall bargain the dollar amount expended on behalf of each  
25 employee for health care benefits with the employer as part of the  
26 coalition under this subsection. Any such provision agreed to by the  
27 employer and the coalition shall be included in all master collective  
28 bargaining agreements negotiated by the parties. For institutions of  
29 higher education, promotional preferences and the number of names to be  
30 certified for vacancies shall be bargained under the provisions of RCW  
31 41.80.010(4). For agreements covering the 2011-2013 fiscal biennium,  
32 any agreement between the employer and the coalition regarding the  
33 dollar amount expended on behalf of each employee for health care  
34 benefits is a separate agreement and shall not be included in the  
35 master collective bargaining agreements negotiated by the parties.

36           (4) The employer and the exclusive bargaining representative shall  
37 not agree to any proposal that would prevent the implementation of  
38 approved affirmative action plans or that would be inconsistent with

1 the comparable worth agreement that provided the basis for the salary  
2 changes implemented beginning with the 1983-1985 biennium to achieve  
3 comparable worth.

4 (5) The employer and the exclusive bargaining representative shall  
5 not bargain over matters pertaining to management rights established in  
6 RCW 41.80.040.

7 (6) Except as otherwise provided in this chapter, if a conflict  
8 exists between an executive order, administrative rule, or agency  
9 policy relating to wages, hours, and terms and conditions of employment  
10 and a collective bargaining agreement negotiated under this chapter,  
11 the collective bargaining agreement shall prevail. A provision of a  
12 collective bargaining agreement that conflicts with the terms of a  
13 statute is invalid and unenforceable.

14 (7) This section does not prohibit bargaining that affects  
15 contracts authorized by RCW 41.06.142.

16 **Sec. 940.** RCW 43.08.190 and 2010 c 222 s 3 are each amended to  
17 read as follows:

18 There is hereby created a fund within the state treasury to be  
19 known as the "state treasurer's service fund." Such fund shall be used  
20 solely for the payment of costs and expenses incurred in the operation  
21 and administration of the state treasurer's office.

22 Moneys shall be allocated monthly and placed in the state  
23 treasurer's service fund equivalent to a maximum of one percent of the  
24 trust and treasury average daily cash balances from the earnings  
25 generated under the authority of RCW 43.79A.040 and 43.84.080 other  
26 than earnings generated from investment of balances in funds and  
27 accounts specified in RCW 43.79A.040(4)(c). The allocation shall  
28 precede the distribution of the remaining earnings as prescribed under  
29 RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a  
30 uniform allocation rate for all funds and accounts; except that the  
31 state treasurer may negotiate a different allocation rate with any  
32 state agency that has independent authority over funds not statutorily  
33 required to be held in the state treasury or in the custody of the  
34 state treasurer. In no event shall the rate be less than the actual  
35 costs incurred by the state treasurer's office. If no rate is  
36 separately negotiated, the default rate for any funds held shall be the  
37 rate set for funds held pursuant to statute.

1        During the 2009-2011 fiscal biennium and the 2011-2013 fiscal  
2 biennium, the legislature may transfer from the state treasurer's  
3 service fund to the state general fund such amounts as reflect the  
4 excess fund balance of the fund.

5        **Sec. 941.** RCW 43.09.412 and 1995 c 301 s 26 are each amended to  
6 read as follows:

7        The amounts to be disbursed from the auditing services revolving  
8 account shall be paid from funds appropriated to any and all state  
9 agencies for auditing services or administrative expenses. State  
10 agencies operating in whole or in part from nonappropriated funds shall  
11 pay into the auditing services revolving account such funds as will  
12 fully reimburse funds appropriated to the state auditor for auditing  
13 services provided. During the 2011-2013 fiscal biennium, funds shall  
14 not be appropriated into the auditing services revolving account and  
15 state agencies operating in whole or in part from nonappropriated funds  
16 shall not pay into the auditing services revolving account. During the  
17 2011-2013 fiscal biennium, the performance audit of state government  
18 account is the sole source of funding for auditing services provided to  
19 state agencies by the state auditor.

20        The director of financial management shall allot all such funds to  
21 the state auditor for the operation of his or her office, pursuant to  
22 appropriation, in the same manner as appropriated funds are allocated  
23 to other state agencies headed by elected officers under chapter 43.88  
24 RCW.

25        **Sec. 942.** RCW 43.09.475 and 2009 c 564 s 929 are each amended to  
26 read as follows:

27        The performance audits of government account is hereby created in  
28 the custody of the state treasurer. Revenue identified in RCW  
29 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money  
30 in the account shall be used to fund the performance audits and follow-  
31 up performance audits under RCW 43.09.470 and shall be expended by the  
32 state auditor in accordance with chapter 1, Laws of 2006. Only the  
33 state auditor or the state auditor's designee may authorize  
34 expenditures from the account. The account is subject to allotment  
35 procedures under chapter 43.88 RCW, but an appropriation is not  
36 required for expenditures. During the 2009-2011 fiscal biennium, the

1 legislature may transfer from the performance audits of government  
2 account to the state general fund such amounts as deemed to be  
3 appropriate or necessary. During 2011-2013 fiscal biennium, the  
4 performance audit of state government account shall be the sole source  
5 of funding for auditing services provided to state agencies by the  
6 state auditor. Required auditing services for state agencies to be  
7 performed in the 2011-2013 fiscal biennium includes work to complete  
8 the annual audit of the state's comprehensive annual financial report  
9 and the annual federal single audit consistent with the auditing  
10 standards generally accepted in the United States and the standards  
11 applicable to financial audits contained in government auditing  
12 standards, issued by the comptroller general of the United States, and  
13 audits of state agencies, audits of nonprofit organizations that  
14 receive funds or contract with state agencies in accordance with OMB  
15 circular A-133, audits of school programs, and audits under the  
16 whistleblower act, chapter 42.40 RCW, for state agencies. In addition,  
17 during the 2011-2013 fiscal biennium the account may be used to fund  
18 the office of financial management's contract for the compliance audit  
19 of the state auditor.

20 **Sec. 943.** RCW 43.19.501 and 2009 c 564 s 932 are each amended to  
21 read as follows:

22 The Thurston county capital facilities account is created in the  
23 state treasury. The account is subject to the appropriation and  
24 allotment procedures under chapter 43.88 RCW. Moneys in the account  
25 may be expended for capital projects in facilities owned and managed by  
26 the department of general administration in Thurston county. For the  
27 2007-2009 biennium, moneys in the account may be used for predesign  
28 identified in section 1037, chapter 328, Laws of 2008.

29 During the 2009-2011 and 2011-2013 fiscal (~~(biennium)~~) biennia, the  
30 legislature may transfer from the Thurston county capital facilities  
31 account to the state general fund such amounts as reflect the excess  
32 fund balance of the account.

33 **Sec. 944.** RCW 43.79.201 and 2009 c 564 s 935 are each amended to  
34 read as follows:

35 (1) The charitable, educational, penal and reformatory institutions  
36 account is hereby created, in the state treasury, into which account

1 there shall be deposited all moneys arising from the sale, lease or  
2 transfer of the land granted by the United States government to the  
3 state for charitable, educational, penal and reformatory institutions  
4 by section 17 of the enabling act, or otherwise set apart for such  
5 institutions, except all moneys arising from the sale, lease, or  
6 transfer of that certain one hundred thousand acres of such land  
7 assigned for the support of the University of Washington by chapter 91,  
8 Laws of 1903 and section 9, chapter 122, Laws of 1893.

9 (2) If feasible, not less than one-half of all income to the  
10 charitable, educational, penal, and reformatory institutions account  
11 shall be appropriated for the purpose of providing housing, including  
12 repair and renovation of state institutions, for persons with mental  
13 illness or developmental disabilities, or youth who are blind, deaf, or  
14 otherwise disabled. If moneys are appropriated for community-based  
15 housing, the moneys shall be appropriated to the department of  
16 (~~community, trade, and economic development~~) commerce for the housing  
17 assistance program under chapter 43.185 RCW. During the 2009-2011 and  
18 2011-2013 fiscal (~~biennium~~) biennia, the legislature may transfer  
19 from the charitable, educational, penal and reformatory institutions  
20 account to the state general fund such amounts as reflect excess fund  
21 balance of the (~~fund {account}~~) account.

22 **Sec. 945.** RCW 43.135.045 and 2010 1st sp.s. c 27 s 5 are each  
23 amended to read as follows:

24 The education construction fund is hereby created in the state  
25 treasury.

26 (1) Funds may be appropriated from the education construction fund  
27 exclusively for common school construction or higher education  
28 construction. During the 2007-2009 fiscal biennium, funds may also be  
29 used for higher education facilities preservation and maintenance.  
30 During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal biennia,  
31 the legislature may transfer from the education construction fund to  
32 the state general fund such amounts as reflect the excess fund balance  
33 of the fund.

34 (2) Funds may be appropriated for any other purpose only if  
35 approved by a two-thirds vote of each house of the legislature and if  
36 approved by a vote of the people at the next general election. An  
37 appropriation approved by the people under this subsection shall result

1 in an adjustment to the state expenditure limit only for the fiscal  
2 period for which the appropriation is made and shall not affect any  
3 subsequent fiscal period.

4 (3) Funds for the student achievement program in RCW 28A.505.210  
5 and 28A.505.220 shall be appropriated to the superintendent of public  
6 instruction strictly for distribution to school districts to meet the  
7 provisions set out in the student achievement act. Allocations shall  
8 be made on an equal per full-time equivalent student basis to each  
9 school district.

10 (4) After July 1, 2010, the state treasurer shall transfer one  
11 hundred two million dollars from the general fund to the education  
12 construction fund by June 30th of each year.

13 **Sec. 946.** RCW 43.155.050 and 2010 1st sp.s. c 37 s 932 and 2010  
14 1st sp.s. c 36 s 6007 are each reenacted and amended to read as  
15 follows:

16 The public works assistance account is hereby established in the  
17 state treasury. Money may be placed in the public works assistance  
18 account from the proceeds of bonds when authorized by the legislature  
19 or from any other lawful source. Money in the public works assistance  
20 account shall be used to make loans and to give financial guarantees to  
21 local governments for public works projects. Moneys in the account may  
22 also be appropriated to provide for state match requirements under  
23 federal law for projects and activities conducted and financed by the  
24 board under the drinking water assistance account. Not more than  
25 fifteen percent of the biennial capital budget appropriation to the  
26 public works board from this account may be expended or obligated for  
27 preconstruction loans, emergency loans, or loans for capital facility  
28 planning under this chapter; of this amount, not more than ten percent  
29 of the biennial capital budget appropriation may be expended for  
30 emergency loans and not more than one percent of the biennial capital  
31 budget appropriation may be expended for capital facility planning  
32 loans. For the 2007-2009 biennium, moneys in the account may be used  
33 for grants for projects identified in section 138, chapter 488, Laws of  
34 2005 and section 1033, chapter 520, Laws of 2007. During the 2009-2011  
35 fiscal biennium, sums in the public works assistance account may be  
36 used for the water pollution control revolving fund program match in  
37 section 3013, chapter 36, Laws of 2010 1st sp. sess. During the 2009-



1 2011 fiscal biennium, the legislature may transfer from the job  
2 development fund to the general fund such amounts as reflect the excess  
3 fund balance of the fund. During the 2011-2013 fiscal biennium, the  
4 legislature may transfer from the public works assistance account to  
5 the water pollution control revolving account and the drinking water  
6 assistance account such amounts as reflect the excess fund balance of  
7 the account.

8 NEW SECTION. Sec. 947. Section 946 (RCW 43.155.050) of this act  
9 takes effect June 30, 2011.

10 **Sec. 948.** RCW 43.330.250 and 2009 c 565 s 13 and 2009 c 564 s 943  
11 are each reenacted and amended to read as follows:

12 (1) The economic development strategic reserve account is created  
13 in the state treasury to be used only for the purposes of this section.

14 (2) Only the governor, with the recommendation of the director of  
15 the department of commerce and the economic development commission, may  
16 authorize expenditures from the account.

17 (3) Expenditures from the account shall be made in an amount  
18 sufficient to fund a minimum of one staff position for the economic  
19 development commission and to cover any other operational costs of the  
20 commission.

21 (4) During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal  
22 biennia, moneys in the account may also be transferred into the state  
23 general fund.

24 (5) Expenditures from the account may be made to prevent closure of  
25 a business or facility, to prevent relocation of a business or facility  
26 in the state to a location outside the state, or to recruit a business  
27 or facility to the state. Expenditures may be authorized for:

28 (a) Workforce development;

29 (b) Public infrastructure needed to support or sustain the  
30 operations of the business or facility; and

31 (c) Other lawfully provided assistance, including, but not limited  
32 to, technical assistance, environmental analysis, relocation  
33 assistance, and planning assistance. Funding may be provided for such  
34 assistance only when it is in the public interest and may only be  
35 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 **Sec. 949.** RCW 66.08.170 and 2009 c 564 s 947 are each amended to  
24 read as follows:

25 There shall be a fund, known as the "liquor revolving fund", which  
26 shall consist of all license fees, permit fees, penalties, forfeitures,  
27 and all other moneys, income, or revenue received by the board. The  
28 state treasurer shall be custodian of the fund. All moneys received by  
29 the board or any employee thereof, except for change funds and an  
30 amount of petty cash as fixed by the board within the authority of law  
31 shall be deposited each day in a depository approved by the state  
32 treasurer and transferred to the state treasurer to be credited to the  
33 liquor revolving fund. During the 2009-2011 fiscal biennium, the  
34 legislature may transfer funds from the liquor revolving account [fund]  
35 to the state general fund and may direct an additional amount of liquor  
36 profits to be distributed to local governments. Neither the transfer  
37 of funds nor the additional distribution of liquor profits to local

1 governments during the 2009-2011 fiscal biennium may reduce the excess  
2 fund distributions that otherwise would occur under RCW 66.08.190.  
3 During the 2011-2013 fiscal biennium, the legislature may transfer  
4 funds from the liquor revolving fund to the state general fund. The  
5 transfer during the 2011-2013 fiscal biennium may not reduce the excess  
6 fund distributions that otherwise would occur under RCW 66.08.190.  
7 Disbursements from the revolving fund shall be on authorization of the  
8 board or a duly authorized representative thereof. In order to  
9 maintain an effective expenditure and revenue control the liquor  
10 revolving fund shall be subject in all respects to chapter 43.88 RCW  
11 but no appropriation shall be required to permit expenditures and  
12 payment of obligations from such fund.

13 **Sec. 950.** RCW 66.08.235 and 2005 c 151 s 4 are each amended to  
14 read as follows:

15 The liquor control board construction and maintenance account is  
16 created within the state treasury. The liquor control board shall  
17 deposit into this account a portion of the board's markup, as  
18 authorized by chapter 66.16 RCW, placed upon liquor as determined by  
19 the board. Moneys in the account may be spent only after  
20 appropriation. The liquor control board shall use deposits to this  
21 account to fund construction and maintenance of a centralized  
22 distribution center for liquor products intended for sale through the  
23 board's liquor store and contract liquor store system. During the  
24 ~~((2001-2003))~~ 2011-2013 fiscal biennium, this account may be used to  
25 fund maintenance, electrical, and engineering work performed on the  
26 liquor board's distribution center building and equipment. In  
27 addition, during the 2011-2013 fiscal biennium, the legislature may  
28 transfer from the liquor control board construction and maintenance  
29 account to the state general fund such amounts as reflect the  
30 ~~((appropriations reductions made by the 2002 supplemental~~  
31 ~~appropriations act for administrative efficiencies and savings))~~ excess  
32 fund balance of the account.

33 **Sec. 951.** RCW 67.70.260 and 2002 c 371 s 919 are each amended to  
34 read as follows:

35 There is hereby created the lottery administrative account in the  
36 state treasury. The account shall be managed, controlled, and

1 maintained by the director. The legislature may appropriate from the  
2 account for the payment of costs incurred in the operation and  
3 administration of the lottery. During the 2001-2003 fiscal biennium,  
4 the legislature may transfer from the lottery administrative account to  
5 the state general fund such amounts as reflect the appropriations  
6 reductions made by the 2002 supplemental appropriations act for  
7 administrative efficiencies and savings. During the 2011-2013 fiscal  
8 biennium, the lottery administrative account may also be used to fund  
9 an independent forecast of the lottery revenues conducted by the  
10 economic and revenue forecast council.

11 **Sec. 952.** RCW 70.48.440 and 1984 c 235 s 5 are each amended to  
12 read as follows:

13 The office of financial management shall establish a uniform  
14 equitable rate for reimbursing cities and counties for the care of  
15 sentenced felons who are the financial responsibility of the department  
16 of corrections and are detained or incarcerated in a city or county  
17 jail. During the 2011-2013 fiscal biennium, this rate may not exceed  
18 eighty dollars per day.

19 Until June 30, 1985, the rate for the care of sentenced felons who  
20 are the financial responsibility of the department of corrections shall  
21 be ten dollars per day. Cost of extraordinary emergency medical care  
22 incurred by prisoners who are the financial responsibility of the  
23 department of corrections under this chapter shall be reimbursed. The  
24 department of corrections shall be advised as far in advance as  
25 practicable by competent medical authority of the nature and course of  
26 treatment required to ensure the most efficient use of state resources  
27 to address the medical needs of the offender. In the event emergency  
28 medical care is needed, the department of corrections shall be advised  
29 as soon as practicable after the offender is treated.

30 Prior to June 30, 1985, the office of financial management shall  
31 meet with the corrections standards board to establish criteria to  
32 determine equitable rates regarding variable costs for sentenced felons  
33 who are the financial responsibility of the department of corrections  
34 after June 30, 1985. The office of financial management shall re-  
35 establish these rates each even-numbered year beginning in 1986.

1       **Sec. 953.** RCW 70.93.180 and 2010 1st sp.s. c 37 s 945 are each  
2 amended to read as follows:

3       (1) There is hereby created an account within the state treasury to  
4 be known as the "waste reduction, recycling, and litter control  
5 account". Moneys in the account may be spent only after appropriation.  
6 Expenditures from the waste reduction, recycling, and litter control  
7 account shall be used as follows:

8       (a) Fifty percent to the department of ecology, for use by the  
9 departments of ecology, natural resources, revenue, transportation, and  
10 corrections, and the parks and recreation commission, for use in litter  
11 collection programs, to be distributed under RCW 70.93.220. The amount  
12 to the department of ecology shall also be used for a central  
13 coordination function for litter control efforts statewide, for the  
14 biennial litter survey under RCW 70.93.200(8), and for statewide public  
15 awareness programs under RCW 70.93.200(7). The amount to the  
16 department shall also be used to defray the costs of administering the  
17 funding, coordination, and oversight of local government programs for  
18 waste reduction, litter control, and recycling, so that local  
19 governments can apply one hundred percent of their funding to achieving  
20 program goals. The amount to the department of revenue shall be used  
21 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

22       (b) Twenty percent to the department for local government funding  
23 programs for waste reduction, litter control, and recycling activities  
24 by cities and counties under RCW 70.93.250, to be administered by the  
25 department of ecology; and

26       (c) Thirty percent to the department of ecology for waste reduction  
27 and recycling efforts.

28       (2) All taxes imposed in RCW 82.19.010 and fines and bail  
29 forfeitures collected or received pursuant to this chapter shall be  
30 deposited in the waste reduction, recycling, and litter control account  
31 and used for the programs under subsection (1) of this section.

32       (3) Not less than five percent and no more than ten percent of the  
33 amount appropriated into the waste reduction, recycling, and litter  
34 control account every biennium shall be reserved for capital needs,  
35 including the purchase of vehicles for transporting crews and for  
36 collecting litter and solid waste. Capital funds shall be distributed  
37 among state agencies and local governments according to the same  
38 criteria provided in RCW 70.93.220 for the remainder of the funds, so

1 that the most effective waste reduction, litter control, and recycling  
2 programs receive the most funding. The intent of this subsection is to  
3 provide funds for the purchase of equipment that will enable the  
4 department to account for the greatest return on investment in terms of  
5 reaching a zero litter goal.

6 (4) During the 2009-2011 fiscal biennium, the legislature may  
7 transfer from the waste reduction, recycling, and litter control  
8 account to the state general fund such amounts as reflect the excess  
9 fund balance of the account. Additionally, during the 2009-2011 fiscal  
10 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

11 (5) During the 2011-2013 fiscal biennium, the legislature may  
12 transfer from the waste reduction, recycling, and litter control  
13 account to the state general fund such amounts as reflect the excess  
14 fund balance of the account. Additionally, during the 2011-2013 fiscal  
15 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

16 **Sec. 954.** RCW 70.105D.070 and 2010 1st sp.s. c 37 s 942 are each  
17 amended to read as follows:

18 (1) The state toxics control account and the local toxics control  
19 account are hereby created in the state treasury.

20 (2) The following moneys shall be deposited into the state toxics  
21 control account: (a) Those revenues which are raised by the tax  
22 imposed under RCW 82.21.030 and which are attributable to that portion  
23 of the rate equal to thirty-three one-hundredths of one percent; (b)  
24 the costs of remedial actions recovered under this chapter or chapter  
25 70.105A RCW; (c) penalties collected or recovered under this chapter;  
26 and (d) any other money appropriated or transferred to the account by  
27 the legislature. Moneys in the account may be used only to carry out  
28 the purposes of this chapter, including but not limited to the  
29 following activities:

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

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

36 (iii) The hazardous waste cleanup program required under this  
37 chapter;

- 1 (iv) State matching funds required under the federal cleanup law;
- 2 (v) Financial assistance for local programs in accordance with
- 3 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;
- 4 (vi) State government programs for the safe reduction, recycling,
- 5 or disposal of hazardous wastes from households, small businesses, and
- 6 agriculture;
- 7 (vii) Hazardous materials emergency response training;
- 8 (viii) Water and environmental health protection and monitoring
- 9 programs;
- 10 (ix) Programs authorized under chapter 70.146 RCW;
- 11 (x) A public participation program, including regional citizen
- 12 advisory committees;
- 13 (xi) Public funding to assist potentially liable persons to pay for
- 14 the costs of remedial action in compliance with cleanup standards under
- 15 RCW 70.105D.030(2)(e) but only when the amount and terms of such
- 16 funding are established under a settlement agreement under RCW
- 17 70.105D.040(4) and when the director has found that the funding will
- 18 achieve both (A) a substantially more expeditious or enhanced cleanup
- 19 than would otherwise occur, and (B) the prevention or mitigation of
- 20 unfair economic hardship;
- 21 (xii) Development and demonstration of alternative management
- 22 technologies designed to carry out the hazardous waste management
- 23 priorities of RCW 70.105.150;
- 24 (xiii) During the 2009-2011 and 2011-2013 fiscal ~~((biennium))~~
- 25 biennia, shoreline update technical assistance; ~~((and))~~
- 26 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
- 27 permitting teams; and
- 28 (xv) During the 2011-2013 fiscal biennium, actions for reducing
- 29 public exposure to toxic air pollution.
- 30 (3) The following moneys shall be deposited into the local toxics
- 31 control account: Those revenues which are raised by the tax imposed
- 32 under RCW 82.21.030 and which are attributable to that portion of the
- 33 rate equal to thirty-seven one-hundredths of one percent.
- 34 (a) Moneys deposited in the local toxics control account shall be
- 35 used by the department for grants or loans to local governments for the
- 36 following purposes in descending order of priority:
- 37 (i) Remedial actions;
- 38 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

1 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,  
2 70.95I, and 70.105 RCW;

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

7 (v) Cleanup and disposal of hazardous substances from abandoned or  
8 derelict vessels, defined for the purposes of this section as vessels  
9 that have little or no value and either have no identified owner or  
10 have an identified owner lacking financial resources to clean up and  
11 dispose of the vessel, that pose a threat to human health or the  
12 environment.

13 (b) Funds for plans and programs shall be allocated consistent with  
14 the priorities and matching requirements established in chapters  
15 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that  
16 is a Puget Sound partner, as defined in RCW 90.71.010, along with any  
17 project that is referenced in the action agenda developed by the Puget  
18 Sound partnership under RCW 90.71.310, shall, except as conditioned by  
19 RCW 70.105D.120, receive priority for any available funding for any  
20 grant or funding programs or sources that use a competitive bidding  
21 process. During the 2007-2009 fiscal biennium, moneys in the account  
22 may also be used for grants to local governments to retrofit public  
23 sector diesel equipment and for storm water planning and implementation  
24 activities.

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

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

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

34 (B) Funding would create new substantial economic development,  
35 public recreational, or habitat restoration opportunities that would  
36 not otherwise occur; or

37 (C) Funding would create an opportunity for acquisition and



1 redevelopment of vacant, orphaned, or abandoned property under RCW  
2 70.105D.040(5) that would not otherwise occur;

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

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

6 (d) To facilitate and expedite cleanups using funds from the local  
7 toxics control account, during the 2009-2011 fiscal biennium the  
8 director may establish grant-funded accounts to hold and disperse local  
9 toxics control account funds and funds from local governments to be  
10 used for remedial actions.

11 (4) Except for unanticipated receipts under RCW 43.79.260 through  
12 43.79.282, moneys in the state and local toxics control accounts may be  
13 spent only after appropriation by statute.

14 (5) Except during the 2009-2011 fiscal biennium, one percent of the  
15 moneys deposited into the state and local toxics control accounts shall  
16 be allocated only for public participation grants to persons who may be  
17 adversely affected by a release or threatened release of a hazardous  
18 substance and to not-for-profit public interest organizations. The  
19 primary purpose of these grants is to facilitate the participation by  
20 persons and organizations in the investigation and remedying of  
21 releases or threatened releases of hazardous substances and to  
22 implement the state's solid and hazardous waste management priorities.  
23 No grant may exceed sixty thousand dollars. Grants may be renewed  
24 annually. Moneys appropriated for public participation from either  
25 account which are not expended at the close of any biennium shall  
26 revert to the state toxics control account.

27 (6) No moneys deposited into either the state or local toxics  
28 control account may be used for solid waste incinerator feasibility  
29 studies, construction, maintenance, or operation, or, after January 1,  
30 2010, for projects designed to address the restoration of Puget Sound,  
31 funded in a competitive grant process, that are in conflict with the  
32 action agenda developed by the Puget Sound partnership under RCW  
33 90.71.310.

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

36 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the  
37 legislature may transfer from the local toxics control account to

1 either the state general fund or the oil spill prevention account, or  
2 both such amounts as reflect excess fund balance in the account.

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

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

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

14 **Sec. 955.** RCW 79.64.040 and 2009 c 564 s 957 are each amended to  
15 read as follows:

16 (1) The board shall determine the amount deemed necessary in order  
17 to achieve the purposes of this chapter and shall provide by rule for  
18 the deduction of this amount from the moneys received from all leases,  
19 sales, contracts, licenses, permits, easements, and rights-of-way  
20 issued by the department and affecting state lands and aquatic lands,  
21 provided that no deduction shall be made from the proceeds from  
22 agricultural college lands.

23 (2) Moneys received as deposits from successful bidders, advance  
24 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150  
25 prior to December 1, 1981, which have not been subjected to deduction  
26 under this section are not subject to deduction under this section.

27 (3) Except as otherwise provided in subsection (5) of this section,  
28 the deductions authorized under this section shall not exceed twenty-  
29 five percent of the moneys received by the department in connection  
30 with any one transaction pertaining to state lands and aquatic lands  
31 other than second-class tide and shore lands and the beds of navigable  
32 waters, and fifty percent of the moneys received by the department  
33 pertaining to second-class tide and shore lands and the beds of  
34 navigable waters.

35 (4) In the event that the department sells logs using the contract  
36 harvesting process described in RCW 79.15.500 through 79.15.530, the

1 moneys received subject to this section are the net proceeds from the  
2 contract harvesting sale.

3 (5) During the 2009-2011 fiscal biennium and fiscal year 2012, the  
4 twenty-five percent limitation on deductions set in subsection (3) of  
5 this section may be increased up to thirty percent by the board.

6 **Sec. 956.** RCW 79.105.150 and 2010 1st sp.s. c 37 s 949 are each  
7 amended to read as follows:

8 (1) After deduction for management costs as provided in RCW  
9 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
10 received by the state from the sale or lease of state-owned aquatic  
11 lands and from the sale of valuable material from state-owned aquatic  
12 lands shall be deposited in the aquatic lands enhancement account which  
13 is hereby created in the state treasury. After appropriation, these  
14 funds shall be used solely for aquatic lands enhancement projects; for  
15 the purchase, improvement, or protection of aquatic lands for public  
16 purposes; for providing and improving access to the lands; and for  
17 volunteer cooperative fish and game projects. During the 2009-2011  
18 fiscal biennium, the aquatic lands enhancement account may also be used  
19 for scientific research as part of the adaptive management process.  
20 During the 2009-~~2011~~ (~~fiscal biennium~~) and 2011-2013 fiscal biennia,  
21 the legislature may transfer from the aquatic lands enhancement account  
22 to the state general fund such amounts as reflect excess fund balance  
23 of the account.

24 (2) In providing grants for aquatic lands enhancement projects, the  
25 recreation and conservation funding board shall:

26 (a) Require grant recipients to incorporate the environmental  
27 benefits of the project into their grant applications;

28 (b) Utilize the statement of environmental benefits, consideration,  
29 except as provided in RCW 79.105.610, of whether the applicant is a  
30 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
31 referenced in the action agenda developed by the Puget Sound  
32 partnership under RCW 90.71.310, and except as otherwise provided in  
33 RCW 79.105.630, and effective one calendar year following the  
34 development and statewide availability of model evergreen community  
35 management plans and ordinances under RCW 35.105.050, whether the  
36 applicant is an entity that has been recognized, and what gradation of

1 recognition was received, in the evergreen community recognition  
2 program created in RCW 35.105.030 in its prioritization and selection  
3 process; and

4 (c) Develop appropriate outcome-focused performance measures to be  
5 used both for management and performance assessment of the grants.

6 (3) To the extent possible, the department should coordinate its  
7 performance measure system with other natural resource-related agencies  
8 as defined in RCW 43.41.270.

9 (4) The department shall consult with affected interest groups in  
10 implementing this section.

11 (5) After January 1, 2010, any project designed to address the  
12 restoration of Puget Sound may be funded under this chapter only if the  
13 project is not in conflict with the action agenda developed by the  
14 Puget Sound partnership under RCW 90.71.310.

15 **Sec. 957.** RCW 86.26.007 and 2009 c 564 s 961 are each amended to  
16 read as follows:

17 The flood control assistance account is hereby established in the  
18 state treasury. At the beginning of the 2005-2007 fiscal biennium, the  
19 state treasurer shall transfer three million dollars from the general  
20 fund to the flood control assistance account. Each biennium thereafter  
21 the state treasurer shall transfer four million dollars from the  
22 general fund to the flood control assistance account, except that  
23 during the 2009-2011 and 2011-2013 fiscal (~~biennium~~) biennia, the  
24 state treasurer shall transfer two million dollars from the general  
25 fund to the flood control assistance account. Moneys in the flood  
26 control assistance account may be spent only after appropriation for  
27 purposes specified under this chapter.

(End of part)

1 **PART X**

2 **GENERAL GOVERNMENT**

3 **Sec. 1001.** 2010 2nd sp.s. c 1 s 101 (uncodified) is amended to  
4 read as follows:

5 **FOR THE HOUSE OF REPRESENTATIVES**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$33,505,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$30,934,000)</del>
8		<u>\$30,918,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$64,439,000)</del>
10		<u>\$64,423,000</u>

11 **Sec. 1002.** 2010 2nd sp.s. c 1 s 102 (uncodified) is amended to  
12 read as follows:

13 **FOR THE SENATE**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$24,960,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$24,020,000)</del>
16		<u>\$24,008,000</u>
17	TOTAL APPROPRIATION . . . . .	<del>(\$48,980,000)</del>
18		<u>\$48,968,000</u>

19 **Sec. 1003.** 2010 2nd sp.s. c 1 s 106 (uncodified) is amended to  
20 read as follows:

21 **FOR THE SUPREME COURT**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$6,912,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$6,844,000)</del>
24		<u>\$6,924,000</u>
25	TOTAL APPROPRIATION . . . . .	<del>(\$13,756,000)</del>
26		<u>\$13,836,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations: It is the intent of the legislature that  
29 the reductions in appropriations in this section shall be achieved, to  
30 the greatest extent possible, by reducing those state government  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs. The agency shall, to the greatest

1 extent possible, reduce spending in those areas that shall have the  
2 least impact on implementing its mission.

3 **Sec. 1004.** 2010 2nd sp.s. c 1 s 107 (uncodified) is amended to  
4 read as follows:

5 **FOR THE LAW LIBRARY**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$1,925,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,592,000)</del>
8		<u>\$1,596,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$3,517,000)</del>
10		<u>\$3,521,000</u>

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

19 **Sec. 1005.** 2010 2nd sp.s. c 1 s 108 (uncodified) is amended to  
20 read as follows:

21 **FOR THE COURT OF APPEALS**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$15,632,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$15,517,000)</del>
24		<u>\$15,593,000</u>
25	TOTAL APPROPRIATION . . . . .	<del>(\$31,149,000)</del>
26		<u>\$31,225,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations: It is the intent of the legislature that  
29 the reductions in appropriations in this section shall be achieved, to  
30 the greatest extent possible, by reducing those state government  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs. The agency shall, to the greatest  
33 extent possible, reduce spending in those areas that shall have the  
34 least impact on implementing its mission.

1       **Sec. 1006.** 2011 c 5 s 106 (uncodified) is amended to read as  
2 follows:

3 **FOR THE ADMINISTRATOR FOR THE COURTS**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$52,644,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$49,260,000)</del>
6		<u>\$49,196,000</u>
7	General Fund--Federal Appropriation . . . . .	\$979,000
8	Judicial Information Systems Account--State	
9	Appropriation . . . . .	<del>(\$33,406,000)</del>
10		<u>\$31,407,000</u>
11	Judicial Stabilization Trust Account--State	
12	Appropriation . . . . .	\$6,598,000
13	TOTAL APPROPRIATION . . . . .	<del>(\$142,887,000)</del>
14		<u>\$140,824,000</u>

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

17       (1) \$1,800,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$1,387,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for school districts for petitions  
20 to juvenile court for truant students as provided in RCW 28A.225.030  
21 and 28A.225.035. The office of the administrator for the courts shall  
22 develop an interagency agreement with the superintendent of public  
23 instruction to allocate the funding provided in this subsection.  
24 Allocation of this money to school districts shall be based on the  
25 number of petitions filed. This funding includes amounts school  
26 districts may expend on the cost of serving petitions filed under RCW  
27 28A.225.030 by certified mail or by personal service or for the  
28 performance of service of process for any hearing associated with RCW  
29 28A.225.030. Absences from school occurring in the months of May and  
30 June 2011 do not count towards the number of absences allowed under RCW  
31 28A.225.030. Reductions in appropriations in this section reflect  
32 reduced workload associated with filing petitions generated through  
33 absences occurring in May and June.

34       (2)(a) \$8,252,000 of the general fund--state appropriation for  
35 fiscal year 2010 and \$7,534,000 of the general fund--state  
36 appropriation for fiscal year 2011 are provided solely for distribution  
37 to county juvenile court administrators to fund the costs of processing  
38 truancy, children in need of services, and at-risk youth petitions.

1 The administrator for the courts, in conjunction with the juvenile  
2 court administrators, shall develop an equitable funding distribution  
3 formula. The formula shall neither reward counties with higher than  
4 average per-petition processing costs nor shall it penalize counties  
5 with lower than average per-petition processing costs.

6 (b) Each fiscal year during the 2009-11 fiscal biennium, each  
7 county shall report the number of petitions processed and the total  
8 actual costs of processing truancy, children in need of services, and  
9 at-risk youth petitions. Counties shall submit the reports to the  
10 administrator for the courts no later than 45 days after the end of the  
11 fiscal year. The administrator for the courts shall electronically  
12 transmit this information to the chairs and ranking minority members of  
13 the house of representatives appropriations committee and the senate  
14 ways and means committee no later than 60 days after a fiscal year  
15 ends. These reports are deemed informational in nature and are not for  
16 the purpose of distributing funds.

17 (3) The distributions made under this subsection and distributions  
18 from the county criminal justice assistance account made pursuant to  
19 section 801 of this act constitute appropriate reimbursement for costs  
20 for any new programs or increased level of service for purposes of RCW  
21 43.135.060.

22 (4) (~~(\$5,700,000)~~) \$3,701,000 of the judicial information systems  
23 account--state appropriation is provided solely for modernization and  
24 integration of the judicial information system.

25 (a) Of this amount, \$1,700,000 is for the development of a  
26 comprehensive enterprise-level information technology strategy and  
27 detailed business and operational plans in support of that strategy,  
28 and (~~(\$4,000,000)~~) \$2,001,000 is to continue to modernize and integrate  
29 current systems and enhance case management functionality on an  
30 incremental basis.

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

35 (c) The judicial information system committee shall review project  
36 progress on a regular basis and may require quality assurance plans.  
37 The judicial information systems committee shall provide a report to  
38 the appropriate committees of the legislature no later than November 1,



1 2011, on the status of the judicial information system modernization  
2 and integration, and the consistency of the project with the state's  
3 architecture, infrastructure and statewide enterprise view of service  
4 delivery.

5 (d) \$100,000 of the judicial information systems account--state  
6 appropriation is provided solely for the administrative office of the  
7 courts, in coordination with the judicial information system committee,  
8 to conduct an independent third-party executive-level review of the  
9 judicial information system. This review shall examine, at a minimum,  
10 the scope of the current project plan, governance structure, and  
11 organizational change management procedures. The review will also  
12 benchmark the system plans against similarly sized projects in other  
13 states or localities, review the large scale program risks, and  
14 estimate life cycle costs, including capital and on-going operational  
15 expenditures.

16 (5) \$3,000,000 of the judicial information systems account--state  
17 appropriation is provided solely for replacing computer equipment at  
18 state courts, and at state judicial agencies. The administrator for  
19 the courts shall prioritize equipment replacement purchasing and shall  
20 fund those items that are most essential or critical. By October 1,  
21 2010, the administrative office of the courts shall report to the  
22 appropriate legislative fiscal committees on expenditures for equipment  
23 under this subsection.

24 (6) \$12,000 of the judicial information systems account--state  
25 appropriation is provided solely to implement Engrossed Substitute  
26 House Bill No. 1954 (sealing juvenile records). If the bill is not  
27 enacted by June 30, 2009, the amount provided in this subsection shall  
28 lapse.

29 ~~(7) ((\$106,000 of the general fund--state appropriation for fiscal~~  
30 ~~year 2010 and \$106,000 of the general fund--state appropriation for~~  
31 ~~fiscal year 2011 are provided solely for the twenty-third superior~~  
32 ~~court judge position in Pierce county. The funds appropriated in this~~  
33 ~~subsection shall be expended only if the judge is appointed and serving~~  
34 ~~on the bench.~~

35 (+8)) It is the intent of the legislature that the reductions in  
36 appropriations in this section shall be achieved, to the greatest  
37 extent possible, by reducing those state government administrative  
38 costs that do not affect direct client services or direct service

1 delivery or programs. The agency shall, to the greatest extent  
2 possible, reduce spending in those areas that shall have the least  
3 impact on implementing its mission.

4 ~~((+9))~~ (8) \$44,000 of the judicial information systems account--  
5 state appropriation is provided solely to implement chapter 272, Laws  
6 of 2010 (SHB 2680; guardianship).

7 ~~((+10))~~ (9) \$274,000 of the general fund--state appropriation for  
8 fiscal year 2011 is provided solely for the office of public  
9 guardianship to provide guardianship services for low-income  
10 incapacitated persons.

11 ~~((+11))~~ (10) \$3,797,000 of the judicial information systems  
12 account--state appropriation is provided solely for continued planning  
13 and implementation of improvements to the court case management system.

14 ~~((+12))~~ (11) In accordance with RCW 43.135.055, the administrative  
15 office of the courts is authorized to adopt and increase the fees set  
16 forth in and previously authorized in section 6, chapter 491, Laws of  
17 2009.

18 **Sec. 1007.** 2011 c 5 s 107 (uncodified) is amended to read as  
19 follows:

20 **FOR THE SECRETARY OF STATE**

21	General Fund--State Appropriation (FY 2010) . . . . .	\$21,105,000
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$13,612,000))</del>
23		<u>\$14,727,000</u>
24	General Fund--Federal Appropriation . . . . .	\$8,082,000
25	Archives and Records Management Account--State	
26	Appropriation . . . . .	\$8,990,000
27	Charitable Organization Education Account--State	
28	Appropriation . . . . .	\$76,000
29	Department of Personnel Service Account--State	
30	Appropriation . . . . .	\$757,000
31	Election Account--State Appropriation . . . . .	\$77,000
32	Local Government Archives Account--State	
33	Appropriation . . . . .	\$11,515,000
34	Election Account--Federal Appropriation . . . . .	\$31,163,000
35	TOTAL APPROPRIATION . . . . .	<del>(((\$95,377,000))</del>
36		<u>\$96,492,000</u>

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

3 (1) \$4,101,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to reimburse counties for the state's  
5 share of primary and general election costs and the costs of conducting  
6 mandatory recounts on state measures. Counties shall be reimbursed  
7 only for those odd-year election costs that the secretary of state  
8 validates as eligible for reimbursement.

9 (2)(a) \$1,897,000 of the general fund--state appropriation for  
10 fiscal year 2010 and \$1,845,000 of the general fund--state  
11 appropriation for fiscal year 2011 are provided solely for contracting  
12 with a nonprofit organization to produce gavel-to-gavel television  
13 coverage of state government deliberations and other events of  
14 statewide significance during the 2009-2011 biennium. The funding  
15 level for each year of the contract shall be based on the amount  
16 provided in this subsection. The nonprofit organization shall be  
17 required to raise contributions or commitments to make contributions,  
18 in cash or in kind, in an amount equal to forty percent of the state  
19 contribution. The office of the secretary of state may make full or  
20 partial payment once all criteria in this subsection have been  
21 satisfactorily documented.

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

27 (c) The nonprofit organization shall prepare an annual independent  
28 audit, an annual financial statement, and an annual report, including  
29 benchmarks that measure the success of the nonprofit organization in  
30 meeting the intent of the program.

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

33 (i) Attempting to influence the passage or defeat of any  
34 legislation by the legislature of the state of Washington, by any  
35 county, city, town, or other political subdivision of the state of  
36 Washington, or by the congress, or the adoption or rejection of any  
37 rule, standard, rate, or other legislative enactment of any state  
38 agency;

1 (ii) Making contributions reportable under chapter 42.17 RCW; or  
 2 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,  
 3 lodging, meals, or entertainment to a public officer or employee.

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

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

10 (5) \$76,000 of the charitable organization education account--state  
 11 appropriation for fiscal year 2011 is provided solely to implement  
 12 Second Substitute House Bill No. 2576 (corporation and charity fees).  
 13 If the bill is not enacted by June 30, 2010, the amount provided in  
 14 this subsection shall lapse.

15 (6) \$77,000 of the general fund--state appropriation for fiscal  
 16 year 2011 is provided solely for deposit to the election account.

17 **Sec. 1008.** 2011 c 5 s 108 (uncodified) is amended to read as  
 18 follows:

19 **FOR THE PUBLIC DISCLOSURE COMMISSION**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$2,249,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,969,000)</del>
22		<u>\$1,967,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$4,218,000)</del>
24		<u>\$4,216,000</u>

25 **Sec. 1009.** 2011 c 5 s 113 (uncodified) is amended to read as  
 26 follows:

27 **FOR THE ATTORNEY GENERAL**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$5,732,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,272,000)</del>
30		<u>\$5,268,000</u>
31	General Fund--Federal Appropriation . . . . .	\$4,026,000
32	New Motor Vehicle Arbitration Account--State	
33	Appropriation . . . . .	\$1,350,000
34	Legal Services Revolving Account--State	
35	Appropriation . . . . .	<del>(\$224,523,000)</del>
36		<u>\$225,760,000</u>

1	Tobacco Prevention and Control Account--State	
2	Appropriation . . . . .	\$270,000
3	TOTAL APPROPRIATION . . . . .	(( <del>\$241,173,000</del> ))
4		<u>\$242,406,000</u>

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

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

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

22       (3) The office of the attorney general is authorized to expend  
23 \$2,100,000 from the Zyprexa and other cy pres awards towards consumer  
24 protection costs in accordance with uses authorized in the court  
25 orders.

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

33       (5) The executive ethics board must produce a report by the end of  
34 the calendar year for the legislature regarding performance measures on  
35 the efficiency and effectiveness of the board, as well as on  
36 performance measures to measure and monitor the ethics and integrity of  
37 all state agencies.

1 (6) \$53,000 of the legal services revolving account--state  
2 appropriation is provided solely to implement Engrossed Second  
3 Substitute House Bill No. 3026 (school district compliance with state  
4 and federal civil rights laws).

5 **Sec. 1010.** 2011 c 5 s 114 (uncodified) is amended to read as  
6 follows:

7 **FOR THE CASELOAD FORECAST COUNCIL**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$766,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$660,000)</del>
10		<u>\$658,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$1,426,000)</del>
12		<u>\$1,424,000</u>

13 The appropriations in this section are subject to the following  
14 conditions and limitations: \$13,000 of the general fund--state  
15 appropriation for fiscal year 2010 and \$7,000 of the general  
16 fund--state appropriation for fiscal year 2011 are for the  
17 implementation of Second Substitute House Bill No. 2106 (improving  
18 child welfare outcomes through the phased implementation of strategic  
19 and proven reforms). If the bill is not enacted by June 30, 2009, the  
20 amounts provided in this subsection shall lapse.

21 **Sec. 1011.** 2011 c 5 s 115 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF COMMERCE**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$49,670,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$36,739,000)</del>
26		<u>\$36,710,000</u>
27	General Fund--Federal Appropriation . . . . .	\$385,601,000
28	General Fund--Private/Local Appropriation . . . . .	\$10,972,000
29	Public Works Assistance Account--State	
30	Appropriation . . . . .	\$2,974,000
31	Tourism Development and Promotion Account--State	
32	Appropriation . . . . .	\$798,000
33	Drinking Water Assistance Administrative	
34	Account--State Appropriation . . . . .	\$433,000
35	Lead Paint Account--State Appropriation . . . . .	\$35,000
36	Building Code Council Account--State Appropriation . . . . .	\$688,000

1	Home Security Fund Account--State Appropriation . . . . .	\$24,486,000
2	Affordable Housing for All Account--State	
3	Appropriation . . . . .	\$11,896,000
4	Washington Auto Theft Prevention Authority	
5	Account--State Appropriation . . . . .	\$300,000
6	Independent Youth Housing Account--State Appropriation . . . . .	\$220,000
7	County Research Services Account--State Appropriation . . . . .	\$469,000
8	Community Preservation and Development Authority	
9	Account--State Appropriation . . . . .	\$350,000
10	Financial Fraud and Identity Theft Crimes Investigation	
11	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
12	Low-Income Weatherization Assistance Account--State	
13	Appropriation . . . . .	\$6,882,000
14	City and Town Research Services Account--State	
15	Appropriation . . . . .	\$2,246,000
16	Manufacturing Innovation and Modernization	
17	Account--State Appropriation . . . . .	\$230,000
18	Community and Economic Development Fee Account--State	
19	Appropriation . . . . .	\$6,922,000
20	Washington Housing Trust Account--State	
21	Appropriation . . . . .	\$15,348,000
22	Prostitution Prevention and Intervention Account--	
23	State Appropriation . . . . .	\$125,000
24	Public Facility Construction Loan Revolving	
25	Account--State Appropriation . . . . .	\$754,000
26	TOTAL APPROPRIATION . . . . .	<del>(( \$559,304,000 ))</del>
27		<u>\$559,275,000</u>

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

30       (1) \$2,378,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$2,117,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for a contract with the Washington  
33 technology center for work essential to the mission of the Washington  
34 technology center and conducted in partnership with universities.

35       (2) Repayments of outstanding loans granted under RCW 43.63A.600,  
36 the mortgage and rental assistance program, shall be remitted to the  
37 department, including any current revolving account balances. The  
38 department shall collect payments on outstanding loans, and deposit

1 them into the state general fund. Repayments of funds owed under the  
2 program shall be remitted to the department according to the terms  
3 included in the original loan agreements.

4 (3) \$100,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$89,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely to implement section 2(7) of  
7 Engrossed Substitute House Bill No. 1959 (land use and transportation  
8 planning for marine container ports).

9 (4) \$102,000 of the building code council account--state  
10 appropriation is provided solely for the implementation of sections 3  
11 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built  
12 environment pollution). If sections 3 and 7 of the bill are not  
13 enacted by June 30, 2009, the amounts provided in this subsection shall  
14 lapse.

15 (5)(a) \$10,500,000 of the general fund--federal appropriation is  
16 provided for training and technical assistance associated with low  
17 income weatherization programs. Subject to federal requirements, the  
18 department shall provide: (i) Up to \$4,000,000 to the state board for  
19 community and technical colleges to provide workforce training related  
20 to weatherization and energy efficiency; (ii) up to \$3,000,000 to the  
21 Bellingham opportunity council to provide workforce training related to  
22 energy efficiency and weatherization; and (iii) up to \$3,500,000 to  
23 community-based organizations and to community action agencies  
24 consistent with the provisions of Engrossed Second Substitute House  
25 Bill No. 2227 (evergreen jobs act). Any funding remaining shall be  
26 expended in project 91000013, weatherization, in the omnibus capital  
27 appropriations act, Substitute House Bill No. 1216 (capital budget).

28 (b) \$6,787,000 of the general fund--federal appropriation is  
29 provided solely for the state energy program, including not less than  
30 \$5,000,000 to provide credit enhancements consistent with the  
31 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy  
32 efficiency in buildings).

33 (c) Of the general fund--federal appropriation the department shall  
34 provide: \$14,500,000 to the Washington State University for the  
35 purpose of making grants for pilot projects providing community-wide  
36 urban, residential, and commercial energy efficiency upgrades  
37 consistent with the provisions of Engrossed Second Substitute Senate  
38 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington



1 State University to conduct farm energy assessments. In contracting  
2 with the Washington State University for the provision of these  
3 services, the total administration of Washington State University and  
4 the department shall not exceed 3 percent of the amounts provided.

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

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

15 (6) \$14,000 of the general fund--state appropriation for fiscal  
16 year 2010 is provided solely for the implementation of Engrossed Second  
17 Substitute Senate Bill No. 5560 (state agency climate leadership). If  
18 the bill is not enacted by June 30, 2009, the amount provided in this  
19 subsection shall lapse.

20 (7) \$22,400,000 of the general fund--federal appropriation is  
21 provided solely for the justice assistance grant program and is  
22 contingent upon the department transferring: \$1,200,000 to the  
23 department of corrections for security threat mitigation, \$2,336,000 to  
24 the department of corrections for offender reentry, \$1,960,000 to the  
25 Washington state patrol for law enforcement activities, \$2,087,000 to  
26 the department of social and health services, division of alcohol and  
27 substance abuse for drug courts, and \$428,000 to the department of  
28 social and health services for sex abuse recognition training. The  
29 remaining funds shall be distributed by the department to local  
30 jurisdictions.

31 (8) \$20,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$18,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for a grant to KCTS public  
34 television to support Spanish language programming and the V-me Spanish  
35 language channel.

36 (9) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$447,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for a grant to resolution

1 Washington to building statewide capacity for alternative dispute  
2 resolution centers and dispute resolution programs that guarantee that  
3 citizens have access to low-cost resolution as an alternative to  
4 litigation.

5 (10) \$30,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for implementation of Engrossed Second  
7 Substitute Senate Bill No. 6015 (commercialization of technology). If  
8 the bill is not enacted by June 30, 2009, the amount provided in this  
9 subsection shall lapse.

10 (11) By June 30, 2011, the department shall request information  
11 that describes what jurisdictions have adopted, or are in the process  
12 of adopting, plans that address RCW 36.70A.020 and helps achieve the  
13 greenhouse gas emission reductions established in RCW 70.235.020. This  
14 information request in this subsection applies to jurisdictions that  
15 are required to review and if necessary revise their comprehensive  
16 plans in accordance with RCW 36.70A.130.

17 (12) During the 2009-11 fiscal biennium, the department shall allot  
18 all of its appropriations subject to allotment by object, account, and  
19 expenditure authority code to conform with the office of financial  
20 management's definition of an option 2 allotment. For those funds  
21 subject to allotment but not appropriation, the agency shall submit  
22 option 2 allotments to the office of financial management.

23 (13) \$50,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$35,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for a grant for the state's  
26 participation in the Pacific Northwest economic region.

27 (14) \$712,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$559,000 of the general fund--state appropriation for  
29 fiscal year 2011 are provided solely to the office of crime victims  
30 advocacy. These funds shall be contracted with the 39 county  
31 prosecuting attorneys' offices to support victim-witness services. The  
32 funds must be prioritized to ensure a full-time victim-witness  
33 coordinator in each county. The office may retain only the amount  
34 currently allocated for this activity for administrative costs.

35 (15) \$306,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$274,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for a grant to the retired senior  
38 volunteer program.

1 (16) \$65,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for a contract with a food distribution  
3 program for communities in the southwestern portion of the state and  
4 for workers impacted by timber and salmon fishing closures and  
5 reductions. The department may not charge administrative overhead or  
6 expenses to the funds provided in this subsection.

7 (17) \$371,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$290,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely to the northwest agriculture  
10 business center.

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

14 (19) \$212,000 of the general fund--federal appropriation is  
15 provided solely for implementation of Second Substitute House Bill No.  
16 1172 (development rights transfer). If the bill is not enacted by June  
17 30, 2009, the amount provided in this subsection shall lapse.

18 (20) \$69,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$60,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for implementation of Engrossed  
21 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
22 bill is not enacted by June 30, 2009, the amounts provided in this  
23 subsection shall lapse.

24 (21) \$350,000 of the community development and preservation  
25 authority account--state appropriation is provided solely for a grant  
26 to a community development authority established under chapter 43.167  
27 RCW. The community preservation and development's board of directors  
28 may contract with nonprofit community organizations to aid in  
29 mitigating the effects of increased public impact on urban  
30 neighborhoods due to events in stadia that have a capacity of over  
31 50,000 spectators.

32 (22) \$300,000 of the Washington auto theft prevention authority  
33 account--state appropriation is provided solely for a contract with a  
34 community group to build local community capacity and economic  
35 development within the state by strengthening political relationships  
36 between economically distressed communities and governmental  
37 institutions. The community group shall identify opportunities for  
38 collaboration and initiate activities and events that bring community

1 organizations, local governments, and state agencies together to  
2 address the impacts of poverty, political disenfranchisement, and  
3 economic inequality on communities of color. These funds must be  
4 matched by other nonstate sources on an equal basis.

5 (23) \$1,800,000 of the home security fund--state appropriation is  
6 provided for transitional housing assistance or partial payments for  
7 rental assistance under the independent youth housing program.

8 (24) \$5,000,000 of the home security fund--state appropriation is  
9 provided solely for the operation, repair, and staffing of shelters in  
10 the homeless family shelter program.

11 (25) \$253,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$253,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely for the Washington new Americans  
14 program.

15 (26) \$438,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$394,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely for the Washington asset building  
18 coalitions.

19 (27) \$3,231,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$2,953,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for associate development  
22 organizations.

23 (28) \$5,400,000 of the community and economic development fee  
24 account is provided as follows: \$1,000,000 is provided solely for the  
25 department of commerce for services for homeless families through the  
26 Washington families fund; \$2,600,000 is provided solely for housing  
27 trust fund operations and maintenance; \$800,000 is provided solely for  
28 housing trust fund portfolio management; \$500,000 is provided solely  
29 for foreclosure counseling and support; and \$500,000 is provided solely  
30 for use as a reserve in the account.

31 (29) \$237,000 of the general fund--state appropriation for fiscal  
32 year 2011 is provided solely for the department to administer a  
33 competitive grant program to fund economic development activities  
34 designed to further regional cluster growth and to integrate its  
35 sector-based and cluster-based strategies with its support for the  
36 development of innovation partnership zones. Grant recipients must  
37 provide matching funds equal to the size of the grant. Grants may be  
38 awarded to support the formation of sector associations or cluster

1 associations, the identification of the technology and  
2 commercialization needs of a sector or cluster, facilitating working  
3 relationships between a sector association or cluster association and  
4 an innovation partnership zone, expanding the operations of an  
5 innovation partnership zone, and developing and implementing plans to  
6 meet the technology development and commercialization needs of industry  
7 sectors, industry clusters, and innovation partnership zones. The  
8 projects receiving grants must not duplicate the purpose or efforts of  
9 industry skill panels but priority must be given to applicants that  
10 complement industry skill panels and will use the grant funds to build  
11 linkages and joint projects.

12 (30) \$62,000 of the general fund--state appropriation for fiscal  
13 year 2011 is provided solely to:

14 (a) Develop a rural manufacturer export outreach program in  
15 conjunction with impact Washington. The program must provide outreach  
16 services to rural manufacturers in Washington to inform them of the  
17 importance of and opportunities in international trade, and to inform  
18 them of the export assistance programs available to assist these  
19 businesses to become exporters; and

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

23 (31) \$750,000 of the general fund--state appropriation for fiscal  
24 year 2011 is provided solely to implement the provisions of chapter 13,  
25 Laws of 2010 (global health program).

26 (32) \$50,000 of the general fund--state appropriation for fiscal  
27 year 2011 is provided solely for the creation of the Washington  
28 entrepreneurial development and small business reference service in the  
29 department of commerce.

30 (a) The department must:

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

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

37 (B) Disseminate information about available entrepreneurial  
38 development and small business assistance services, programs, and

1 resources via in-person presentations and electronic and printed  
2 materials and undertake other activities to raise awareness of  
3 entrepreneurial training and small business assistance offerings; and

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

8 (ii) Assist providers of entrepreneurial development and small  
9 business assistance services in applying for federal and private  
10 funding to support the entrepreneurial development and small business  
11 assistance activities in the state;

12 (iii) Distribute awards for excellence in entrepreneurial training  
13 and small business assistance; and

14 (iv) Report to the governor, the economic development commission,  
15 the work force training and education coordinating board, and the  
16 appropriate legislative committees its recommendations for statutory  
17 changes necessary to enhance operational efficiencies or enhance  
18 coordination related to entrepreneurial development and small business  
19 assistance.

20 (b) In carrying out the duties under this section, the department  
21 must seek the advice of small business owners and advocates, the  
22 Washington economic development commission, the work force training and  
23 education coordinating board, the state board for community and  
24 technical colleges, the employment security department, the Washington  
25 state microenterprise association, associate development organizations,  
26 impact Washington, the Washington quality award council, the Washington  
27 technology center, the small business export finance assistance center,  
28 the Spokane intercollegiate research and technology institute,  
29 representatives of the University of Washington business school and the  
30 Washington State University college of business and economics, the  
31 office of minority and women's business enterprises, the Washington  
32 economic development finance authority, and staff from small business  
33 development centers.

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

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

1       **Sec. 1012.** 2010 2nd sp.s. c 1 s 116 (uncodified) is amended to  
2 read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

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

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

17       (1) \$188,000 of the general fund--state appropriation for fiscal  
18 year 2010 is provided solely for the implementation of Second  
19 Substitute Senate Bill No. 5945 (Washington health partnership plan).

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

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

34       (3) \$110,000 of the general fund--state appropriation for fiscal  
35 year 2011 is provided solely to implement Second Substitute Senate Bill  
36 No. 6578 (multiagency permitting teams). If the bill is not enacted by  
37 June 30, 2010, the amount provided in this subsection shall lapse.

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

10 (5)(a) \$50,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$150,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the purposes of the office of  
13 financial management:

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

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

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

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

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

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

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

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

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

37 (6) Appropriations in this section include amounts sufficient to



1 implement Engrossed Substitute House Bill No. 3178 (technology  
2 efficiencies).

3 **Sec. 1013.** 2011 c 5 s 117 (uncodified) is amended to read as  
4 follows:

5 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

6 Administrative Hearings Revolving Account--State  
7 Appropriation . . . . . (~~(\$34,468,000)~~)  
8 \$34,805,000

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

15 **Sec. 1014.** 2011 c 5 s 118 (uncodified) is amended to read as  
16 follows:

17 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

18 General Fund--State Appropriation (FY 2010) . . . . . \$250,000  
19 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$227,000)~~)  
20 \$226,000  
21 TOTAL APPROPRIATION . . . . . (~~(\$477,000)~~)  
22 \$476,000

23 **Sec. 1015.** 2011 c 5 s 119 (uncodified) is amended to read as  
24 follows:

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

26 General Fund--State Appropriation (FY 2010) . . . . . \$243,000  
27 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$210,000)~~)  
28 \$221,000  
29 TOTAL APPROPRIATION . . . . . (~~(\$453,000)~~)  
30 \$464,000

31 **Sec. 1016.** 2011 c 5 s 120 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF REVENUE**

34 General Fund--State Appropriation (FY 2010) . . . . . \$109,472,000

1	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$107,662,000</del> ))
2		<u>\$107,169,000</u>
3	Timber Tax Distribution Account--State Appropriation . . . . .	\$5,933,000
4	Waste Reduction/Recycling/Litter Control--State	
5	Appropriation . . . . .	\$130,000
6	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
7	Real Estate Excise Tax Grant Account--State	
8	Appropriation . . . . .	\$3,429,000
9	State Toxics Control Account--State Appropriation . . . . .	\$87,000
10	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
11	TOTAL APPROPRIATION . . . . .	(( <del>\$226,734,000</del> ))
12		<u>\$226,241,000</u>

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

15       (1) \$469,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$374,000 of the general fund--state appropriation for  
17 fiscal year 2011 are for the implementation of Substitute Senate Bill  
18 No. 5368 (annual property revaluation). If the bill is not enacted by  
19 June 30, 2009, the amounts in this subsection shall lapse.

20       (2) \$4,653,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$4,242,000 of the general fund--state appropriation for  
22 fiscal year 2011 are for the implementation of revenue enhancement  
23 strategies. The strategies must include increased out-of-state  
24 auditing and compliance, the purchase of third party data sources for  
25 enhanced audit selection, and increased traditional auditing and  
26 compliance efforts.

27       (3) \$3,127,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$1,737,000 of the general fund--state appropriation for  
29 fiscal year 2011 are for the implementation of Senate Bill No. 6173  
30 (sales tax compliance). If the bill is not enacted by June 30, 2009,  
31 the amounts provided in this subsection shall lapse.

32       (4) \$1,294,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$3,085,000 of the general fund--state appropriation for  
34 fiscal year 2011 are for the implementation of Second Engrossed  
35 Substitute Senate Bill No. 6143 (excise tax law modifications). If the  
36 bill is not enacted by June 30, 2010, the amounts provided in this  
37 subsection shall lapse.

1 (5) \$163,000 of the general fund--state appropriation for fiscal  
2 year 2011 is provided solely to implement Substitute Senate Bill No.  
3 6846 (enhanced 911 services). If the bill is not enacted by June 30,  
4 2010, the amount provided in this subsection shall lapse.

5 (6) \$304,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for making the necessary preparations for  
7 implementation of the working families tax exemption pursuant to RCW  
8 82.08.0206 in 2012.

9 **Sec. 1017.** 2011 c 5 s 121 (uncodified) is amended to read as  
10 follows:

11 **FOR THE BOARD OF TAX APPEALS**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$1,346,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,195,000)</del>
14		<u>\$1,194,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$2,541,000)</del>
16		<u>\$2,540,000</u>

17 **Sec. 1018.** 2011 c 5 s 122 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$815,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$3,527,000)</del>
22		<u>\$3,524,000</u>
23	General Fund--Federal Appropriation . . . . .	\$2,956,000
24	Building Code Council Account--State Appropriation . . . . .	\$875,000
25	General Fund--Private/Local Appropriation . . . . .	\$84,000
26	General Administration Service Account--State	
27	Appropriation . . . . .	\$31,397,000
28	TOTAL APPROPRIATION . . . . .	<del>(\$39,654,000)</del>
29		<u>\$39,651,000</u>

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

32 (1) \$28,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$14,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the purposes of section 8 of  
35 Engrossed Second Substitute Senate Bill No. 5854 (built environment

1 pollution). If section 8 of the bill is not enacted by June 30, 2009,  
2 the amounts provided in this subsection shall lapse.

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

17 (3) \$84,000 of the general fund--private/local appropriation and  
18 \$593,000 of the building code council account--state appropriation are  
19 provided solely to implement Engrossed Second Substitute House Bill No.  
20 2658 (refocusing the department of commerce, including transferring  
21 programs). If the bill is not enacted by June 30, 2010, the amounts  
22 provided in this subsection shall lapse.

23 (4) In accordance with RCW 46.08.172 and 43.135.055, the department  
24 is authorized to increase parking fees in fiscal year 2011 as necessary  
25 to meet the actual costs of conducting business.

26 **Sec. 1019.** 2011 c 5 s 125 (uncodified) is amended to read as  
27 follows:

28 **FOR THE MILITARY DEPARTMENT**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$9,350,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$7,898,000)</del>
31		<u>\$7,890,000</u>
32	General Fund--Federal Appropriation . . . . .	\$168,599,000
33	Enhanced 911 Account--State Appropriation . . . . .	\$44,508,000
34	Disaster Response Account--State Appropriation . . . . .	\$28,350,000
35	Disaster Response Account--Federal Appropriation . . . . .	\$114,496,000
36	Military Department Rent and Lease Account--State	
37	Appropriation . . . . .	\$612,000

1	Military Department Active State Service Account--Federal	
2	Appropriation . . . . .	\$592,000
3	Worker and Community Right-to-Know Account--State	
4	Appropriation . . . . .	\$341,000
5	Nisqually Earthquake Account--State Appropriation . . . . .	\$307,000
6	Nisqually Earthquake Account--Federal Appropriation . . . . .	\$1,067,000
7	TOTAL APPROPRIATION . . . . .	<del>(\$376,120,000)</del>
8		<u>\$376,112,000</u>

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

11       (1) \$28,326,000 of the disaster response account--state  
12 appropriation and \$114,496,000 of the disaster response  
13 account--federal appropriation may be spent only on disasters declared  
14 by the governor and with the approval of the office of financial  
15 management. The military department shall submit a report to the  
16 office of financial management and the legislative fiscal committees on  
17 October 1st and February 1st of each year detailing information on the  
18 disaster response account, including: (a) The amount and type of  
19 deposits into the account; (b) the current available fund balance as of  
20 the reporting date; and (c) the projected fund balance at the end of  
21 the 2009-2011 biennium based on current revenue and expenditure  
22 patterns.

23       (2) \$307,000 of the Nisqually earthquake account--state  
24 appropriation and \$1,067,000 of the Nisqually earthquake  
25 account--federal appropriation are provided solely for response and  
26 recovery costs associated with the February 28, 2001, earthquake. The  
27 military department shall submit a report to the office of financial  
28 management and the legislative fiscal committees on October 1st and  
29 February 1st of each year detailing earthquake recovery costs,  
30 including: (a) Estimates of total costs; (b) incremental changes from  
31 the previous estimate; (c) actual expenditures; (d) estimates of total  
32 remaining costs to be paid; and (e) estimates of future payments by  
33 biennium. This information shall be displayed by fund, by type of  
34 assistance, and by amount paid on behalf of state agencies or local  
35 organizations. The military department shall also submit a report  
36 quarterly to the office of financial management and the legislative  
37 fiscal committees detailing information on the Nisqually earthquake  
38 account, including: (a) The amount and type of deposits into the

1 account; (b) the current available fund balance as of the reporting  
2 date; and (c) the projected fund balance at the end of the 2009-2011  
3 biennium based on current revenue and expenditure patterns.

4 (3) \$85,000,000 of the general fund--federal appropriation is  
5 provided solely for homeland security, subject to the following  
6 conditions:

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

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

16 (4) \$500,000 of the general fund--state appropriation for fiscal  
17 year 2010 is provided solely for the military department to contract  
18 with the Washington information network 2-1-1 to operate a statewide 2-  
19 1-1 system. The department shall provide the entire amount for 2-1-1  
20 and may not use any of the funds for administrative purposes.

21 **Sec. 1020.** 2011 c 5 s 126 (uncodified) is amended to read as  
22 follows:

23 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$2,667,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,345,000)</del>
26		<u>\$2,344,000</u>
27	Higher Education Personnel Services Account--State	
28	Appropriation . . . . .	\$250,000
29	Department of Personnel Service Account--State	
30	Appropriation . . . . .	\$3,263,000
31	TOTAL APPROPRIATION . . . . .	<del>(\$8,525,000)</del>
32		<u>\$8,524,000</u>

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

1       **Sec. 1021.** 2011 c 5 s 127 (uncodified) is amended to read as  
2 follows:

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

4	General Fund--State Appropriation (FY 2010) . . . . .	\$1,371,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,230,000)</del>
6		<u>\$1,197,000</u>
7	General Fund--Federal Appropriation . . . . .	\$2,293,000
8	General Fund--Private/Local Appropriation . . . . .	\$14,000
9	TOTAL APPROPRIATION . . . . .	<del>(\$4,908,000)</del>
10		<u>\$4,875,000</u>

11       The appropriations in this section are subject to the following  
12 conditions and limitations: \$44,000 of the general fund--state  
13 appropriation for fiscal year 2011 is provided for implementation of  
14 Substitute House Bill No. 2704 (Washington main street program). If  
15 the bill is not enacted by June 30, 2010, the amount provided in this  
16 subsection shall lapse.

17       **Sec. 1022.** 2011 c 5 s 128 (uncodified) is amended to read as  
18 follows:

19       **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$1,642,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,334,000)</del>
22		<u>\$1,331,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$2,976,000)</del>
24		<u>\$2,973,000</u>

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

(End of part)

**PART XI**  
**HUMAN SERVICES**

**Sec. 1101.** 2010 1st sp.s. c 37 s 201 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES. (1)**

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 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.

(4) The department is 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



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

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

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

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

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

20 **Sec. 1102.** 2011 c 5 s 201 (uncodified) is amended to read as  
 21 follows:

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

24	General Fund--State Appropriation (FY 2010) . . . . .	\$315,002,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$287,643,000 ))</del>
26		<u>\$285,342,000</u>
27	General Fund--Federal Appropriation . . . . .	<del>(( \$494,136,000 ))</del>
28		<u>\$494,749,000</u>
29	General Fund--Private/Local Appropriation . . . . .	\$3,320,000
30	Home Security Fund Appropriation . . . . .	\$8,406,000
31	Domestic Violence Prevention Account--State	
32	Appropriation . . . . .	\$1,154,000
33	Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
34	TOTAL APPROPRIATION . . . . .	<del>(( \$1,110,386,000 ))</del>
35		<u>\$1,108,698,000</u>

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

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

15 (2) \$369,000 of the general fund--state appropriation for fiscal  
16 year 2010, \$343,000 of the general fund--state appropriation for fiscal  
17 year 2011, and \$306,000 of the general fund--federal appropriation are  
18 provided solely for up to three nonfacility-based programs for the  
19 training, consultation, support, and recruitment of biological, foster,  
20 and adoptive parents of children through age three in need of special  
21 care as a result of substance abuse by their mothers, except that each  
22 program may serve up to three medically fragile nonsubstance-abuse-  
23 affected children. In selecting nonfacility-based programs, preference  
24 shall be given to programs whose federal or private funding sources  
25 have expired or that have successfully performed under the existing  
26 pediatric interim care program.

27 (3) \$2,500,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$46,000 of the general fund--state appropriation for  
29 fiscal year 2011, and \$2,098,000 of the home security fund--state  
30 appropriation are provided solely for secure crisis residential  
31 centers. Within appropriated amounts, the department shall collaborate  
32 with providers to maintain no less than forty-five beds that are  
33 geographically representative of the state. The department shall  
34 examine current secure crisis residential staffing requirements,  
35 flexible payment options, center specific waivers, and other  
36 appropriate methods to accomplish this outcome.

37 (4) A maximum of \$69,190,000 of the general fund--state  
38 appropriations and \$54,443,000 of the general fund--federal

1 appropriations for the 2009-11 biennium shall be expended for  
2 behavioral rehabilitative services and these amounts are provided  
3 solely for this purpose. The department shall work with behavioral  
4 rehabilitative service providers to safely keep youth with emotional,  
5 behavioral, or medical needs at home, with relatives, or with other  
6 permanent placement resources and decrease the length of service  
7 through improved emotional, behavioral, or medical outcomes for  
8 children in behavioral rehabilitative services in order to achieve the  
9 appropriated levels.

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

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

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

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

37 (5) Within amounts provided for the foster care and adoption  
38 support programs, the department shall control reimbursement decisions

1 for foster care and adoption support cases such that the aggregate  
2 average cost per case for foster care and for adoption support does not  
3 exceed the amounts assumed in the projected caseload expenditures.

4 (6) \$13,387,000 of the general fund--state appropriation for fiscal  
5 year 2011 and \$6,231,000 of the general fund--federal appropriation are  
6 provided solely for the department to provide contracted prevention and  
7 early intervention services. The legislature recognizes the need for  
8 flexibility as the department transitions to performance-based  
9 contracts. The following services are included in the prevention and  
10 early intervention block grant: Crisis family intervention services,  
11 family preservation services, intensive family preservation services,  
12 evidence-based programs, public health nurses, and early family support  
13 services. The legislature intends for the department to maintain and  
14 build on existing evidence-based and research-based programs with the  
15 goal of utilizing contracted prevention and intervention services to  
16 keep children safe at home and to safely reunify families. Priority  
17 shall be given to proven intervention models, including evidence-based  
18 prevention and early intervention programs identified by the Washington  
19 state institute for public policy and the department. The department  
20 shall include information on the number, type, and outcomes of the  
21 evidence-based programs being implemented in its reports on child  
22 welfare reform efforts and shall provide the legislature and governor  
23 a report regarding the allocation of resources in this subsection by  
24 September 30, 2010. The department shall expend federal funds under  
25 this subsection in compliance with federal regulations.

26 (7) \$36,000 of the general fund--state appropriation for fiscal  
27 year 2010, \$34,000 of the general fund--state appropriation for fiscal  
28 year 2011, and \$29,000 of the general fund--federal appropriation are  
29 provided solely for the implementation of chapter 465, Laws of 2007  
30 (child welfare).

31 (8) \$125,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$118,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for continuum of care services.  
34 \$100,000 of this amount is for Casey family partners and \$25,000 of  
35 this amount is for volunteers of America crosswalk in fiscal year 2010.  
36 \$95,000 of this amount is for Casey family partners and \$23,000 of this  
37 amount is for volunteers of America crosswalk in fiscal year 2011.

1 (9) \$1,904,000 of the general fund--state appropriation for fiscal  
2 year 2010, \$1,441,000 of the general fund--state appropriation for  
3 fiscal year 2011, and \$335,000 of the general fund--federal  
4 appropriation are provided solely to contract with medical  
5 professionals for comprehensive safety assessments of high-risk  
6 families and for foster care assessments. The safety assessments will  
7 use validated assessment tools to guide intervention decisions through  
8 the identification of additional safety and risk factors. The  
9 department will maintain the availability of comprehensive foster care  
10 assessments and follow up services for children in out-of-home care who  
11 do not have permanent plans, comprehensive safety assessments for  
12 families receiving in-home child protective services or family  
13 voluntary services, and comprehensive safety assessments for families  
14 with an infant age birth to fifteen days where the infant was, at  
15 birth, diagnosed as substance exposed and the department received an  
16 intake referral related to the infant due to the substance exposure.  
17 The department must consolidate contracts, streamline administration,  
18 and explore efficiencies to achieve savings.

19 (10) \$7,679,000 of the general fund--state appropriation for fiscal  
20 year 2010, \$6,226,000 of the general fund--state appropriation for  
21 fiscal year 2011, and \$4,658,000 of the general fund--federal  
22 appropriation are provided solely for court-ordered supervised visits  
23 between parents and dependent children and for sibling visits. The  
24 department shall work collaboratively with the juvenile dependency  
25 courts and revise the supervised visit reimbursement procedures to stay  
26 within appropriations without impeding reunification outcomes between  
27 parents and dependent children. The department shall report to the  
28 legislative fiscal committees on September 30, 2010, and December 30,  
29 2010, the number of children in foster care who receive supervised  
30 visits, their frequency, length of time of each visit, and whether  
31 reunification is attained.

32 (11) \$145,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$817,000 of the general fund--state appropriation for fiscal  
34 year 2011, and \$668,000 of the home security fund--state appropriation  
35 is provided solely for street youth program services.

36 (12) \$1,522,000 of the general fund--state appropriation for fiscal  
37 year 2010, \$1,256,000 of the general fund--state appropriation for  
38 fiscal year 2011, and \$1,372,000 of the general fund--federal

1 appropriation are provided solely for the department to recruit foster  
2 parents. The recruitment efforts shall include collaborating with  
3 community-based organizations and current or former foster parents to  
4 recruit foster parents.

5 (13) \$493,000 of the general fund--state appropriation for fiscal  
6 year 2010, \$102,000 of the general fund--state appropriation for fiscal  
7 year 2011, \$466,000 of the general fund--private/local appropriation,  
8 \$182,000 of the general fund--federal appropriation, and \$725,000 of  
9 the education legacy trust account--state appropriation are provided  
10 solely for children's administration to contract with an educational  
11 advocacy provider with expertise in foster care educational outreach.  
12 Funding is provided solely for contracted education coordinators to  
13 assist foster children in succeeding in K-12 and higher education  
14 systems. Funding shall be prioritized to regions with high numbers of  
15 foster care youth and/or regions where backlogs of youth that have  
16 formerly requested educational outreach services exist. The department  
17 shall utilize private matching funds to maintain educational advocacy  
18 services.

19 (14) \$1,273,000 of the home security fund account--state  
20 appropriation is provided solely for HOPE beds.

21 (15) \$4,234,000 of the home security fund account--state  
22 appropriation is provided solely for the crisis residential centers.

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

29 (17) Within the amounts appropriated in this section, the  
30 department shall contract for a pilot project with family and community  
31 networks in Whatcom county and up to four additional counties to  
32 provide services. The pilot project shall be designed to provide a  
33 continuum of services that reduce out-of-home placements and the  
34 lengths of stay for children in out-of-home placement. The department  
35 and the community networks shall collaboratively select the additional  
36 counties for the pilot project and shall collaboratively design the  
37 contract. Within the framework of the pilot project, the contract  
38 shall seek to maximize federal funds. The pilot project in each county

1 shall include the creation of advisory and management teams which  
2 include members from neighborhood-based family advisory committees,  
3 residents, parents, youth, providers, and local and regional department  
4 staff. The Whatcom county team shall facilitate the development of  
5 outcome-based protocols and policies for the pilot project and develop  
6 a structure to oversee, monitor, and evaluate the results of the pilot  
7 projects. The department shall report the costs and savings of the  
8 pilot project to the appropriate committees of the legislature by  
9 November 1 of each year.

10 (18) \$157,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$78,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the department to contract  
13 with a nonprofit entity for a reunification pilot project in Whatcom  
14 and Skagit counties. The contract for the reunification pilot project  
15 shall include a rate of \$46.16 per hour for evidence-based  
16 interventions, in combination with supervised visits, to provide 3,564  
17 hours of services to reduce the length of stay for children in the  
18 child welfare system. The contract shall also include evidence-based  
19 intensive parenting skills building services and family support case  
20 management services for 38 families participating in the reunification  
21 pilot project. The contract shall include the flexibility for the  
22 nonprofit entity to subcontract with trained providers.

23 (19) \$303,000 of the general fund--state appropriation for fiscal  
24 year 2010, \$392,000 of the general fund--state appropriation for fiscal  
25 year 2011, and \$241,000 of the general fund--federal appropriation are  
26 provided solely to implement Engrossed Substitute House Bill No. 1961  
27 (increasing adoptions act). If the bill is not enacted by June 30,  
28 2009, the amounts provided in this subsection shall lapse.

29 (20) \$98,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$49,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the department to contract  
32 with an agency that is working in partnership with, and has been  
33 evaluated by, the University of Washington school of social work to  
34 implement promising practice constellation hub models of foster care  
35 support.

36 (21) The legislature intends for the department to reduce the time  
37 a child remains in the child welfare system. The department shall  
38 establish a measurable goal and report progress toward meeting that



1 goal to the legislature by January 15 of each fiscal year of the  
2 2009-11 fiscal biennium. To the extent that actual caseloads exceed  
3 those assumed in this section, it is the intent of the legislature to  
4 address those issues in a manner similar to all other caseload  
5 programs.

6 (22) \$715,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$671,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for services provided through  
9 children's advocacy centers.

10 (23) \$10,000 of the general fund--state appropriation for fiscal  
11 year 2011 and \$3,000 of the general fund--federal appropriation are  
12 provided solely for implementation of chapter 224, Laws of 2010  
13 (confinement alternatives). If the bill is not enacted by June 30,  
14 2010, the amounts provided in this subsection shall lapse.

15 (24) \$1,867,000 of the general fund--state appropriation for fiscal  
16 year 2010, \$1,677,000 of the general fund--state appropriation for  
17 fiscal year 2011, and \$4,379,000 of the general fund--federal  
18 appropriation are provided solely for the department to contract for  
19 medicaid treatment child care (MTCC) services. Children's  
20 administration case workers, local public health nurses and case  
21 workers from the temporary assistance for needy families program shall  
22 refer children to MTCC services, as long as the children meet the  
23 eligibility requirements as outlined in the Washington state plan for  
24 the MTCC services.

25 (25) The department shall contract for at least one pilot project  
26 with adolescent services providers to deliver a continuum of short-term  
27 crisis stabilization services. The pilot project shall include  
28 adolescent services provided through secure crisis residential centers,  
29 crisis residential centers, and hope beds. The department shall work  
30 with adolescent service providers to maintain availability of  
31 adolescent services and maintain the delivery of services in a  
32 geographically representative manner. The department shall examine  
33 current staffing requirements, flexible payment options, center-  
34 specific licensing waivers, and other appropriate methods to achieve  
35 savings and streamline the delivery of services. The legislature  
36 intends for the pilot project to provide flexibility to the department  
37 to improve outcomes and to achieve more efficient utilization of  
38 existing resources, while meeting the statutory goals of the adolescent

1 services programs. The department shall provide an update to the  
2 appropriate legislative committees and governor on the status of the  
3 pilot project implementation by December 1, 2010.

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

13 (27) Receipts from fees per chapter 289, Laws of 2010, as deposited  
14 into the prostitution prevention and intervention account for services  
15 provided to sexually exploited children as defined in RCW 13.32A.030 in  
16 secure and semi-secure crisis residential centers with access to staff  
17 trained to meet their specific needs shall be used to expand capacity  
18 for secure crisis residential centers and not supplant existing  
19 funding.

20 ~~((28) The appropriations in this section reflect reductions to the  
21 foster care maintenance payment rates during fiscal year 2011.))~~

22 **Sec. 1103.** 2011 c 5 s 202 (uncodified) is amended to read as  
23 follows:

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
25 **REHABILITATION PROGRAM**

26	General Fund--State Appropriation (FY 2010) . . . . .	\$103,437,000
27	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$90,240,000 ))</del>
28		<u>\$88,586,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(( \$1,715,000 ))</del>
30		<u>\$1,734,000</u>
31	General Fund--Private/Local Appropriation . . . . .	<del>(( \$1,899,000 ))</del>
32		<u>\$1,931,000</u>
33	Washington Auto Theft Prevention Authority Account--	
34	State Appropriation . . . . .	\$3,896,000
35	Juvenile Accountability Incentive Account--Federal	
36	Appropriation . . . . .	\$2,805,000
37	State Efficiency and Restructuring Account--State	

1	Appropriation . . . . .	\$4,958,000
2	TOTAL APPROPRIATION . . . . .	<del>(\$208,950,000)</del>
3		<u>\$207,347,000</u>

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

6 (1) \$353,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$331,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for deposit in the county criminal  
9 justice assistance account for costs to the criminal justice system  
10 associated with the implementation of chapter 338, Laws of 1997  
11 (juvenile code revisions). The amounts provided in this subsection are  
12 intended to provide funding for county adult court costs associated  
13 with the implementation of chapter 338, Laws of 1997 and shall be  
14 distributed in accordance with RCW 82.14.310.

15 (2) \$3,408,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$2,716,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely for the implementation of chapter  
18 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
19 this subsection are intended to provide funding for county impacts  
20 associated with the implementation of chapter 338, Laws of 1997 and  
21 shall be distributed to counties as prescribed in the current  
22 consolidated juvenile services (CJS) formula.

23 (3) \$3,716,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$3,482,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely to implement community juvenile  
26 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
27 code revisions). Funds provided in this subsection may be used solely  
28 for community juvenile accountability grants, administration of the  
29 grants, and evaluations of programs funded by the grants.

30 (4) \$1,427,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$1,130,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely to implement alcohol and substance  
33 abuse treatment programs for locally committed offenders. The juvenile  
34 rehabilitation administration shall award these moneys on a competitive  
35 basis to counties that submitted a plan for the provision of services  
36 approved by the division of alcohol and substance abuse. The juvenile  
37 rehabilitation administration shall develop criteria for evaluation of

1 plans submitted and a timeline for awarding funding and shall assist  
2 counties in creating and submitting plans for evaluation.

3 (5) \$3,066,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$2,873,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for grants to county juvenile  
6 courts for the following programs identified by the Washington state  
7 institute for public policy (institute) in its October 2006 report:  
8 "Evidence-Based Public Policy Options to Reduce Future Prison  
9 Construction, Criminal Justice Costs and Crime Rates": Functional  
10 family therapy, multi-systemic therapy, aggression replacement training  
11 and interagency coordination programs, or other programs with a  
12 positive benefit-cost finding in the institute's report. County  
13 juvenile courts shall apply to the juvenile rehabilitation  
14 administration for funding for program-specific participation and the  
15 administration shall provide grants to the courts consistent with the  
16 per-participant treatment costs identified by the institute.

17 (6) \$1,287,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$1,287,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for expansion of the following  
20 treatments and therapies in juvenile rehabilitation administration  
21 programs identified by the Washington state institute for public policy  
22 in its October 2006 report: "Evidence-Based Public Policy Options to  
23 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
24 Rates": Multidimensional treatment foster care, family integrated  
25 transitions, and aggression replacement training. The administration  
26 may concentrate delivery of these treatments and therapies at a limited  
27 number of programs to deliver the treatments in a cost-effective  
28 manner.

29 (7)(a) For the fiscal year ending June 30, 2011, the juvenile  
30 rehabilitation administration shall administer a block grant, rather  
31 than categorical funding, of consolidated juvenile service funds,  
32 community juvenile accountability act grants, the chemical dependency  
33 disposition alternative funds, the mental health disposition  
34 alternative, and the sentencing disposition alternative for the purpose  
35 of serving youth adjudicated in the juvenile justice system. In making  
36 the block grant, the juvenile rehabilitation administration shall  
37 follow the following formula and will prioritize evidence-based  
38 programs and disposition alternatives and take into account juvenile

1 courts program-eligible youth in conjunction with the number of youth  
2 served in each approved evidence-based program or disposition  
3 alternative: (i) Thirty-seven and one-half percent for the at-risk  
4 population of youth ten to seventeen years old; (ii) fifteen percent  
5 for moderate and high-risk youth; (iii) twenty-five percent for  
6 evidence-based program participation; (iv) seventeen and one-half  
7 percent for minority populations; (v) three percent for the chemical  
8 dependency disposition alternative; and (vi) two percent for the mental  
9 health and sentencing dispositional alternatives. Funding for the  
10 special sex offender disposition alternative (SSODA) shall not be  
11 included in the block grant, but allocated on the average daily  
12 population in juvenile courts. Funding for the evidence-based  
13 expansion grants shall be excluded from the block grant formula. Funds  
14 may be used for promising practices when approved by the juvenile  
15 rehabilitation administration and juvenile courts, through the  
16 community juvenile accountability act committee, based on the criteria  
17 established in consultation with Washington state institute for public  
18 policy and the juvenile courts.

19 (b) It is the intent of the legislature that the juvenile  
20 rehabilitation administration phase the implementation of the formula  
21 provided in subsection (1) of this section by including a stop-loss  
22 formula of three percent in fiscal year 2011, five percent in fiscal  
23 year 2012, and five percent in fiscal year 2013. It is further the  
24 intent of the legislature that the evidence-based expansion grants be  
25 incorporated into the block grant formula by fiscal year 2013 and SSODA  
26 remain separate unless changes would result in increasing the cost  
27 benefit savings to the state as identified in (c) of this subsection.

28 (c) The juvenile rehabilitation administration and the juvenile  
29 courts shall establish a block grant funding formula oversight  
30 committee with equal representation from the juvenile rehabilitation  
31 administration and the juvenile courts. The purpose of this committee  
32 is to assess the ongoing implementation of the block grant funding  
33 formula, utilizing data-driven decision making and the most current  
34 available information. The committee will be cochaired by the juvenile  
35 rehabilitation administration and the juvenile courts, who will also  
36 have the ability to change members of the committee as needed to  
37 achieve its purpose. Initial members will include one juvenile court  
38 representative from the finance committee, the community juvenile

1 accountability act committee, the risk assessment quality assurance  
2 committee, the executive board of the Washington association of  
3 juvenile court administrators, the Washington state center for court  
4 research, and a representative of the superior court judges  
5 association; two representatives from the juvenile rehabilitation  
6 administration headquarters program oversight staff, two  
7 representatives of the juvenile rehabilitation administration regional  
8 office staff, one representative of the juvenile rehabilitation  
9 administration fiscal staff and a juvenile rehabilitation  
10 administration division director. The committee may make changes to  
11 the formula categories other than the evidence-based program and  
12 disposition alternative categories if it is determined the changes will  
13 increase statewide service delivery or effectiveness of evidence-based  
14 program or disposition alternative resulting in increased cost benefit  
15 savings to the state. Long-term cost benefit must be considered.  
16 Percentage changes may occur in the evidence-based program or  
17 disposition alternative categories of the formula should it be  
18 determined the changes will increase evidence-based program or  
19 disposition alternative delivery and increase the cost benefit to the  
20 state. These outcomes will also be considered in determining when  
21 evidence-based expansion or special sex offender disposition  
22 alternative funds should be included in the block grant or left  
23 separate.

24 (d) The juvenile courts and administrative office of the courts  
25 shall be responsible for collecting and distributing information and  
26 providing access to the data systems to the juvenile rehabilitation  
27 administration and the Washington state institute for public policy  
28 related to program and outcome data. The juvenile rehabilitation  
29 administration and the juvenile courts will work collaboratively to  
30 develop program outcomes that reinforce the greatest cost benefit to  
31 the state in the implementation of evidence-based practices and  
32 disposition alternatives.

33 (e) By December 1, 2010, the Washington state institute for public  
34 policy shall report to the office of financial management and  
35 appropriate committees of the legislature on the administration of the  
36 block grant authorized in this subsection. The report shall include  
37 the criteria used for allocating the funding as a block grant and the

1 participation targets and actual participation in the programs subject  
2 to the block grant.

3 (8) \$3,700,000 of the Washington auto theft prevention authority  
4 account--state appropriation is provided solely for competitive grants  
5 to community-based organizations to provide at-risk youth intervention  
6 services, including but not limited to, case management, employment  
7 services, educational services, and street outreach intervention  
8 programs. Projects funded should focus on preventing, intervening, and  
9 suppressing behavioral problems and violence while linking at-risk  
10 youth to pro-social activities. The department may not expend more  
11 than \$1,850,000 per fiscal year. The costs of administration must not  
12 exceed four percent of appropriated funding for each grant recipient.  
13 Each entity receiving funds must report to the juvenile rehabilitation  
14 administration on the number and types of youth served, the services  
15 provided, and the impact of those services upon the youth and the  
16 community.

17 (9) The appropriations in this section assume savings associated  
18 with the transfer of youthful offenders age eighteen or older whose  
19 sentences extend beyond age twenty-one to the department of corrections  
20 to complete their sentences. Prior to transferring an offender to the  
21 department of corrections, the juvenile rehabilitation administration  
22 shall evaluate the offender to determine the offender's physical and  
23 emotional suitability for transfer.

24 **Sec. 1104.** 2011 c 5 s 203 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**  
27 **PROGRAM**

28	(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS	
29	General Fund--State Appropriation (FY 2010) . . . . .	\$273,648,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$263,993,000)</del>
31		<u>\$271,260,000</u>
32	General Fund--Federal Appropriation . . . . .	<del>(\$520,024,000)</del>
33		<u>\$513,373,000</u>
34	General Fund--Private/Local Appropriation . . . . .	\$16,951,000
35	Hospital Safety Net Assessment Fund--State	
36	Appropriation . . . . .	\$3,476,000
37	TOTAL APPROPRIATION . . . . .	<del>(\$1,078,092,000)</del>

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

(a) \$113,689,000 of the general fund--state appropriation for fiscal year 2010 and \$101,089,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for persons and services not covered by the medicaid program. This is a reduction of \$11,606,000 each fiscal year from the nonmedicaid funding that was allocated for expenditure by regional support networks during fiscal year 2009 prior to supplemental budget reductions. This \$11,606,000 reduction shall be distributed among regional support networks proportional to each network's share of the total state population. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: (i) Crisis and commitment services; (ii) community inpatient services; and (iii) residential care services, including personal care and emergency housing assistance.

(b) \$10,400,000 of the general fund--state appropriation for fiscal year 2010, \$8,814,000 of the general fund--state appropriation for fiscal year 2011, and \$1,300,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to contract for implementation of high-intensity program for active community treatment (PACT) teams. The department shall work with regional support networks and the center for medicare and medicaid services to integrate eligible components of the PACT service delivery model into medicaid capitation rates no later than January 2011, while maintaining consistency with all essential elements of the PACT evidence-based practice model.

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

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support



1 networks at western state hospital shall be 617 per day during the  
2 first quarter of fiscal year 2010, 587 per day through the second  
3 quarter of fiscal year 2011, and 557 per day thereafter. Beds in the  
4 program for adaptive living skills (PALS) are not included in the  
5 preceding bed allocations. The department shall separately charge  
6 regional support networks for persons served in the PALS program.

7 (e) From the general fund--state appropriations in this subsection,  
8 the secretary of social and health services shall assure that regional  
9 support networks reimburse the aging and disability services  
10 administration for the general fund--state cost of medicaid personal  
11 care services that enrolled regional support network consumers use  
12 because of their psychiatric disability.

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

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

22 (h) \$750,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$703,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely to continue performance-based  
25 incentive contracts to provide appropriate community support services  
26 for individuals with severe mental illness who were discharged from the  
27 state hospitals as part of the expanding community services initiative.  
28 These funds will be used to enhance community residential and support  
29 services provided by regional support networks through other state and  
30 federal funding.

31 (i) \$1,500,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$1,500,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for the Spokane regional support  
34 network to implement services to reduce utilization and the census at  
35 eastern state hospital. Such services shall include:

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

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

4 (iii) Mental health services provided in nursing facilities to  
5 individuals with dementia, and consultation to facility staff treating  
6 those individuals; and

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

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

12 (j) The department shall return to the Spokane regional support  
13 network fifty percent of the amounts assessed against the network  
14 during the last six months of calendar year 2009 for state hospital  
15 utilization in excess of its contractual limit. The regional support  
16 network shall use these funds for operation during its initial months  
17 of a new sixteen-bed evaluation and treatment facility that will enable  
18 the network to reduce its use of the state hospital, and for diversion  
19 and community support services for persons with dementia who would  
20 likely otherwise require care at the state hospital.

21 (k) The department is directed to identify and implement program  
22 efficiencies and benefit changes in its delivery of medicaid managed-  
23 care services that are sufficient to operate within the state and  
24 federal appropriations in this section. Such actions may include but  
25 are not limited to methods such as adjusting the care access standards;  
26 improved utilization management of ongoing, recurring, and high-  
27 intensity services; and increased uniformity in provider payment rates.  
28 The department shall ensure that the capitation rate adjustments  
29 necessary to accomplish these efficiencies and changes are distributed  
30 uniformly and equitably across all regional support networks statewide.  
31 The department is directed to report to the relevant legislative fiscal  
32 and policy committees at least thirty days prior to implementing rate  
33 adjustments reflecting these changes.

34 (l) In developing the new medicaid managed care rates under which  
35 the public mental health managed care system will operate during the  
36 five years beginning in fiscal year 2011, the department should seek to  
37 estimate the reasonable and necessary cost of efficiently and  
38 effectively providing a comparable set of medically necessary mental

1 health benefits to persons of different acuity levels regardless of  
2 where in the state they live. Actual prior period spending in a  
3 regional administrative area shall not be a key determinant of future  
4 payment rates. The department shall report to the office of financial  
5 management and to the relevant fiscal and policy committees of the  
6 legislature on its proposed new waiver and mental health managed care  
7 rate-setting approach by October 1, 2009, and again at least sixty days  
8 prior to implementation of new capitation rates.

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

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

26 (o) The legislature intends and expects that regional support  
27 networks and contracted community mental health agencies shall make all  
28 possible efforts to, at a minimum, maintain current compensation levels  
29 of direct care staff. Such efforts shall include, but not be limited  
30 to, identifying local funding that can preserve client services and  
31 staff compensation, achieving administrative reductions at the regional  
32 support network level, and engaging stakeholders on cost-savings ideas  
33 that maintain client services and staff compensation. For purposes of  
34 this section, "direct care staff" means persons employed by community  
35 mental health agencies whose primary responsibility is providing direct  
36 treatment and support to people with mental illness, or whose primary  
37 responsibility is providing direct support to such staff in areas such

1 as client scheduling, client intake, client reception, client records-  
2 keeping, and facilities maintenance.

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

15 (2) INSTITUTIONAL SERVICES

16	General Fund--State Appropriation (FY 2010) . . . . .	\$119,423,000
17	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$112,514,000</del> ))
18		<u>\$111,365,000</u>
19	General Fund--Federal Appropriation . . . . .	(( <del>\$152,195,000</del> ))
20		<u>\$154,399,000</u>
21	General Fund--Private/Local Appropriation . . . . .	(( <del>\$63,873,000</del> ))
22		<u>\$64,789,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$448,005,000</del> ))
24		<u>\$449,976,000</u>

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

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

30 (b) \$231,000 of the general fund--state appropriation for fiscal  
31 year 2008 and \$216,000 of the general fund--state appropriation for  
32 fiscal year 2009 are provided solely for a community partnership  
33 between western state hospital and the city of Lakewood to support  
34 community policing efforts in the Lakewood community surrounding  
35 western state hospital. The amounts provided in this subsection (2)(b)  
36 are for the salaries, benefits, supplies, and equipment for one full-  
37 time investigator, one full-time police officer, and one full-time  
38 community service officer at the city of Lakewood.

1 (c) \$45,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$42,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for payment to the city of  
4 Lakewood for police services provided by the city at western state  
5 hospital and adjacent areas.

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

11 (3) SPECIAL PROJECTS

12 General Fund--State Appropriation (FY 2010) . . . . .	\$1,819,000
13 General Fund--State Appropriation (FY 2011) . . . . .	\$1,961,000
14 General Fund--Federal Appropriation . . . . .	<del>(\$2,142,000)</del>
15	<u>\$2,538,000</u>
16 TOTAL APPROPRIATION . . . . .	<del>(\$5,922,000)</del>
17	<u>\$6,318,000</u>

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

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

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

29 (c) \$56,000 of the general fund--state appropriation for fiscal  
30 year 2011 is provided solely for the department to contract with the  
31 Washington state institute for public policy for completion of the  
32 research reviews to be conducted in accordance with chapter 263, Laws  
33 of 2010.

34 (d) \$56,000 of the general fund--state appropriation for fiscal  
35 year 2011 is provided solely for the department to contract with the  
36 Washington state institute for public policy for completion of the  
37 research reviews to be conducted in accordance with section 1, chapter  
38 280, Laws of 2010.

1 (e) \$56,000 of the general fund--state appropriation for fiscal  
 2 year 2011 is provided solely for implementation of sections 2 and 3,  
 3 chapter 280, Laws of 2010. The department shall use these funds to  
 4 contract with the Washington state institute for public policy for  
 5 completion of an assessment of (i) the extent to which the number of  
 6 persons involuntarily committed for 3, 14, and 90 days is likely to  
 7 increase as a result of the revised commitment standards; (ii) the  
 8 availability of community treatment capacity to accommodate that  
 9 increase; (iii) strategies for cost-effectively leveraging state,  
 10 local, and private resources to increase community involuntary  
 11 treatment capacity; and (iv) the extent to which increases in  
 12 involuntary commitments are likely to be offset by reduced utilization  
 13 of correctional facilities, publicly-funded medical care, and state  
 14 psychiatric hospitalizations.

15 (4) PROGRAM SUPPORT

16	General Fund--State Appropriation (FY 2010) . . . . .	\$4,078,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$3,722,000)</del>
18		<u>\$4,002,000</u>
19	General Fund--Federal Appropriation . . . . .	<del>(\$7,207,000)</del>
20		<u>\$6,920,000</u>
21	TOTAL APPROPRIATION . . . . .	<del>(\$15,007,000)</del>
22		<u>\$15,000,000</u>

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

31 **Sec. 1105.** 2011 c 5 s 204 (uncodified) is amended to read as  
 32 follows:

33 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**  
 34 **DISABILITIES PROGRAM**

35 (1) COMMUNITY SERVICES

36	General Fund--State Appropriation (FY 2010) . . . . .	\$307,348,000
37	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$321,752,000)</del>

1		<u>\$329,639,000</u>
2	General Fund--Federal Appropriation . . . . .	(( <del>\$890,274,000</del> ))
3		<u>\$870,232,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$1,519,374,000</del> ))
5		<u>\$1,507,219,000</u>

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

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

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

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

26 (c) Amounts appropriated in this section are sufficient to develop  
27 and implement the use of a consistent, statewide outcome-based vendor  
28 contract for employment and day services by April 1, 2011. The rates  
29 paid to vendors under this contract shall also be made consistent. In  
30 its description of activities the agency shall include activity  
31 listings and dollars appropriated for: Employment services, day  
32 services, child development services and county administration of  
33 services to the developmentally disabled. The department shall begin  
34 reporting to the office of financial management on these activities  
35 beginning in fiscal year 2010.

36 (d) \$302,000 of the general fund--state appropriation for fiscal  
37 year 2010, \$831,000 of the general fund--state appropriation for fiscal  
38 year 2011, and \$1,592,000 of the general fund--federal appropriation

1 are provided solely for health care benefits pursuant to a collective  
2 bargaining agreement negotiated with the exclusive bargaining  
3 representative of individual providers established under RCW  
4 74.39A.270.

5 (e)(i) \$682,000 of the general fund--state appropriation for fiscal  
6 year 2010, \$1,651,000 of the general fund--state appropriation for  
7 fiscal year 2011, and \$1,678,000 of the general fund--federal  
8 appropriation are provided solely for the state's contribution to the  
9 training partnership, as provided in RCW 74.39A.360, pursuant to a  
10 collective bargaining agreement negotiated with the exclusive  
11 bargaining representative of individual providers established under RCW  
12 74.39A.270.

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

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

20 (f) Within the amounts appropriated in this subsection (1), the  
21 department shall implement all necessary rules to facilitate the  
22 transfer to a department home and community-based services (HCBS)  
23 waiver of all eligible individuals who (i) currently receive services  
24 under the existing state-only employment and day program or the  
25 existing state-only residential program, and (ii) otherwise meet the  
26 waiver eligibility requirements. The amounts appropriated are  
27 sufficient to ensure that all individuals currently receiving services  
28 under the state-only employment and day and state-only residential  
29 programs who are not transferred to a department HCBS waiver will  
30 continue to receive services.

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

37 (h) The department shall not pay a home care agency licensed under



1 chapter 70.127 RCW for personal care services provided by a family  
2 member, pursuant to Substitute House Bill No. 2361 (modifying state  
3 payments for in-home care).

4 (i) Within the appropriations of this section, the department shall  
5 reduce all seventeen payment levels of the seventeen-level payment  
6 system from the fiscal year 2009 levels for boarding homes, boarding  
7 homes contracted as assisted living, and adult family homes. Excluded  
8 from the reductions are exceptional care rate add-ons. The long-term  
9 care program may develop add-ons to pay exceptional care rates to adult  
10 family homes and boarding homes with specialty contracts to provide  
11 support for the following specifically eligible clients:

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

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

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

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

22 (j) The amounts appropriated in this subsection reflect a reduction  
23 in funds available for employment and day services. In administering  
24 this reduction the department shall negotiate with counties and their  
25 vendors so that this reduction, to the greatest extent possible, is  
26 achieved by reducing vendor rates and allowable contract administrative  
27 charges (overhead) and not through reductions to direct client services  
28 or direct service delivery or programs.

29 (k) As part of the needs assessment instrument, the department may  
30 collect data on family income for minor children with developmental  
31 disabilities and all individuals who are receiving state-only funded  
32 services. The department may ensure that this information is collected  
33 as part of the client assessment process.

34 (l) \$116,000 of the general fund--state appropriation for fiscal  
35 year 2010, \$2,133,000 of the general fund--state appropriation for  
36 fiscal year 2011, and \$1,772,000 of the general fund--federal  
37 appropriation are provided solely for employment services and required  
38 waiver services. Priority consideration for this new funding shall be

1 young adults with developmental disabilities living with their family  
2 who need employment opportunities and assistance after high school  
3 graduation. Services shall be provided for both waiver and nonwaiver  
4 clients.

5 (m) \$81,000 of the general fund--state appropriation for fiscal  
6 year 2010, \$599,000 of the general fund--state appropriation for fiscal  
7 year 2011, and \$1,111,000 of the general fund--federal appropriation  
8 are provided solely for the department to provide employment and day  
9 services for eligible students who are currently on a waiver and will  
10 graduate from high school during fiscal years 2010 and 2011.

11 (n) The automatic award of additional hours of personal care for  
12 people with special meal preparation or incontinence needs is  
13 eliminated. Authorization of service hours will be based upon the  
14 individual's assessed needs.

15 (o) \$75,000 of the general fund--state appropriation for fiscal  
16 year 2011 is provided solely for the restoration of direct support to  
17 local organizations that utilize parent-to-parent networks and  
18 communication to promote access and quality of care for individuals  
19 with developmental disabilities and their families.

20 (2) INSTITUTIONAL SERVICES

21	General Fund--State Appropriation (FY 2010) . . . . .	\$61,422,000
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$62,551,000)</del>
23		<u>\$66,554,000</u>
24	General Fund--Federal Appropriation . . . . .	<del>(\$205,440,000)</del>
25		<u>\$200,262,000</u>
26	General Fund--Private/Local Appropriation . . . . .	<del>(\$22,357,000)</del>
27		<u>\$22,657,000</u>
28	TOTAL APPROPRIATION . . . . .	<del>(\$351,770,000)</del>
29		<u>\$350,895,000</u>

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

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

36 (b) The developmental disabilities program is authorized to use  
37 funds appropriated in this subsection to purchase goods and supplies

1 through direct contracting with vendors when the program determines it  
2 is cost-effective to do so.

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

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

16 (3) PROGRAM SUPPORT

17	General Fund--State Appropriation (FY 2010) . . . . .	\$1,407,000
18	General Fund--State Appropriation (FY 2011) . . . . .	\$1,341,000
19	General Fund--Federal Appropriation . . . . .	<del>(\$1,263,000)</del>
20		<u>\$1,277,000</u>
21	TOTAL APPROPRIATION . . . . .	<del>(\$4,011,000)</del>
22		<u>\$4,025,000</u>

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

30 (4) SPECIAL PROJECTS

31	General Fund--Federal Appropriation . . . . .	<del>(\$10,171,000)</del>
32		<u>\$10,157,000</u>

33 The appropriation in this subsection is subject to the following  
34 conditions and limitations: The appropriations in this subsection are  
35 available solely for the infant toddler early intervention program and  
36 the money follows the person program as defined by this federal grant.

1       **Sec. 1106.** 2011 c 5 s 205 (uncodified) is amended to read as  
2 follows:

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

5	General Fund--State Appropriation (FY 2010) . . . . .	\$616,837,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$606,962,000)</del>
7		<u>\$647,131,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(\$1,917,607,000)</del>
9		<u>\$1,905,500,000</u>
10	General Fund--Private/Local Appropriation . . . . .	\$18,013,000
11	Traumatic Brain Injury Account--State Appropriation . . . . .	\$4,136,000
12	TOTAL APPROPRIATION . . . . .	<del>(\$3,163,555,000)</del>
13		<u>\$3,191,617,000</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 \$169.85 for  
18 fiscal year 2010 and shall not exceed \$161.86 for fiscal year 2011,  
19 including the rate add-on described in subsection (12) of this section.  
20 There will be no adjustments for economic trends and conditions in  
21 fiscal years 2010 and 2011. The economic trends and conditions factor  
22 or factors defined in the biennial appropriations act shall not be  
23 compounded with the economic trends and conditions factor or factors  
24 defined in any other biennial appropriations acts before applying it to  
25 the component rate allocations established in accordance with chapter  
26 74.46 RCW. When no economic trends and conditions factor for either  
27 fiscal year is defined in a biennial appropriations act, no economic  
28 trends and conditions factor or factors defined in any earlier biennial  
29 appropriations act shall be applied solely or compounded to the  
30 component rate allocations established in accordance with chapter 74.46  
31 RCW.

32       (2) After examining actual nursing facility cost information, the  
33 legislature finds that the medicaid nursing facility rates calculated  
34 pursuant to Substitute House Bill No. 3202 or Substitute Senate Bill  
35 No. 6872 (nursing facility medicaid payments) provide sufficient  
36 reimbursement to efficient and economically operating nursing  
37 facilities and bears a reasonable relationship to costs.

1 (3) In accordance with chapter 74.46 RCW, the department shall  
2 issue no additional certificates of capital authorization for fiscal  
3 year 2010 and no new certificates of capital authorization for fiscal  
4 year 2011 and shall grant no rate add-ons to payment rates for capital  
5 improvements not requiring a certificate of need and a certificate of  
6 capital authorization for fiscal year 2011.

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

13 (5) Within the appropriations of this section, the department shall  
14 reduce all seventeen payment levels of the seventeen-level payment  
15 system from the fiscal year 2009 levels for boarding homes, boarding  
16 homes contracted as assisted living, and adult family homes. Excluded  
17 from the reductions are exceptional care rate add-ons. The long-term  
18 care program may develop add-ons to pay exceptional care rates to adult  
19 family homes and boarding homes with specialty contracts to provide  
20 support for the following specifically eligible clients:

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

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

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

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

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

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

7 (7) \$536,000 of the general fund--state appropriation for fiscal  
8 year 2010, \$1,477,000 of the general fund--state appropriation for  
9 fiscal year 2011, and \$2,830,000 of the general fund--federal  
10 appropriation are provided solely for health care benefits pursuant to  
11 a collective bargaining agreement negotiated with the exclusive  
12 bargaining representative of individual providers established under RCW  
13 74.39A.270.

14 (8)(a) \$1,212,000 of the general fund--state appropriation for  
15 fiscal year 2010, \$2,934,000 of the general fund--state appropriation  
16 for fiscal year 2011, and \$2,982,000 of the general fund--federal  
17 appropriation are provided solely for the state's contribution to the  
18 training partnership, as provided in RCW 74.39A.360, pursuant to a  
19 collective bargaining agreement negotiated with the exclusive  
20 bargaining representative of individual providers established under RCW  
21 74.39A.270.

22 (b) \$330,000 of the general fund--state appropriation for fiscal  
23 year 2010, \$660,000 of the general fund--state appropriation for fiscal  
24 year 2011, and \$810,000 of the general fund--federal appropriation are  
25 provided solely for transfer from the department to the training  
26 partnership, as provided in RCW 74.39A.360, for infrastructure and  
27 instructional costs associated with training of individual providers,  
28 pursuant to a collective bargaining agreement negotiated with the  
29 exclusive bargaining representative of individual providers established  
30 under RCW 74.39A.270.

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

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

1 (9) Within the amounts appropriated in this section, the department  
2 may expand the new freedom waiver program to accommodate new waiver  
3 recipients throughout the state. As possible, and in compliance with  
4 current state and federal laws, the department shall allow current  
5 waiver recipients to transfer to the new freedom waiver.

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

10 (11) \$3,955,000 of the general fund--state appropriation for fiscal  
11 year 2010, \$3,972,000 of the general fund--state appropriation for  
12 fiscal year 2011, and \$10,190,000 of the general fund--federal  
13 appropriation are provided solely for the continued operation of  
14 community residential and support services for persons who are older  
15 adults or who have co-occurring medical and behavioral disorders and  
16 who have been discharged or diverted from a state psychiatric hospital.  
17 These funds shall be used to serve individuals whose treatment needs  
18 constitute substantial barriers to community placement, who no longer  
19 require active psychiatric treatment at an inpatient hospital level of  
20 care, and who no longer meet the criteria for inpatient involuntary  
21 commitment. Coordination of these services will be done in partnership  
22 between the mental health program and the aging and disability services  
23 administration.

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

37 (13) \$1,840,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$1,759,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for operation of the volunteer  
2 services program. Funding shall be prioritized towards serving  
3 populations traditionally served by long-term care services to include  
4 senior citizens and persons with disabilities.

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

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

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

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

18 (d) If it is necessary to establish a waiting list for either  
19 waiver because the budgeted number of enrollment opportunities has been  
20 reached, the department shall track how the long-term care needs of  
21 applicants assigned to the waiting list are met.

22 (15) The department shall establish waiting lists to the extent  
23 necessary to assure that annual expenditures on the community options  
24 program entry systems (COPES) program do not exceed appropriated  
25 levels. In establishing and managing any such waiting list, the  
26 department shall assure priority access to persons with the greatest  
27 unmet needs, as determined by department assessment processes.

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

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

36 (18) \$209,000 of the general fund--state appropriation for fiscal  
37 year 2010, \$732,000 of the general fund--state appropriation for fiscal  
38 year 2011, and \$1,293,000 of the general fund--federal appropriation



1 are provided solely to implement Engrossed House Bill No. 2194  
2 (extraordinary medical placement for offenders). The department shall  
3 work in partnership with the department of corrections to identify  
4 services and find placements for offenders who are released through the  
5 extraordinary medical placement program. The department shall  
6 collaborate with the department of corrections to identify and track  
7 cost savings to the department of corrections, including medical cost  
8 savings and to identify and track expenditures incurred by the aging  
9 and disability services program for community services and by the  
10 medical assistance program for medical expenses. A joint report  
11 regarding the identified savings and expenditures shall be provided to  
12 the office of financial management and the appropriate fiscal  
13 committees of the legislature by November 30, 2010. If this bill is  
14 not enacted by June 30, 2009, the amounts provided in this subsection  
15 shall lapse.

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

20 (a) \$1,035,000 of the general fund--private/local appropriation  
21 assumes that the current annual renewal license fee for nursing  
22 facilities shall be increased to \$327 per bed beginning in fiscal year  
23 2011.

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

27 (20) \$2,566,000 of the traumatic brain injury account--state  
28 appropriation is provided solely to continue services for persons with  
29 traumatic brain injury (TBI) as defined in RCW 74.31.020 through  
30 74.31.050. The TBI advisory council shall provide a report to the  
31 legislature by December 1, 2010, on the effectiveness of the functions  
32 overseen by the council and shall provide recommendations on the  
33 development of critical services for individuals with traumatic brain  
34 injury.

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

1 (22) For calendar year 2009, the department shall calculate split  
2 settlements covering two periods January 1, 2009, through June 30,  
3 2009, and July 1, 2009, through December 31, 2009. For the second  
4 period beginning July 1, 2009, the department may partially or totally  
5 waive settlements only in specific cases where a nursing home can  
6 demonstrate significant decreases in costs from the first period.

7 (23) \$72,000 of the traumatic brain injury account appropriation  
8 and \$116,000 of the general fund--federal appropriation are provided  
9 solely for a direct care rate add-on to any nursing facility  
10 specializing in the care of residents with traumatic brain injuries  
11 where more than 50 percent of residents are classified with this  
12 condition based upon the federal minimum data set assessment.

13 (24) \$69,000 of the general fund--state appropriation for fiscal  
14 year 2010, \$1,289,000 of the general fund--state appropriation for  
15 fiscal year 2011, and \$2,050,000 of the general fund--federal  
16 appropriation are provided solely for the department to maintain  
17 enrollment in the adult day health services program. New enrollments  
18 are authorized for up to 1,575 clients or to the extent that  
19 appropriated funds are available to cover additional clients.

20 (25) \$937,000 of the general fund--state appropriation for fiscal  
21 year 2011 is provided solely for the department to contract for the  
22 provision of an individual provider referral registry.

23 (26) \$94,000 of the general fund--state appropriation for fiscal  
24 year 2011 and \$100,000 of the general fund--federal appropriation are  
25 provided solely for the department to contract with a consultant to  
26 evaluate and make recommendations on a pay-for- performance payment  
27 subsidy system. The department shall organize one workgroup meeting  
28 with the consultant where nursing home stakeholders may provide input  
29 on pay-for-performance ideas. The consultant shall review pay-for-  
30 performance strategies used in other states to sustain and enhance  
31 quality-improvement efforts in nursing facilities. The evaluation  
32 shall include a review of the centers for medicare and medicaid  
33 services demonstration project to explore the feasibility of pay-for-  
34 performance systems in medicare certified nursing facilities. The  
35 consultant shall develop a report to include:

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

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

1 (c) A summary and review of suggestions for pay-for-performance  
2 strategies provided by nursing home stakeholders in Washington state;  
3 and

4 (d) An evaluation of the effectiveness of a variety of performance  
5 measures.

6 (27) \$4,100,000 of the general fund--state appropriation for fiscal  
7 year 2010, \$4,174,000 of the general fund--state appropriation for  
8 fiscal year 2011, and \$8,124,000 of the general fund--federal  
9 appropriation are provided for the operation of the management services  
10 division of the aging and disability services administration. This  
11 includes but is not limited to the budget, contracts, accounting,  
12 decision support, information technology, and rate development  
13 activities for programs administered by the aging and disability  
14 services administration. Nothing in this subsection is intended to  
15 exempt the management services division of the aging and disability  
16 services administration from reductions directed by the secretary.  
17 However, funds provided in this subsection shall not be transferred  
18 elsewhere within the department nor used for any other purpose.

19 (28) The department is authorized to place long-term care clients  
20 residing in nursing homes and paid for with state only funds into less  
21 restrictive community care settings while continuing to meet the  
22 client's care needs.

23 (29) In accordance with RCW 43.135.055, the department is  
24 authorized to adopt and increase the fees set forth in and previously  
25 authorized in section 206(19), chapter 37, Laws of 2010 1st sp.s.

26 **Sec. 1107.** 2011 c 5 s 206 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**  
29 **PROGRAM**

30	General Fund--State Appropriation (FY 2010) . . . . .	\$564,242,000
31	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$540,549,000 ))</del>
32		<u>\$562,183,000</u>
33	General Fund--Federal Appropriation . . . . .	<del>(( \$1,219,423,000 ))</del>
34		<u>\$1,268,032,000</u>
35	General Fund--Private/Local Appropriation . . . . .	\$37,816,000
36	Administrative Contingency Account--State	
37	Appropriation . . . . .	\$24,336,000

1 TOTAL APPROPRIATION . . . . . ((~~\$2,386,366,000~~))  
2 \$2,456,609,000

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

5 (1) \$303,393,000 of the general fund--state appropriation for  
6 fiscal year 2010, ((~~\$285,057,000~~)) \$281,199,000 of the general fund--  
7 state appropriation for fiscal year 2011 net of child support pass-  
8 through recoveries, \$24,336,000 of the administrative contingency  
9 account--state appropriation, and ((~~\$778,606,000~~)) \$863,146,000 of the  
10 general fund--federal appropriation are provided solely for all  
11 components of the WorkFirst program. The department shall use moneys  
12 from the administrative contingency account for WorkFirst job placement  
13 services provided by the employment security department. Within the  
14 amounts provided for the WorkFirst program, the department may provide  
15 assistance using state-only funds for families eligible for temporary  
16 assistance for needy families. In addition, within the amounts  
17 provided for WorkFirst the department shall:

18 (a) ((~~Establish a career services work transition program;~~

19 ~~(b)~~) Continue to implement WorkFirst program improvements that are  
20 designed to achieve progress against outcome measures specified in RCW  
21 74.08A.410. Outcome data regarding job retention and wage progression  
22 shall be reported quarterly to appropriate fiscal and policy committees  
23 of the legislature for families who leave assistance, measured after 12  
24 months, 24 months, and 36 months. The department shall also report the  
25 percentage of families who have returned to temporary assistance for  
26 needy families after 12 months, 24 months, and 36 months;

27 ((~~(e)~~)) (b) Submit a report electronically by October 1, 2009, to  
28 the fiscal committees of the legislature containing a spending plan for  
29 the WorkFirst program. The plan shall identify how spending levels in  
30 the 2009-2011 biennium will be adjusted to stay within available  
31 federal grant levels and the appropriated state-fund levels;

32 ((~~(d)~~)) (c) Provide quarterly fiscal reports to the office of  
33 financial management and the legislative fiscal committees detailing  
34 information on the amount expended from general fund--state and general  
35 fund--federal by activity.

36 (2) The department may establish a career services work transition  
37 program.

1       (3) The department and the office of financial management shall  
2 electronically report quarterly the expenditures, maintenance of effort  
3 allotments, expenditure amounts, and caseloads for the WorkFirst  
4 program to the legislative fiscal committees.

5       ((+3)) (4) \$16,783,000 of the general fund--state appropriation  
6 for fiscal year 2011 and (~~(\$62,000,000)~~) \$19,027,000 of the general  
7 fund--federal appropriation are provided solely for all components of  
8 the WorkFirst program in order to maintain services to January 2011.  
9 The legislature intends to work with the governor to design and  
10 implement fiscal and programmatic modifications to provide for the  
11 sustainability of the program. The funding in this subsection assumes  
12 that no other expenditure reductions will be made prior to January 2011  
13 other than those assumed in the appropriation levels in this act.

14       ((+4)) (5) \$94,322,000 of the general fund--state appropriation  
15 for fiscal year 2010 and (~~(\$76,979,000)~~) \$94,104,000 of the general  
16 fund--state appropriation for fiscal year 2011, net of recoveries, are  
17 provided solely for cash assistance and other services to recipients in  
18 the cash program pursuant to chapter 8, Laws of 2010 1st sp. sess.  
19 (security lifeline act), including persons in the unemployable,  
20 expedited, and aged, blind, and disabled components of the program. It  
21 is the intent of the legislature that the lifeline incapacity  
22 determination and progressive evaluation process regulations be  
23 carefully designed to accurately identify those persons who have been  
24 or will be incapacitated for at least ninety days. The incapacity  
25 determination and progressive evaluation process regulations in effect  
26 on January 1, 2010, cannot be amended until at least September 30,  
27 2010; except that provisions related to the use of administrative  
28 review teams may be amended, and obsolete terminology and functional  
29 assessment language may be updated on or after July 1, 2010, in a  
30 manner that only minimally impacts the outcome of incapacity  
31 evaluations. After September 30, 2010, the incapacity determination  
32 and progressive evaluation process regulations may be amended only if  
33 the reports under (a) and (b) of this subsection have been submitted,  
34 and find that expenditures will exceed the appropriated level by three  
35 percent or more.

36       (a) The department and the caseload forecast council shall, by  
37 September 21, 2010, submit a report to the legislature based upon the  
38 most recent caseload forecast and actual expenditure data available, as

1 to whether expenditures for the lifeline-unemployable grants in fiscal  
2 year 2011 will exceed \$69,648,000 for fiscal year 2011 in the 2010  
3 supplemental operating budget by three percent or more. If  
4 expenditures will exceed the appropriated amount for  
5 lifeline-unemployable grants by three percent or more, the department  
6 may adopt regulations modifying incapacity determination and  
7 progressive evaluation process regulations after September 30, 2010.

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

13 (i) A copy of the proposed changes and a concise description of the  
14 changes;

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

18 (iii) An estimate of the number of persons who, on a monthly basis  
19 through June 2013, would be denied lifeline benefits if the regulations  
20 were adopted, expressed as a number, as a percentage of total  
21 applicants, and as a percentage of the number of persons granted  
22 lifeline benefits in each month;

23 (iv) An estimate of the number of persons who, on a monthly basis  
24 through June 2013, would have their lifeline benefits terminated  
25 following an eligibility review if the regulations were adopted,  
26 expressed as a number, as a percentage of the number of persons who  
27 have had an eligibility review in each month, and as a percentage of  
28 the total number of persons currently receiving lifeline-unemployable  
29 benefits in each month; and

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

33 (c) Within these amounts:

34 (i) The department shall aggressively pursue opportunities to  
35 transfer lifeline clients to general assistance expedited coverage and  
36 to facilitate client applications for federal supplemental security  
37 income when the client's incapacities indicate that he or she would be  
38 likely to meet the federal disability criteria for supplemental

1 security income. The department shall initiate and file the federal  
2 supplemental security income interim agreement as quickly as possible  
3 in order to maximize the recovery of federal funds;

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

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

13 (iv) By July 1, 2009, the department shall enter into an  
14 interagency agreement with the department of veterans' affairs to  
15 establish a process for referral of veterans who may be eligible for  
16 veteran's services. This agreement must include outstationing  
17 department of veterans' affairs staff in selected community service  
18 office locations in King and Pierce counties to facilitate applications  
19 for veterans' services; and

20 (v) In addition to any earlier evaluation that may have been  
21 conducted, the department shall intensively evaluate those clients who  
22 have been receiving lifeline benefits for twelve months or more as of  
23 July 1, 2009, or thereafter, if the available medical and incapacity  
24 related evidence indicates that the client is unlikely to meet the  
25 disability standard for federal supplemental security income benefits.  
26 The evaluation shall identify services necessary to eliminate or  
27 minimize barriers to employment, including mental health treatment,  
28 substance abuse treatment and vocational rehabilitation services. The  
29 department shall expedite referrals to chemical dependency treatment,  
30 mental health and vocational rehabilitation services for these clients.

31 (vi) The appropriations in this subsection reflect a change in the  
32 earned income disregard policy for lifeline clients. It is the intent  
33 of the legislature that the department shall adopt the temporary  
34 assistance for needy families earned income policy for the lifeline  
35 program.

36 ((+5)) (6) \$750,000 of the general fund--state appropriation for  
37 fiscal year 2010 and \$500,000 of the general fund--state appropriation  
38 for fiscal year 2011 are provided solely for naturalization services.

1       (~~(6)~~) (7) \$3,550,000 of the general fund--state appropriation for  
2 fiscal year 2010 is provided solely for refugee employment services, of  
3 which \$2,650,000 is provided solely for the department to pass through  
4 to statewide refugee assistance organizations for limited English  
5 proficiency pathway services; and \$2,050,000 of the general fund--state  
6 appropriation for fiscal year 2011 is provided solely for refugee  
7 employment services, of which \$1,540,000 is provided solely for the  
8 department to pass through to statewide refugee assistance  
9 organizations for limited English proficiency pathway services.

10       (~~(7)~~) (8) The appropriations in this section reflect reductions  
11 in the appropriations for the economic services administration's  
12 administrative expenses. It is the intent of the legislature that  
13 these reductions shall be achieved, to the greatest extent possible, by  
14 reducing those administrative costs that do not affect direct client  
15 services or direct service delivery or program.

16       (~~(8)~~) (9) \$855,000 of the general fund--state appropriation for  
17 fiscal year 2011, \$719,000 of the general fund--federal appropriation,  
18 and \$2,907,000 of the general fund--private/local appropriation are  
19 provided solely for the implementation of the opportunity portal, the  
20 food stamp employment and training program, and the disability lifeline  
21 program under Second Substitute House Bill No. 2782 (security lifeline  
22 act). If the bill is not enacted by June 30, 2010, the amounts  
23 provided in this subsection shall lapse.

24       (~~(9)~~) (10) \$100,000 of the general fund--state appropriation for  
25 fiscal year 2011 is provided solely for the department to award grants  
26 to small mutual assistance or small community-based organizations that  
27 contract with the department for immigrant and refugee assistance  
28 services. The funds shall be awarded to provide funding for community  
29 groups to provide transitional assistance, language skills, and other  
30 resources to improve refugees' economic self-sufficiency through the  
31 effective use of social services, financial services, and medical  
32 assistance.

33       (~~(10)~~) (11) To ensure expenditures remain within available funds  
34 appropriated in this section, the legislature establishes the benefit  
35 under the state food assistance program, made pursuant to RCW  
36 74.08A.120, to be fifty percent of the federal supplemental nutrition  
37 assistance program benefit amount.



1       **Sec. 1108.** 2011 c 5 s 207 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**  
4 **SUBSTANCE ABUSE PROGRAM**

5	General Fund--State Appropriation (FY 2010) . . . . .	\$81,982,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$77,065,000)</del>
7		<u>\$77,818,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(\$151,574,000)</del>
9		<u>\$152,619,000</u>
10	General Fund--Private/Local Appropriation . . . . .	\$2,718,000
11	Criminal Justice Treatment Account--State	
12	Appropriation . . . . .	\$17,743,000
13	Problem Gambling Account--State Appropriation . . . . .	\$1,456,000
14	TOTAL APPROPRIATION . . . . .	<del>(\$332,538,000)</del>
15		<u>\$334,336,000</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 and general assistance-unemployable  
26 patients.

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

33       (4) Funding is provided for the implementation of the lifeline  
34 program under Second Substitute House Bill No. 2782 (security lifeline  
35 act). If the bill is not enacted by June 30, 2010, the amount provided  
36 in this subsection shall lapse.

37       (5) \$3,500,000 of the general fund--federal appropriation (from the

1 substance abuse prevention and treatment federal block grant) is  
2 provided solely for the continued funding of existing county drug and  
3 alcohol use prevention programs.

4 **Sec. 1109.** 2011 c 5 s 208 (uncodified) is amended to read as  
5 follows:

6 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**  
7 **PROGRAM**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$1,697,203,000
9	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,737,303,000</del> ))
10		<u>\$1,813,918,000</u>
11	General Fund--Federal Appropriation . . . . .	(( <del>\$6,047,405,000</del> ))
12		<u>\$5,899,212,000</u>
13	General Fund--Private/Local Appropriation . . . . .	(( <del>\$38,509,000</del> ))
14		<u>\$37,247,000</u>
15	Emergency Medical Services and Trauma Care Systems	
16	Trust Account--State Appropriation . . . . .	\$15,075,000
17	Tobacco Prevention and Control Account--	
18	State Appropriation . . . . .	(( <del>\$4,464,000</del> ))
19		<u>\$3,798,000</u>
20	Hospital Safety Net Assessment Fund--State	
21	Appropriation . . . . .	(( <del>\$260,057,000</del> ))
22		<u>\$254,974,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$9,800,016,000</del> ))
24		<u>\$9,721,427,000</u>

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

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

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

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

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

8 (5) \$6,000,000 of the general fund--federal appropriation is  
9 provided solely for supplemental payments to nursing homes operated by  
10 public hospital districts. The public hospital district shall be  
11 responsible for providing the required nonfederal match for the  
12 supplemental payment, and the payments shall not exceed the maximum  
13 allowable under federal rules. It is the legislature's intent that the  
14 payments shall be supplemental to and shall not in any way offset or  
15 reduce the payments calculated and provided in accordance with part E  
16 of chapter 74.46 RCW. It is the legislature's further intent that  
17 costs otherwise allowable for rate-setting and settlement against  
18 payments under chapter 74.46 RCW shall not be disallowed solely because  
19 such costs have been paid by revenues retained by the nursing home from  
20 these supplemental payments. The supplemental payments are subject to  
21 retrospective interim and final cost settlements based on the nursing  
22 homes' as-filed and final medicare cost reports. The timing of the  
23 interim and final cost settlements shall be at the department's  
24 discretion. During either the interim cost settlement or the final  
25 cost settlement, the department shall recoup from the public hospital  
26 districts the supplemental payments that exceed the medicaid cost limit  
27 and/or the medicare upper payment limit. The department shall apply  
28 federal rules for identifying the eligible incurred medicaid costs and  
29 the medicare upper payment limit.

30 (6) \$649,000 of the general fund--federal appropriation and  
31 \$644,000 of the general fund--state appropriation for fiscal year 2011  
32 are provided solely for grants to rural hospitals. The department  
33 shall distribute the funds under a formula that provides a relatively  
34 larger share of the available funding to hospitals that (a) serve a  
35 disproportionate share of low-income and medically indigent patients,  
36 and (b) have relatively smaller net financial margins, to the extent  
37 allowed by the federal medicaid program.

1 (7) \$5,729,000 of the general fund--state appropriation for fiscal  
2 year 2011, and \$5,776,000 of the general fund--federal appropriation  
3 are provided solely for grants to nonrural hospitals. The department  
4 shall distribute the funds under a formula that provides a relatively  
5 larger share of the available funding to hospitals that (a) serve a  
6 disproportionate share of low-income and medically indigent patients,  
7 and (b) have relatively smaller net financial margins, to the extent  
8 allowed by the federal medicaid program.

9 (8) The department shall continue the inpatient hospital certified  
10 public expenditures program for the 2009-11 biennium. The program  
11 shall apply to all public hospitals, including those owned or operated  
12 by the state, except those classified as critical access hospitals or  
13 state psychiatric institutions. The department shall submit reports to  
14 the governor and legislature by November 1, 2009, and by November 1,  
15 2010, that evaluate whether savings continue to exceed costs for this  
16 program. If the certified public expenditures (CPE) program in its  
17 current form is no longer cost-effective to maintain, the department  
18 shall submit a report to the governor and legislature detailing  
19 cost-effective alternative uses of local, state, and federal resources  
20 as a replacement for this program. During fiscal year 2010 and fiscal  
21 year 2011, hospitals in the program shall be paid and shall retain one  
22 hundred percent of the federal portion of the allowable hospital cost  
23 for each medicaid inpatient fee-for-service claim payable by medical  
24 assistance and one hundred percent of the federal portion of the  
25 maximum disproportionate share hospital payment allowable under federal  
26 regulations. Inpatient medicaid payments shall be established using an  
27 allowable methodology that approximates the cost of claims submitted by  
28 the hospitals. Payments made to each hospital in the program in each  
29 fiscal year of the biennium shall be compared to a baseline amount.  
30 The baseline amount will be determined by the total of (a) the  
31 inpatient claim payment amounts that would have been paid during the  
32 fiscal year had the hospital not been in the CPE program based on the  
33 reimbursement rates developed, implemented, and consistent with  
34 policies approved in the 2009-11 biennial operating appropriations act  
35 (chapter 564, Laws of 2009) and in effect on July 1, 2009, (b) one half  
36 of the indigent assistance disproportionate share hospital payment  
37 amounts paid to and retained by each hospital during fiscal year 2005,  
38 and (c) all of the other disproportionate share hospital payment

1 amounts paid to and retained by each hospital during fiscal year 2005  
2 to the extent the same disproportionate share hospital programs exist  
3 in the 2009-11 biennium. If payments during the fiscal year exceed the  
4 hospital's baseline amount, no additional payments will be made to the  
5 hospital except the federal portion of allowable disproportionate share  
6 hospital payments for which the hospital can certify allowable match.  
7 If payments during the fiscal year are less than the baseline amount,  
8 the hospital will be paid a state grant equal to the difference between  
9 payments during the fiscal year and the applicable baseline amount.  
10 Payment of the state grant shall be made in the applicable fiscal year  
11 and distributed in monthly payments. The grants will be recalculated  
12 and redistributed as the baseline is updated during the fiscal year.  
13 The grant payments are subject to an interim settlement within eleven  
14 months after the end of the fiscal year. A final settlement shall be  
15 performed. To the extent that either settlement determines that a  
16 hospital has received funds in excess of what it would have received as  
17 described in this subsection, the hospital must repay the excess  
18 amounts to the state when requested. \$20,403,000 of the general  
19 fund--state appropriation for fiscal year 2010, of which \$6,570,000 is  
20 appropriated in section ((204(1))) 1104(1) of this act, and  
21 ((\$29,480,000)) \$15,113,000 of the general fund--state appropriation  
22 for fiscal year 2011, of which \$6,570,000 is appropriated in section  
23 ((204(1))) 1104(1) of this act, are provided solely for state grants  
24 for the participating hospitals. CPE hospitals will receive the  
25 inpatient and outpatient reimbursement rate restorations in section 9  
26 and rate increases in section 10(1)(b) of Engrossed Second Substitute  
27 House Bill No. 2956 (hospital safety net assessment) funded through the  
28 hospital safety net assessment fund rather than through the baseline  
29 mechanism specified in this subsection.

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

33 (10) \$93,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$93,000 of the general fund--federal appropriation are  
35 provided solely for the department to pursue a federal Medicaid waiver  
36 pursuant to Second Substitute Senate Bill No. 5945 (Washington health  
37 partnership plan). If the bill is not enacted by June 30, 2009, the  
38 amounts provided in this subsection shall lapse.

1 (11) The department shall require managed health care systems that  
2 have contracts with the department to serve medical assistance clients  
3 to limit any reimbursements or payments the systems make to providers  
4 not employed by or under contract with the systems to no more than the  
5 medical assistance rates paid by the department to providers for  
6 comparable services rendered to clients in the fee-for-service delivery  
7 system.

8 (12) A maximum of (~~(\$241,141,000)~~) \$247,809,000 in total funds from  
9 the general fund--state, general fund--federal, and tobacco and  
10 prevention control account--state appropriations may be expended in the  
11 fiscal biennium for the medical program pursuant to chapter 8, Laws of  
12 2010 1st sp. sess. (security lifeline act), and these amounts are  
13 provided solely for this program. Of these amounts, \$10,749,000 of the  
14 general fund--state appropriation for fiscal year 2010 and \$10,892,000  
15 of the general fund--federal appropriation are provided solely for  
16 payments to hospitals for providing outpatient services to low income  
17 patients who are recipients of lifeline benefits. Pursuant to RCW  
18 74.09.035, the department shall not expend for the lifeline medical  
19 care services program any amounts in excess of the amounts provided in  
20 this subsection.

21 (13) Mental health services shall be included in the services  
22 provided through the managed care system for lifeline clients under  
23 chapter 8, Laws of 2010 1st sp. sess. In transitioning lifeline  
24 clients to managed care, the department shall attempt to deliver care  
25 to lifeline clients through medical homes in community and migrant  
26 health centers. The department, in collaboration with the carrier,  
27 shall seek to improve the transition rate of lifeline clients to the  
28 federal supplemental security income program. The department shall  
29 renegotiate the contract with the managed care plan that provides  
30 services for lifeline clients to maximize state retention of future  
31 hospital savings as a result of improved care coordination. The  
32 department, in collaboration with stakeholders, shall propose a new  
33 name for the lifeline program.

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

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

5 (16) State funds shall not be used by hospitals for advertising  
6 purposes.

7 (17) \$24,356,000 of the general fund--private/local appropriation  
8 and \$35,707,000 of the general fund--federal appropriation are provided  
9 solely for the implementation of professional services supplemental  
10 payment programs. The department shall seek a medicaid state plan  
11 amendment to create a professional services supplemental payment  
12 program for University of Washington medicine professional providers no  
13 later than July 1, 2009. The department shall apply federal rules for  
14 identifying the shortfall between current fee-for-service medicaid  
15 payments to participating providers and the applicable federal upper  
16 payment limit. Participating providers shall be solely responsible for  
17 providing the local funds required to obtain federal matching funds.  
18 Any incremental costs incurred by the department in the development,  
19 implementation, and maintenance of this program will be the  
20 responsibility of the participating providers. Participating providers  
21 will retain the full amount of supplemental payments provided under  
22 this program, net of any potential costs for any related audits or  
23 litigation brought against the state. The department shall report to  
24 the governor and the legislative fiscal committees on the prospects for  
25 expansion of the program to other qualifying providers as soon as  
26 feasibility is determined but no later than December 31, 2009. The  
27 report will outline estimated impacts on the participating providers,  
28 the procedures necessary to comply with federal guidelines, and the  
29 administrative resource requirements necessary to implement the  
30 program. The department will create a process for expansion of the  
31 program to other qualifying providers as soon as it is determined  
32 feasible by both the department and providers but no later than June  
33 30, 2010.

34 (18) \$9,075,000 of the general fund--state appropriation for fiscal  
35 year 2010, \$8,588,000 of the general fund--state appropriation for  
36 fiscal year 2011, and \$39,747,000 of the general fund--federal  
37 appropriation are provided solely for development and implementation of

1 a replacement system for the existing medicaid management information  
2 system. The amounts provided in this subsection are conditioned on the  
3 department satisfying the requirements of section 902 of this act.

4 (19) \$506,000 of the general fund--state appropriation for fiscal  
5 year 2011 and \$657,000 of the general fund--federal appropriation are  
6 provided solely for the implementation of Second Substitute House Bill  
7 No. 1373 (children's mental health). If the bill is not enacted by  
8 June 30, 2009, the amounts provided in this subsection shall lapse.

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

14 (21) The department may, on a case-by-case basis and in the best  
15 interests of the child, set payment rates for medically intensive home  
16 care services to promote access to home care as an alternative to  
17 hospitalization. Expenditures related to these increased payments  
18 shall not exceed the amount the department would otherwise pay for  
19 hospitalization for the child receiving medically intensive home care  
20 services.

21 (22) \$425,000 of the general fund--state appropriation for fiscal  
22 year 2010 and \$790,000 of the general fund--federal appropriation are  
23 provided solely to continue children's health coverage outreach and  
24 education efforts under RCW 74.09.470. These efforts shall rely on  
25 existing relationships and systems developed with local public health  
26 agencies, health care providers, public schools, the women, infants,  
27 and children program, the early childhood education and assistance  
28 program, child care providers, newborn visiting nurses, and other  
29 community-based organizations. The department shall seek  
30 public-private partnerships and federal funds that are or may become  
31 available to provide on-going support for outreach and education  
32 efforts under the federal children's health insurance program  
33 reauthorization act of 2009.

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

36 (24) The department will pursue a competitive procurement process  
37 for antihemophilic products, emphasizing evidence-based medicine and



1 protection of patient access without significant disruption in  
2 treatment.

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

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

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

14 (28) The department shall target funding for maternity support  
15 services towards pregnant women with factors that lead to higher rates  
16 of poor birth outcomes, including hypertension, a preterm or low birth  
17 weight birth in the most recent previous birth, a cognitive deficit or  
18 developmental disability, substance abuse, severe mental illness,  
19 unhealthy weight or failure to gain weight, tobacco use, or African  
20 American or Native American race. The department shall prioritize  
21 evidence-based practices for delivery of maternity support services.  
22 To the extent practicable, the department shall develop a mechanism to  
23 increase federal funding for maternity support services by leveraging  
24 local public funding for those services.

25 (29) \$260,036,000 of the hospital safety net assessment fund--state  
26 appropriation and \$255,448,000 of the general fund--federal  
27 appropriation are provided solely for the implementation of Engrossed  
28 Second Substitute House Bill No. 2956 (hospital safety net assessment).  
29 If the bill is not enacted by June 30, 2010, the amounts provided in  
30 this subsection shall lapse.

31 (30) \$79,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$53,000 of the general fund--federal appropriation are  
33 provided solely to implement Substitute House Bill No. 1845 (medical  
34 support obligations).

35 (31) \$63,000 of the general fund--state appropriation for fiscal  
36 year 2010, \$583,000 of the general fund--state appropriation for fiscal  
37 year 2011, and \$864,000 of the general fund--federal appropriation are  
38 provided solely to implement Engrossed House Bill No. 2194

1 (extraordinary medical placement for offenders). The department shall  
2 work in partnership with the department of corrections to identify  
3 services and find placements for offenders who are released through the  
4 extraordinary medical placement program. The department shall  
5 collaborate with the department of corrections to identify and track  
6 cost savings to the department of corrections, including medical cost  
7 savings, and to identify and track expenditures incurred by the aging  
8 and disability services program for community services and by the  
9 medical assistance program for medical expenses. A joint report  
10 regarding the identified savings and expenditures shall be provided to  
11 the office of financial management and the appropriate fiscal  
12 committees of the legislature by November 30, 2010. If this bill is  
13 not enacted by June 30, 2009, the amounts provided in this subsection  
14 shall lapse.

15 (32) \$73,000 of the general fund--state appropriation for fiscal  
16 year 2011 and \$50,000 of the general fund--federal appropriation is  
17 provided solely for supplemental services that will be provided to  
18 offenders in lieu of a prison sentence pursuant to chapter 224, Laws of  
19 2010 (Substitute Senate Bill No. 6639).

20 (33) Sufficient amounts are provided in this section to provide  
21 full benefit dual eligible beneficiaries with medicare part D  
22 prescription drug copayment coverage in accordance with RCW 74.09.520  
23 until December 31, 2010.

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

30 (35) \$331,000 of the general fund--state appropriation for fiscal  
31 year 2010, \$331,000 of the general fund--state appropriation for fiscal  
32 year 2011, and \$1,228,000 of the general fund--federal appropriation  
33 are provided solely for the department to support the activities of the  
34 Washington poison center. The department shall seek federal authority  
35 to receive matching funds from the federal government through the  
36 children's health insurance program.

37 (36) \$528,000 of the general fund--state appropriation and

1 \$2,955,000 of the general fund--federal appropriation are provided  
2 solely for the implementation of the lifeline program under chapter 8,  
3 Laws of 2010 1st sp. sess. (security lifeline act).

4 (37) Reductions in dental services are to be achieved by focusing  
5 on the fastest growing areas of dental care. Reductions in  
6 preventative care, particularly for children, will be avoided to the  
7 extent possible.

8 (38) \$1,307,000 of the general fund--state appropriation for fiscal  
9 year 2011 and \$1,770,000 of the general fund--federal appropriation are  
10 provided solely to continue to provide dental services in calendar year  
11 2011 for qualifying adults with developmental disabilities. Services  
12 shall include preventive, routine, and emergent dental care, and  
13 support for continued operation of the dental education in care of  
14 persons with disabilities (DECOD) program at the University of  
15 Washington.

16 (39) The department shall develop the capability to implement apple  
17 health for kids express lane eligibility enrollments for children  
18 receiving basic food assistance by June 30, 2011.

19 (40)(a) The department, in coordination with the health care  
20 authority, shall actively continue to negotiate a medicaid section 1115  
21 waiver with the federal centers for medicare and medicaid services that  
22 would provide federal matching funds for services provided to persons  
23 enrolled in the basic health plan under chapter 70.47 RCW and the  
24 medical care services program under RCW 74.09.035.

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

31 (41) \$704,000 of the general fund--state appropriation for fiscal  
32 year 2010, \$812,000 of the general fund--state appropriation for fiscal  
33 year 2011, and \$1,516,000 of the general fund--federal appropriation  
34 are provided solely for maintaining employer-sponsored insurance  
35 program staff, coordination of benefits unit staff, the payment  
36 integrity audit team, and family planning nursing.

37 (42) Every effort shall be made to maintain current employment  
38 levels and achieve administrative savings through vacancies and

1 employee attrition. Efficiencies shall be implemented as soon as  
2 possible in order to minimize actual reduction in force. The  
3 department shall implement a management strategy that minimizes  
4 disruption of service and negative impacts on employees.

5 (43) \$1,199,000 of the general fund--private/local appropriation  
6 for fiscal year 2011 and \$1,671,000 of the general fund--federal  
7 appropriation are provided solely to support medical airlift services.

8 ~~(44) ((\$5,000,000 of the general fund--state appropriation for  
9 fiscal year 2011 and \$7,191,000 of the general fund--federal  
10 appropriation are provided solely for payments to federally qualified  
11 health clinics and rural health centers under a new alternative payment  
12 methodology that the department shall develop in consultation with the  
13 legislature and the office of financial management.~~

14 ~~(45))~~ \$33,000 of the general fund--state appropriation for fiscal  
15 year 2011 and \$61,000 of the general fund--federal appropriation are  
16 provided solely to continue operation by a nonprofit organization of a  
17 toll-free line that assists families to learn about and enroll in apple  
18 health for kids, which provides publicly funded medical and dental care  
19 for families with incomes below 300 percent of the federal poverty  
20 level.

21 ~~((46))~~ (45) \$150,000 of the general fund--state appropriation for  
22 fiscal year 2011 and \$150,000 of the general fund--federal  
23 appropriation are provided solely for initiation of a prescriptive  
24 practices improvement collaborative focusing upon atypical  
25 antipsychotics and other medications commonly used in the treatment of  
26 severe and persistent mental illnesses among adults. The project shall  
27 promote collaboration among community mental health centers, other  
28 major prescribers of atypical antipsychotic medications to adults  
29 enrolled in state medical assistance programs, and psychiatrists,  
30 pharmacists, and other specialists at the University of Washington  
31 department of psychiatry and/or other research universities. The  
32 collaboration shall include patient-specific prescriber consultations  
33 by psychiatrists and pharmacists specializing in treatment of severe  
34 and persistent mental illnesses among adults; production of profiles to  
35 assist prescribers and clinics track their prescriptive practices and  
36 their patients' medication use and adherence relative to evidence-based  
37 practice guidelines, other prescribers, and patients at other clinics;

1 and in-service seminars at which participants can share and increase  
2 their knowledge of evidence-based and other effective prescriptive  
3 practices.

4 ~~((47))~~ (46) \$75,000 of the general fund--state appropriation for  
5 fiscal year 2011 and \$75,000 of the general fund--federal appropriation  
6 are provided solely to assist with development and implementation of  
7 evidence-based strategies regarding the appropriate, safe, and  
8 effective role of C-section surgeries and early induced labor in births  
9 and neonatal care. The strategies shall be identified and implemented  
10 in consultation with clinical research specialists, physicians,  
11 hospitals, advanced registered nurse practitioners, and organizations  
12 concerned with maternal and child health.

13 **Sec. 1110.** 2011 c 5 s 209 (uncodified) is amended to read as  
14 follows:

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

17	General Fund--State Appropriation (FY 2010) . . . . .	\$10,327,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$9,443,000)</del>
19		<u>\$9,438,000</u>
20	General Fund--Federal Appropriation . . . . .	\$107,848,000
21	Telecommunications Devices for the Hearing and	
22	Speech Impaired--State Appropriation . . . . .	\$6,056,000
23	TOTAL APPROPRIATION . . . . .	<del>(\$133,674,000)</del>
24		<u>\$133,669,000</u>

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

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

33 (2) \$80,000 of the telecommunications devices for the hearing and  
34 speech impaired account--state appropriation is provided solely for the  
35 office of deaf and hard of hearing to enter into an interagency  
36 agreement with the department of services for the blind to support

1 contracts for services that provide employment support and help with  
2 life activities for deaf-blind individuals in King county.

3 **Sec. 1111.** 2011 c 5 s 210 (uncodified) is amended to read as  
4 follows:

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

7	General Fund--State Appropriation (FY 2010) . . . . .	\$48,827,000
8	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$48,536,000</del> ))
9		<u>\$49,131,000</u>
10	TOTAL APPROPRIATION . . . . .	(( <del>\$97,363,000</del> ))
11		<u>\$97,958,000</u>

12 **Sec. 1112.** 2011 c 5 s 211 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**  
15 **SUPPORTING SERVICES PROGRAM**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$33,579,000
17	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$27,745,000</del> ))
18		<u>\$25,308,000</u>
19	General Fund--Federal Appropriation . . . . .	(( <del>\$51,304,000</del> ))
20		<u>\$49,594,000</u>
21	General Fund--Private/Local Appropriation . . . . .	\$1,121,000
22	Institutional Impact Account--State Appropriation . . . . .	\$22,000
23	TOTAL APPROPRIATION . . . . .	(( <del>\$113,771,000</del> ))
24		<u>\$109,624,000</u>

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

32 (1) \$333,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$300,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the Washington state mentors  
35 program to continue its public-private partnerships to provide

1 technical assistance and training to mentoring programs that serve  
2 at-risk youth.

3 (2) \$445,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$445,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for funding of the teamchild  
6 project through the governor's juvenile justice advisory committee.

7 (3) \$178,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$178,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for the juvenile detention  
10 alternatives initiative.

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

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

21 **Sec. 1113.** 2011 c 5 s 212 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**  
24 **AGENCIES PROGRAM**

25	General Fund--State Appropriation (FY 2010) . . . . .	\$61,985,000
26	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$63,793,000 ))</del>
27		<u>\$65,210,000</u>
28	General Fund--Federal Appropriation . . . . .	<del>(( \$56,855,000 ))</del>
29		<u>\$56,321,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(( \$182,633,000 ))</del>
31		<u>\$183,516,000</u>

32 **Sec. 1114.** 2011 c 5 s 213 (uncodified) is amended to read as  
33 follows:

34 **FOR THE STATE HEALTH CARE AUTHORITY**

35	General Fund--State Appropriation (FY 2010) . . . . .	\$208,258,000
36	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$108,749,000 ))</del>

1		<u>\$111,221,000</u>
2	General Fund--Federal Appropriation . . . . .	(( <del>\$31,975,000</del> ))
3		<u>\$33,715,000</u>
4	State Health Care Authority Administration Account--	
5	State Appropriation . . . . .	\$34,880,000
6	Medical Aid Account--State Appropriation . . . . .	\$527,000
7	Basic Health Plan Stabilization Account--State	
8	Appropriation . . . . .	\$6,000,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$390,389,000</del> ))
10		<u>\$394,601,000</u>

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

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

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

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



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

8 (4)(a) In order to maximize the funding appropriated for the basic  
9 health plan, the health care authority is directed to make  
10 modifications that will reduce the total number of subsidized enrollees  
11 to approximately 65,000 by January 1, 2010. In addition to the reduced  
12 enrollment, other modifications may include changes in enrollee premium  
13 obligations, changes in benefits, enrollee cost-sharing, and  
14 termination of the enrollment of individuals concurrently enrolled in  
15 a medical assistance program as provided in Substitute House Bill No.  
16 2341.

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

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

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

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

1 (7) \$20,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$63,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the implementation of chapter  
4 220, Laws of 2010 (accountable care organizations).

5 (8) As soon as practicable after February 28, 2011, enrollment in  
6 the subsidized basic health plan shall be limited to only include  
7 persons who qualify as subsidized enrollees as defined in RCW 70.47.020  
8 and who (a) qualify for services under 1115 medicaid demonstration  
9 project number 11-W-00254/10; or (b) are foster parents licensed under  
10 chapter 74.15 RCW.

11 **Sec. 1115.** 2011 c 5 s 214 (uncodified) is amended to read as  
12 follows:

13 **FOR THE HUMAN RIGHTS COMMISSION**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$2,638,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,353,000)</del>
16		<u>\$2,350,000</u>
17	General Fund--Federal Appropriation . . . . .	\$1,584,000
18	TOTAL APPROPRIATION . . . . .	<del>(\$6,575,000)</del>
19		<u>\$6,572,000</u>

20 **Sec. 1116.** 2011 c 5 s 215 (uncodified) is amended to read as  
21 follows:

22 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$17,273,000
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$16,721,000)</del>
25		<u>\$16,803,000</u>
26	General Fund--Federal Appropriation . . . . .	\$143,000
27	General Fund--Private/Local Appropriation . . . . .	<del>(\$1,378,000)</del>
28		<u>\$1,282,000</u>
29	Death Investigations Account--State Appropriation . . . . .	\$148,000
30	Municipal Criminal Justice Assistance Account--	
31	State Appropriation . . . . .	\$460,000
32	Washington Auto Theft Prevention Authority Account--	
33	State Appropriation . . . . .	\$6,432,000
34	TOTAL APPROPRIATION . . . . .	<del>(\$42,555,000)</del>
35		<u>\$42,541,000</u>

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

3 (1) \$1,191,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely for the Washington association of sheriffs  
5 and police chiefs to continue to develop, maintain, and operate the  
6 jail booking and reporting system (JBRS) and the statewide automated  
7 victim information and notification system (SAVIN).

8 (2) \$5,000,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$5,000,000 of the general fund--state appropriation for  
10 fiscal year 2011, are provided to the Washington association of  
11 sheriffs and police chiefs solely to verify the address and residency  
12 of registered sex offenders and kidnapping offenders under RCW  
13 9A.44.130. The Washington association of sheriffs and police chiefs  
14 shall:

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

18 (i) For level I offenders, every twelve months;

19 (ii) For level II offenders, every six months; and

20 (iii) For level III offenders, every three months.

21 For the purposes of this subsection, unclassified offenders and  
22 kidnapping offenders shall be considered at risk level I unless in the  
23 opinion of the local jurisdiction a higher classification is in the  
24 interest of public safety.

25 (b) Collect performance data from all participating jurisdictions  
26 sufficient to evaluate the efficiency and effectiveness of the address  
27 and residency verification program; and

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

32 The Washington association of sheriffs and police chiefs may retain up  
33 to three percent of the amount provided in this subsection for the cost  
34 of administration. Any funds not disbursed for address and residency  
35 verification or retained for administration may be allocated to local  
36 prosecutors for the prosecution costs associated with failing-  
37 to-register offenses.

1 (3) \$30,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for the implementation of Second  
3 Substitute House Bill No. 2078 (persons with developmental disabilities  
4 in correctional facilities or jails). If the bill is not enacted by  
5 June 30, 2009, the amount provided in this subsection shall lapse.

6 (4) (~~(\$171,000)~~) \$75,000 of the general fund--local appropriation  
7 is provided solely to purchase ammunition for the basic law enforcement  
8 academy. Jurisdictions with one hundred or more full-time commissioned  
9 officers shall reimburse to the criminal justice training commission  
10 the costs of ammunition, based on the average cost of ammunition per  
11 cadet, for cadets that they enroll in the basic law enforcement  
12 academy.

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

15 **Sec. 1117.** 2011 c 5 s 216 (uncodified) is amended to read as  
16 follows:

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

18	General Fund--State Appropriation (FY 2010) . . . . .	\$24,975,000
19	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$18,120,000)</del> )
20		<u>\$17,876,000</u>
21	General Fund--Federal Appropriation . . . . .	\$11,316,000
22	Asbestos Account--State Appropriation . . . . .	\$923,000
23	Electrical License Account--State Appropriation . . . . .	\$36,977,000
24	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
25	Worker and Community Right-to-Know Account--	
26	State Appropriation . . . . .	\$1,987,000
27	Public Works Administration Account--State	
28	Appropriation . . . . .	\$6,021,000
29	Manufactured Home Installation Training Account--	
30	State Appropriation . . . . .	( <del>(\$143,000)</del> )
31		<u>\$135,000</u>
32	Accident Account--State Appropriation . . . . .	\$250,509,000
33	Accident Account--Federal Appropriation . . . . .	\$13,621,000
34	Medical Aid Account--State Appropriation . . . . .	\$249,232,000
35	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
36	Plumbing Certificate Account--State Appropriation . . . . .	\$1,704,000
37	Pressure Systems Safety Account--State Appropriation . . . . .	\$4,144,000

1 TOTAL APPROPRIATION . . . . . ((~~\$622,886,000~~))  
2 \$622,634,000

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

5 (1) Pursuant to RCW 43.135.055, the department is authorized to  
6 increase fees related to factory assembled structures, contractor  
7 registration, electricians, plumbers, asbestos removal, boilers,  
8 elevators, and manufactured home installers. These increases are  
9 necessary to support expenditures authorized in this section,  
10 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
11 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

12 (2) \$424,000 of the accident account--state appropriation and  
13 \$76,000 of the medical aid account--state appropriation are provided  
14 solely for implementation of a community agricultural worker safety  
15 grant at the department of agriculture. The department shall enter  
16 into an interagency agreement with the department of agriculture to  
17 implement the grant.

18 (3) \$4,850,000 of the medical aid account--state appropriation is  
19 provided solely to continue the program of safety and health as  
20 authorized by RCW 49.17.210 to be administered under rules adopted  
21 pursuant to chapter 34.05 RCW, provided that projects funded involve  
22 workplaces insured by the medical aid fund, and that priority is given  
23 to projects fostering accident prevention through cooperation between  
24 employers and employees or their representatives.

25 (4) \$150,000 of the medical aid account--state appropriation is  
26 provided solely for the department to contract with one or more  
27 independent experts to evaluate and recommend improvements to the  
28 rating plan under chapter 51.18 RCW, including analyzing how risks are  
29 pooled, the effect of including worker premium contributions in  
30 adjustment calculations, incentives for accident and illness  
31 prevention, return-to-work practices, and other sound risk-management  
32 strategies that are consistent with recognized insurance principles.

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

1 (6) The appropriations in this section reflect reductions in the  
2 appropriations for the department of labor and industries'  
3 administrative expenses. It is the intent of the legislature that  
4 these reductions shall be achieved, to the greatest extent possible, by  
5 reducing administrative costs only.

6 (7) \$500,000 of the accident account--state appropriation is  
7 provided solely for the department to contract with one or more  
8 independent experts to oversee and assist the department's  
9 implementation of improvements to the rating plan under chapter 51.18  
10 RCW, in collaboration with the department and with the department's  
11 work group of retrospective rating and workers' compensation  
12 stakeholders. The independent experts will validate the impact of  
13 recommended changes on retrospective rating participants and  
14 nonparticipants, confirm implementation technology changes, and provide  
15 other implementation assistance as determined by the department.

16 (8) \$194,000 of the accident account--state appropriation and  
17 \$192,000 of the medical aid account--state appropriation are provided  
18 solely for implementation of Senate Bill No. 5346 (health care  
19 administrative procedures).

20 (9) \$131,000 of the accident account--state appropriation and  
21 \$128,000 of the medical aid account--state appropriation are provided  
22 solely for implementation of Senate Bill No. 5613 (stop work orders).

23 (10) \$68,000 of the accident account--state appropriation and  
24 \$68,000 of the medical aid account--state appropriation are provided  
25 solely for implementation of Senate Bill No. 5688 (registered domestic  
26 partners).

27 (11) \$320,000 of the accident account--state appropriation and  
28 \$147,000 of the medical aid account--state appropriation are provided  
29 solely for implementation of Senate Bill No. 5873 (apprenticeship  
30 utilization).

31 (12) \$73,000 of the general fund--state appropriation for fiscal  
32 year 2010, \$66,000 of the general fund--state appropriation for fiscal  
33 year 2011, \$606,000 of the accident account--state appropriation, and  
34 \$600,000 of the medical aid account--state appropriation are provided  
35 solely for the implementation of House Bill No. 1555 (underground  
36 economy).

37 (13) \$574,000 of the accident account--state appropriation and

1 \$579,000 of the medical account--state appropriation are provided  
2 solely for the implementation of House Bill No. 1402 (industrial  
3 insurance appeals).

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

8 (15) \$16,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$50,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely for the crime victims compensation  
11 program to pay claims for mental health services for crime victim  
12 compensation program clients who have an established relationship with  
13 a mental health provider and subsequently obtain coverage under the  
14 medicaid program or the medical care services program under chapter  
15 74.09 RCW. Prior to making such payment, the program must have  
16 determined that payment for the specific treatment or provider is not  
17 available under the medicaid or medical care services program. In  
18 addition, the program shall make efforts to contact any healthy options  
19 or medical care services health plan in which the client may be  
20 enrolled to help the client obtain authorization to pay the claim on an  
21 out-of-network basis.

22 (16) \$48,000 of the accident account--state appropriation and  
23 \$48,000 of the medical aid account--state appropriation are provided  
24 solely for the implementation of Substitute House Bill No. 2789  
25 (issuance of subpoenas for purposes of agency investigations of  
26 underground economic activity). If the bill is not enacted by June 30,  
27 2010, the amount provided in this subsection shall lapse.

28 (17) \$71,000 of the general fund--state appropriation for fiscal  
29 year 2011 is provided solely for implementation of Senate Bill No. 6349  
30 (farm internship program). If the bill is not enacted by June 30,  
31 2010, the amount provided in this subsection shall lapse.

32 (18) \$127,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$133,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the department to provide  
35 benefits in excess of the cap established by sections 1 and 2, chapter  
36 122, Laws of 2010. These benefits shall be paid for claimants who were  
37 determined eligible for and who were receiving crime victims'  
38 compensation benefits because they were determined to be permanently

1 and totally disabled, as defined by RCW 51.08.160, prior to April 1,  
2 2010. The director shall establish, by May 1, 2010, a process to aid  
3 crime victims' compensation recipients in identifying and applying for  
4 appropriate alternative benefit programs.

5 (19) \$155,000 of the public works administration account--state  
6 appropriation is provided solely for the implementation of Engrossed  
7 House Bill No. 2805 (offsite prefabricated items). If the bill is not  
8 enacted by June 30, 2010, the amount provided in this subsection shall  
9 lapse.

10 **Sec. 1118.** 2011 c 5 s 217 (uncodified) is amended to read as  
11 follows:

12 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

13	General Fund--State Appropriation (FY 2010) . . . . .	\$1,882,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,659,000)</del>
15		<u>\$1,657,000</u>
16	TOTAL APPROPRIATION . . . . .	<del>(\$3,541,000)</del>
17		<u>\$3,539,000</u>

18 **Sec. 1119.** 2011 c 5 s 218 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

21 (1) HEADQUARTERS

22	General Fund--State Appropriation (FY 2010) . . . . .	\$1,913,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,865,000)</del>
24		<u>\$1,755,000</u>
25	Charitable, Educational, Penal, and Reformatory 26 Institutions Account--State Appropriation . . . . .	\$10,000
27	TOTAL APPROPRIATION . . . . .	<del>(\$3,788,000)</del>
28		<u>\$3,678,000</u>

29 The appropriations in this subsection are subject to the following  
30 conditions and limitations: In addition to other reductions, the  
31 appropriations in this section reflect reductions targeted specifically  
32 to state government administrative costs. These administrative  
33 reductions shall be achieved, to the greatest extent possible, by  
34 reducing those administrative costs that do not affect direct client  
35 services or direct service delivery or programs.

36 (2) FIELD SERVICES



1	General Fund--State Appropriation (FY 2010) . . . . .	\$4,885,000
2	General Fund--State Appropriation (FY 2011) . . . . .	\$4,964,000
3	General Fund--Federal Appropriation . . . . .	\$2,382,000
4	General Fund--Private/Local Appropriation . . . . .	\$4,512,000
5	Veterans Innovations Program Account--State	
6	Appropriation . . . . .	\$897,000
7	Veteran Estate Management Account--Private/Local	
8	Appropriation . . . . .	\$1,072,000
9	TOTAL APPROPRIATION . . . . .	\$18,712,000

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

12       (a) The department shall collaborate with the department of social  
13 and health services to identify and assist eligible general assistance  
14 unemployable clients to access the federal department of veterans  
15 affairs benefits.

16       (b) \$648,000 of the veterans innovations program account--state  
17 appropriation is provided solely for the department to continue support  
18 for returning combat veterans through the veterans innovation program,  
19 including emergency financial assistance through the defenders' fund  
20 and long-term financial assistance through the competitive grant  
21 program.

22       (c) In addition to other reductions, the appropriations in this  
23 section reflect reductions targeted specifically to state government  
24 administrative costs. These administrative reductions shall be  
25 achieved, to the greatest extent possible, by reducing those  
26 administrative costs that do not affect direct client services or  
27 direct service delivery or programs.

28       (3) INSTITUTIONAL SERVICES

29	General Fund--State Appropriation (FY 2010) . . . . .	\$3,318,000
30	<del>((General Fund--State Appropriation (FY 2011) . . . . .</del>	<del>\$1,793,000))</del>
31	General Fund--Federal Appropriation . . . . .	<del>((50,931,000))</del>
32		<u>\$52,965,000</u>
33	General Fund--Private/Local Appropriation . . . . .	<del>((34,189,000))</del>
34		<u>\$34,791,000</u>
35	TOTAL APPROPRIATION . . . . .	<del>((90,231,000))</del>
36		<u>\$91,074,000</u>

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

3 (a) In addition to other reductions, the appropriations in this  
4 section reflect reductions targeted specifically to state government  
5 administrative costs. These administrative reductions shall be  
6 achieved, to the greatest extent possible, by reducing those  
7 administrative costs that do not affect direct client services or  
8 direct service delivery or programs.

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

12 **Sec. 1120.** 2011 c 5 s 219 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF HEALTH**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$98,414,000
16	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$72,427,000)</del>
17		<u>\$72,269,000</u>
18	General Fund--Federal Appropriation . . . . .	<del>(\$564,379,000)</del>
19		<u>\$567,818,000</u>
20	General Fund--Private/Local Appropriation . . . . .	\$162,237,000
21	Hospital Data Collection Account--State Appropriation . . . . .	\$218,000
22	Health Professions Account--State Appropriation . . . . .	\$82,850,000
23	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$603,000
24	Emergency Medical Services and Trauma Care Systems	
25	Trust Account--State Appropriation . . . . .	\$13,206,000
26	Safe Drinking Water Account--State Appropriation . . . . .	\$2,731,000
27	Drinking Water Assistance Account--Federal	
28	Appropriation . . . . .	\$22,862,000
29	Waterworks Operator Certification--State	
30	Appropriation . . . . .	\$1,522,000
31	Drinking Water Assistance Administrative Account--	
32	State Appropriation . . . . .	\$326,000
33	State Toxics Control Account--State Appropriation . . . . .	\$4,348,000
34	Medical Test Site Licensure Account--State	
35	Appropriation . . . . .	\$2,261,000
36	Youth Tobacco Prevention Account--State Appropriation . . . . .	\$1,512,000
37	Public Health Supplemental Account--Private/Local	

1	Appropriation . . . . .	\$3,804,000
2	Community and Economic Development Fee Account--State	
3	Appropriation . . . . .	\$298,000
4	Accident Account--State Appropriation . . . . .	\$292,000
5	Medical Aid Account--State Appropriation . . . . .	\$48,000
6	Tobacco Prevention and Control Account--State	
7	Appropriation . . . . .	\$41,196,000
8	Biotoxin Account--State Appropriation . . . . .	\$1,163,000
9	TOTAL APPROPRIATION . . . . .	<del>(\$1,076,697,000)</del>
10		<u>\$1,079,978,000</u>

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

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

34 (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
35 is authorized to establish and raise fees in fiscal year 2011 as  
36 necessary to meet the actual costs of conducting business and the  
37 appropriation levels in this section. This authorization applies to  
38 fees for the review of sewage tank designs, fees related to regulation

1 and inspection of farmworker housing, and fees associated with the  
2 following professions: Acupuncture, dental, denturist, mental health  
3 counselor, nursing, nursing assistant, optometry, radiologic  
4 technologist, recreational therapy, respiratory therapy, social worker,  
5 cardiovascular invasive specialist, and practitioners authorized under  
6 chapter 18.240 RCW.

7 (3) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is  
8 authorized to establish fees by the amount necessary to fully support  
9 the cost of activities related to the administration of long-term care  
10 worker certification. The department is further authorized to increase  
11 fees by the amount necessary to implement the regulatory requirements  
12 of the following bills: House Bill No. 1414 (health care assistants),  
13 House Bill No. 1740 (dental residency licenses), and House Bill No.  
14 1899 (retired active physician licenses).

15 (4) \$764,000 of the health professions account--state appropriation  
16 is provided solely for the medical quality assurance commission to  
17 maintain disciplinary staff and associated costs sufficient to reduce  
18 the backlog of disciplinary cases and to continue to manage the  
19 disciplinary caseload of the commission.

20 (5) \$57,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$54,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for the midwifery licensure and  
23 regulatory program to offset a reduction in revenue from fees. The  
24 department shall convene the midwifery advisory committee on a  
25 quarterly basis to address issues related to licensed midwifery. The  
26 appropriations in this section assume that the current application and  
27 renewal fee for midwives shall be increased by fifty dollars and all  
28 other fees for midwives be adjusted accordingly.

29 (6) Funding for the human papillomavirus vaccine shall not be  
30 included in the department's universal vaccine purchase program in  
31 fiscal year 2010. Remaining funds for the universal vaccine purchase  
32 program shall be used to continue the purchase of all other vaccines  
33 included in the program until May 1, 2010, at which point state funding  
34 for the universal vaccine purchase program shall be discontinued.

35 (7) Beginning July 1, 2010, the department, in collaboration with  
36 the department of social and health services, shall maximize the use of  
37 existing federal funds, including section 317 of the federal public  
38 health services act direct assistance as well as federal funds that may

1 become available under the American recovery and reinvestment act, in  
2 order to continue to provide immunizations for low-income, nonmedicaid  
3 eligible children up to three hundred percent of the federal poverty  
4 level in state-sponsored health programs.

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

9 (9) Funding in this section reflects a temporary reduction of  
10 resources for the 2009-11 fiscal biennium for the state board of health  
11 to conduct health impact reviews.

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

25 (11) Funding for family planning grants for fiscal year 2011 is  
26 reduced in the expectation that federal funding shall become available  
27 to expand coverage of services for individuals through programs at the  
28 department of social and health services. In the event that such  
29 funding is not provided, the legislature intends to continue funding  
30 through a supplemental appropriation at fiscal year 2010 levels.  
31 \$4,360,000 of the general fund--state appropriation is provided solely  
32 for the department of health-funded family planning clinic grants due  
33 to federal funding not becoming available.

34 (12) \$16,000,000 of the tobacco prevention and control  
35 account--state appropriation is provided solely for local health  
36 jurisdictions to conduct core public health functions as defined in RCW  
37 43.70.514.

1 (13) \$100,000 of the health professions account appropriation is  
2 provided solely for implementation of Substitute House Bill No. 1414  
3 (health care assistants). If the bill is not enacted by June 30, 2009,  
4 the amount provided in this subsection shall lapse.

5 (14) \$42,000 of the health professions account--state appropriation  
6 is provided solely to implement Substitute House Bill No. 1740  
7 (dentistry license issuance). If the bill is not enacted by June 30,  
8 2009, the amount provided in this section shall lapse.

9 (15) \$23,000 of the health professions account--state appropriation  
10 is provided solely to implement Second Substitute House Bill No. 1899  
11 (retired active physician licenses). If the bill is not enacted by  
12 June 30, 2009, the amount provided in this section shall lapse.

13 (16) \$12,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$67,000 of the general fund--private/local appropriation  
15 are provided solely to implement House Bill No. 1510 (birth  
16 certificates). If the bill is not enacted by June 30, 2009, the amount  
17 provided in this section shall lapse.

18 (17) \$31,000 of the health professions account is provided for the  
19 implementation of Second Substitute Senate Bill No. 5850 (human  
20 trafficking). If the bill is not enacted by June 2009, the amount  
21 provided in this subsection shall lapse.

22 (18) \$282,000 of the health professions account is provided for the  
23 implementation of Substitute Senate Bill No. 5752 (dentists cost  
24 recovery). If the bill is not enacted by June 2009, the amount  
25 provided in this subsection shall lapse.

26 (19) \$106,000 of the health professions account is provided for the  
27 implementation of Substitute Senate Bill No. 5601 (speech language  
28 assistants). If the bill is not enacted by June 2009, the amount  
29 provided in this subsection shall lapse.

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

35 (21) \$390,000 of the health professions account--state  
36 appropriation is provided solely to implement chapter 169, Laws of 2010  
37 (nursing assistants). The amount provided in this subsection is from  
38 fee revenue authorized by Engrossed Substitute Senate Bill No. 6582.

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

7 (23) \$66,000 of the health professions account--state appropriation  
8 is provided solely to implement chapter 209, Laws of 2010 (pain  
9 management).

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

13 (25) \$23,000 of the general fund--state appropriation is provided  
14 solely to implement chapter 182, Laws of 2010 (tracking ephedrine,  
15 etc.).

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

19 (27) It is the intent of the legislature that the reductions in  
20 appropriations to the AIDS/HIV programs shall be achieved, to the  
21 greatest extent possible, by reducing those state government  
22 administrative costs that do not affect direct client services or  
23 direct service delivery or programs. The agency shall, to the greatest  
24 extent possible, reduce spending in those areas that shall have the  
25 least impact on implementing these programs.

26 (28) \$400,000 of the state toxics control account--state  
27 appropriation is provided solely for granting to a willing local public  
28 entity to provide emergency water supplies or water treatment for  
29 households with individuals at high public health risk from nitrate-  
30 contaminated wells in the lower Yakima basin.

31 (29) \$100,000 of the state toxics control account--state  
32 appropriation is provided solely for an interagency contract to the  
33 department of ecology to grant to agencies involved in improving  
34 groundwater quality in the lower Yakima Valley. These agencies will  
35 develop a local plan for improving water quality and reducing nitrate  
36 contamination. The department of ecology will report to the  
37 appropriate committees of the legislature and to the office of

1 financial management no later than December 1, 2010, summarizing  
2 progress towards developing and implementing this plan.

3 (30) In accordance with RCW 43.135.055, the department is  
4 authorized to adopt and increase all fees set forth in and previously  
5 authorized in section 221(2), chapter 37, Laws of 2010 1st sp.s.

6 NEW SECTION. **Sec. 1121.** A new section is added to 2009 c 564  
7 (uncodified) to read as follows:

8 **FOR THE DEPARTMENT OF CORRECTIONS**

9 The appropriations to the department of corrections in this act  
10 shall be expended for the programs and in the amounts specified herein.  
11 However, after May 1, 2011, after approval by the director of financial  
12 management and unless specifically prohibited by this act, the  
13 department may transfer general fund--state appropriations for fiscal  
14 year 2011 between programs. The department shall not transfer funds,  
15 and the director of financial management shall not approve the  
16 transfer, unless the transfer is consistent with the objective of  
17 conserving, to the maximum extent possible, the expenditure of state  
18 funds and not federal funds. The director of financial management  
19 shall notify the appropriate fiscal committees of the senate and house  
20 of representatives in writing seven days prior to approving any  
21 deviations from appropriation levels. The written notification shall  
22 include a narrative explanation and justification of the changes, along  
23 with expenditures and allotments by budget unit and appropriation, both  
24 before and after any allotment modifications or transfers.

25 **Sec. 1122.** 2011 c 5 s 220 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF CORRECTIONS**

28 (1) ADMINISTRATION AND SUPPORT SERVICES

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

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



1 (a) Within funds appropriated in this section, the department shall  
2 seek contracts for chemical dependency vendors to provide chemical  
3 dependency treatment of offenders in corrections facilities, including  
4 corrections centers and community supervision facilities, which have  
5 demonstrated effectiveness in treatment of offenders and are able to  
6 provide data to show a successful treatment rate.

7 (b) \$35,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$35,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for the support of a statewide  
10 council on mentally ill offenders that includes as its members  
11 representatives of community-based mental health treatment programs,  
12 current or former judicial officers, and directors and commanders of  
13 city and county jails and state prison facilities. The council will  
14 investigate and promote cost-effective approaches to meeting the  
15 long-term needs of adults and juveniles with mental disorders who have  
16 a history of offending or who are at-risk of offending, including their  
17 mental health, physiological, housing, employment, and job training  
18 needs.

19 (2) CORRECTIONAL OPERATIONS

20	General Fund--State Appropriation (FY 2010) . . . . .	\$458,503,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$562,084,000)</del>
22		<u>\$568,568,000</u>
23	General Fund--Federal Appropriation . . . . .	<del>(\$186,651,000)</del>
24		<u>\$186,720,000</u>
25	Washington Auto Theft Prevention Authority Account--	
26	State Appropriation . . . . .	\$5,936,000
27	State Efficiency and Restructuring Account--State	
28	Appropriation . . . . .	\$34,522,000
29	TOTAL APPROPRIATION . . . . .	<del>(\$1,247,696,000)</del>
30		<u>\$1,254,249,000</u>

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

33 (a) The department may expend funds generated by contractual  
34 agreements entered into for mitigation of severe overcrowding in local  
35 jails. Any funds generated in excess of actual costs shall be  
36 deposited in the state general fund. Expenditures shall not exceed  
37 revenue generated by such agreements and shall be treated as a recovery  
38 of costs.

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

6 (c) During the 2009-11 biennium, when contracts are established or  
7 renewed for offender pay phone and other telephone services provided to  
8 inmates, the department shall select the contractor or contractors  
9 primarily based on the following factors: (i) The lowest rate charged  
10 to both the inmate and the person paying for the telephone call; and  
11 (ii) the lowest commission rates paid to the department, while  
12 providing reasonable compensation to cover the costs of the department  
13 to provide the telephone services to inmates and provide sufficient  
14 revenues for the activities funded from the institutional welfare  
15 betterment account.

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

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

26 (f) Within amounts provided in this subsection, the department,  
27 jointly with the department of social and health services, shall  
28 identify the number of offenders released through the extraordinary  
29 medical placement program, the cost savings to the department of  
30 corrections, including estimated medical cost savings, and the costs  
31 for medical services in the community incurred by the department of  
32 social and health services. The department and the department of  
33 social and health services shall jointly report to the office of  
34 financial management and the appropriate fiscal committees of the  
35 legislature by November 30, 2010.

36 (g) \$11,863,000 of the general fund--state appropriation for fiscal  
37 year 2010, \$7,953,000 of the general fund--state appropriation for  
38 fiscal year 2011, and \$2,336,000 of the general fund--private/local

1 appropriation are provided solely for in-prison evidence-based programs  
2 and for the reception diagnostic center program as part of the offender  
3 re-entry initiative.

4 (h) The appropriations in this subsection are based on savings  
5 assumed from the closure of the McNeil Island corrections center, the  
6 Ahtanum View corrections center, and the Pine Lodge corrections center  
7 for women.

8 (3) COMMUNITY SUPERVISION

9	General Fund--State Appropriation (FY 2010) . . . . .	\$150,729,000
10	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$134,840,000)</del>
11		<u>\$133,549,000</u>
12	TOTAL APPROPRIATION . . . . .	<del>(\$285,569,000)</del>
13		<u>\$284,278,000</u>

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

16 (a) The department shall accomplish personnel reductions with the  
17 least possible impact on correctional custody staff, community custody  
18 staff, and correctional industries. For the purposes of this  
19 subsection, correctional custody staff means employees responsible for  
20 the direct supervision of offenders.

21 (b) \$2,083,000 of the general fund--state appropriation for fiscal  
22 year 2010 and \$2,083,000 of the general fund--state appropriation for  
23 fiscal year 2011 are provided solely to implement Senate Bill No. 5525  
24 (state institutions/release). If the bill is not enacted by June 30,  
25 2009, the amounts provided in this subsection shall lapse.

26 (c) The appropriations in this subsection are based upon savings  
27 assumed from the implementation of Engrossed Substitute Senate Bill No.  
28 5288 (supervision of offenders).

29 (d) \$2,791,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$2,680,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for evidence-based community  
32 programs and for community justice centers as part of the offender  
33 re-entry initiative.

34 (e) \$418,300 of the general fund--state appropriation for fiscal  
35 year 2010 is provided solely for the purposes of settling all claims in  
36 *Hilda Solis, Secretary of Labor, United States Department of Labor v.*  
37 *State of Washington, Department of Corrections*, United States District  
38 Court, Western District of Washington, Cause No. C08-cv-05362-RJB. The

1 expenditure of this amount is contingent on the release of all claims  
2 in the case, and total settlement costs shall not exceed the amount  
3 provided in this subsection. If settlement is not fully executed by  
4 June 30, 2010, the amount provided in this subsection shall lapse.

5 (f) \$984,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for supplemental services that will be  
7 provided to offenders in lieu of a prison sentence, pursuant to chapter  
8 224, Laws of 2010 (confinement alternatives).

9 (4) CORRECTIONAL INDUSTRIES

10	General Fund--State Appropriation (FY 2010) . . . . .	\$2,574,000
11	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,441,000)</del>
12		<u>\$2,642,000</u>
13	TOTAL APPROPRIATION . . . . .	<del>(\$5,015,000)</del>
14		<u>\$5,216,000</u>

15 The appropriations in this subsection are subject to the following  
16 conditions and limitations: \$132,000 of the general fund--state  
17 appropriation for fiscal year 2010 and \$132,000 of the general  
18 fund--state appropriation for fiscal year 2011 are provided solely for  
19 transfer to the jail industries board. The board shall use the amounts  
20 provided only for administrative expenses, equipment purchases, and  
21 technical assistance associated with advising cities and counties in  
22 developing, promoting, and implementing consistent, safe, and efficient  
23 offender work programs.

24 (5) INTERAGENCY PAYMENTS

25	General Fund--State Appropriation (FY 2010) . . . . .	\$40,728,000
26	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$38,629,000)</del>
27		<u>\$38,995,000</u>
28	TOTAL APPROPRIATION . . . . .	<del>(\$79,357,000)</del>
29		<u>\$79,723,000</u>

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

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

35 (b) The state prison medical facilities may use funds appropriated  
36 in this subsection to purchase goods and supplies through hospital or

1 other group purchasing organizations when it is cost effective to do  
2 so.

3 (6) Funding in this section may not be used to purchase radios or  
4 base station repeaters related to the movement to narrowband  
5 frequencies, or for reprogramming existing narrowband radios.

6 **Sec. 1123.** 2011 c 5 s 221 (uncodified) is amended to read as  
7 follows:

8 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

9	General Fund--State Appropriation (FY 2010) . . . . .	\$2,504,000
10	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,160,000)</del>
11		<u>\$2,158,000</u>
12	General Fund--Federal Appropriation . . . . .	<del>(\$18,116,000)</del>
13		<u>\$18,416,000</u>
14	General Fund--Private/Local Appropriation . . . . .	\$30,000
15	TOTAL APPROPRIATION . . . . .	<del>(\$22,810,000)</del>
16		<u>\$23,108,000</u>

17 **Sec. 1124.** 2011 c 5 s 222 (uncodified) is amended to read as  
18 follows:

19 **FOR THE SENTENCING GUIDELINES COMMISSION**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$962,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$844,000)</del>
22		<u>\$843,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$1,806,000)</del>
24		<u>\$1,805,000</u>

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

27 (1) Within the amounts appropriated in this section, the sentencing  
28 guidelines commission, in partnership with the courts, shall develop a  
29 plan to implement an evidence-based system of community custody for  
30 adult felons that will include the consistent use of evidence-based  
31 risk and needs assessment tools, programs, supervision modalities, and  
32 monitoring of program integrity. The plan for the evidence-based  
33 system of community custody shall include provisions for identifying  
34 cost-effective rehabilitative programs; identifying offenders for whom  
35 such programs would be cost-effective; monitoring the system for cost-  
36 effectiveness; and reporting annually to the legislature. In

1 developing the plan, the sentencing guidelines shall consult with: The  
2 Washington state institute for public policy; the legislature; the  
3 department of corrections; local governments; prosecutors; defense  
4 attorneys; victim advocate groups; law enforcement; the Washington  
5 federation of state employees; and other interested entities. The  
6 sentencing guidelines commission shall report its recommendations to  
7 the governor and the legislature by December 1, 2009.

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

12 (b) The commission shall submit the analysis described in section  
13 15 of Engrossed Substitute Senate Bill No. 5288 no later than December  
14 1, 2011.

15 (3) Within the amounts appropriated in this section, the sentencing  
16 guidelines commission shall survey the practices of other states  
17 relating to offenders who violate any conditions of their community  
18 custody. In conducting the survey, the sentencing guidelines  
19 commission shall perform a review of the research studies to determine  
20 if a mandatory minimum confinement policy is an evidence-based  
21 practice, investigate the implementation of such a policy in other  
22 states, and estimate the fiscal impacts of implementing such a policy  
23 in Washington state. The sentencing guidelines commission shall report  
24 its findings to the governor and the legislature by December 1, 2010.

25 **Sec. 1125.** 2011 c 5 s 223 (uncodified) is amended to read as  
26 follows:

27 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$2,054,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$4,735,000)</del>
30		<u>\$4,719,000</u>
31	General Fund--Federal Appropriation . . . . .	<del>(\$324,135,000)</del>
32		<u>\$327,109,000</u>
33	General Fund--Private/Local Appropriation . . . . .	\$33,640,000
34	Unemployment Compensation Administration Account--	
35	Federal Appropriation . . . . .	<del>(\$348,000,000)</del>
36		<u>\$370,397,000</u>
37	Administrative Contingency Account--State Appropriation . . .	\$345,000

1	Employment Service Administrative Account--State	
2	Appropriation . . . . .	\$37,775,000
3	TOTAL APPROPRIATION . . . . .	<del>(\$750,684,000)</del>
4		<u>\$776,039,000</u>

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

7       (1) \$59,829,000 of the unemployment compensation administration  
8 account--federal appropriation is provided from amounts made available  
9 to the state by section 903 (d) and (f) of the social security act  
10 (Reed act). This amount is authorized to continue current unemployment  
11 insurance functions and department services to employers and job  
12 seekers.

13       (2) \$17,327,000 of the unemployment compensation administration  
14 account--federal appropriation is provided from amounts made available  
15 to the state by section 903(d) and (f) of the social security act (Reed  
16 act). This amount is authorized to fund the replacement of the  
17 unemployment insurance tax information system (TAXIS) for the  
18 employment security department. This section is subject to section 902  
19 of this act. After the effective date of this section, the employment  
20 security department may not incur further obligations for the  
21 replacement of the unemployment insurance tax information system  
22 (TAXIS). Nothing in this act prohibits the department from meeting  
23 obligations incurred prior to the effective date of this section.

24       (3) \$110,000 of the unemployment compensation administration  
25 account--federal appropriation is provided solely for implementation of  
26 Senate Bill No. 5804 (leaving part time work voluntarily).

27       (4) \$1,263,000 of the unemployment compensation administration  
28 account--federal appropriation is provided solely for implementation of  
29 Senate Bill No. 5963 (unemployment insurance).

30       (5) \$159,000 of the unemployment compensation account--federal  
31 appropriation is provided solely for the implementation of House Bill  
32 No. 1555 (underground economy) from funds made available to the state  
33 by section 903(d) of the social security act (Reed act).

34       (6) \$295,000 of the administrative contingency--state appropriation  
35 for fiscal year 2010 is provided solely for the implementation of House  
36 Bill No. 2227 (evergreen jobs act).

37       (7) \$2,000,000 of the general fund--state appropriation for fiscal

1 year 2010 and \$4,682,000 of the general fund--state appropriation for  
2 fiscal year 2011 are provided solely for the implementation of Senate  
3 Bill No. 5809 (WorkForce employment and training).

4 (8) \$444,000 of the unemployment compensation administration  
5 account--federal appropriation is provided solely for the  
6 implementation of Substitute Senate Bill No. 6524 (unemployment  
7 insurance penalties and contribution rates) from funds made available  
8 to the state by section 903 (d) or (f) of the social security act (Reed  
9 12 act). If the bill is not enacted by June 30, 2010, the amount  
10 provided in this subsection shall lapse.

11 (9) \$232,000 of the unemployment compensation administration  
12 account--federal appropriation from funds made available to the state  
13 by section 903(c) or (f) of the social security act (Reed act) is  
14 provided solely for the implementation of Substitute House Bill No.  
15 2789 (underground economic activity). If the bill is not enacted by  
16 June 30, 2010, the amount provided in this subsection shall lapse.

17 (10) \$577,000 of the unemployment compensation administration  
18 account--federal appropriation is from amounts available to the state  
19 by section 903 (d), (f), and (g) of the Social Security Act (Reed Act).  
20 This amount is provided solely for implementation of chapter 4, Laws of  
21 2011 (unemployment insurance program).

22 (11) \$11,000 of the unemployment compensation administration  
23 account--federal appropriation is from amounts available to the state  
24 by section 903 (d), (f), and (g) of the Social Security Act (Reed Act).  
25 This amount is provided solely for implementation of chapter 4, Laws of  
26 2011 (unemployment insurance program).

(End of part)



PART XII  
NATURAL RESOURCES

Sec. 1201. 2011 c 5 s 301 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

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

1	State Toxics Control Account--Private/Local	
2	Appropriation . . . . .	\$379,000
3	Local Toxics Control Account--State	
4	Appropriation . . . . .	(( <del>\$24,690,000</del> ))
5		<u>\$24,670,000</u>
6	Water Quality Permit Account--State	
7	Appropriation . . . . .	(( <del>\$37,018,000</del> ))
8		<u>\$36,899,000</u>
9	Underground Storage Tank Account--State	
10	Appropriation . . . . .	(( <del>\$3,270,000</del> ))
11		<u>\$3,259,000</u>
12	Biosolids Permit Account--State Appropriation . . . . .	\$1,866,000
13	Hazardous Waste Assistance Account--State	
14	Appropriation . . . . .	(( <del>\$5,880,000</del> ))
15		<u>\$5,858,000</u>
16	Air Pollution Control Account--State Appropriation . . . . .	\$1,565,000
17	Oil Spill Prevention Account--State	
18	Appropriation . . . . .	(( <del>\$10,599,000</del> ))
19		<u>\$10,568,000</u>
20	Air Operating Permit Account--State	
21	Appropriation . . . . .	(( <del>\$2,758,000</del> ))
22		<u>\$2,748,000</u>
23	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$1,693,000
24	Oil Spill Response Account--State Appropriation . . . . .	\$7,077,000
25	Metals Mining Account--State Appropriation . . . . .	\$14,000
26	Water Pollution Control Revolving Account--State	
27	Appropriation . . . . .	\$535,000
28	Water Pollution Control Revolving Account--Federal	
29	Appropriation . . . . .	\$2,210,000
30	Water Rights Processing Account--State Appropriation . . . . .	\$68,000
31	TOTAL APPROPRIATION . . . . .	(( <del>\$437,036,000</del> ))
32		<u>\$436,003,000</u>

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

35       (1) \$170,000 of the oil spill prevention account--state  
36 appropriation is provided solely for a contract with the University of  
37 Washington's sea grant program to continue an educational program

1 targeted to small spills from commercial fishing vessels, ferries,  
2 cruise ships, ports, and marinas.

3 (2) \$240,000 of the woodstove education and enforcement  
4 account--state appropriation is provided solely for citizen outreach  
5 efforts to improve understanding of burn curtailments, the proper use  
6 of wood heating devices, and public awareness of the adverse health  
7 effects of woodsmoke pollution.

8 (3) \$3,000,000 of the general fund--private/local appropriation is  
9 provided solely for contracted toxic-site cleanup actions at sites  
10 where multiple potentially liable parties agree to provide funding.

11 (4) \$3,600,000 of the local toxics account--state appropriation is  
12 provided solely for the standby emergency rescue tug stationed at Neah  
13 Bay.

14 (5) \$811,000 of the state toxics account--state appropriation is  
15 provided solely for oversight of toxic cleanup at facilities that  
16 treat, store, and dispose of hazardous wastes.

17 (6) \$1,456,000 of the state toxics account--state appropriation is  
18 provided solely for toxic cleanup at sites where willing parties  
19 negotiate prepayment agreements with the department and provide  
20 necessary funding.

21 (7) \$558,000 of the state toxics account--state appropriation and  
22 \$3,000,000 of the local toxics account--state appropriation are  
23 provided solely for grants and technical assistance to Puget Sound-area  
24 local governments engaged in updating shoreline master programs.

25 (8) \$950,000 of the state toxics control account--state  
26 appropriation is provided solely for measuring water and habitat  
27 quality to determine watershed health and assist salmon recovery,  
28 beginning in fiscal year 2011.

29 (9) RCW 70.105.280 authorizes the department to assess reasonable  
30 service charges against those facilities that store, treat, incinerate,  
31 or dispose of dangerous or extremely hazardous waste that involves both  
32 a nonradioactive hazardous component and a radioactive component.  
33 Service charges may not exceed the costs to the department in carrying  
34 out the duties in RCW 70.105.280. The current service charges do not  
35 meet the costs of the department to carry out its duties. Pursuant to  
36 RCW 43.135.055 and 70.105.280, the department is authorized to increase  
37 the service charges no greater than 18 percent for fiscal year 2010 and  
38 no greater than 15 percent for fiscal year 2011. Such service charges

1 shall include all costs of public participation grants awarded to  
2 qualified entities by the department pursuant to RCW 70.105D.070(5) for  
3 facilities at which such grants are recognized as a component of a  
4 community relations or public participation plan authorized or required  
5 as an element of a consent order, federal facility agreement or agreed  
6 order entered into or issued by the department pursuant to any federal  
7 or state law governing investigation and remediation of releases of  
8 hazardous substances. Public participation grants funded by such  
9 service charges shall be in addition to, and not in place of, any other  
10 grants made pursuant to RCW 70.105D.070(5). Costs for the public  
11 participation grants shall be billed individually to the mixed waste  
12 facility associated with the grant.

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

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

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

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

1 implementation of a flow augmentation project; plan implementation in  
2 the Fishtrap watershed; and the development of a water bank.

3 (14) \$215,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$220,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely to provide watershed planning  
6 implementation grants for WRIA 32 to implement Substitute House Bill  
7 No. 1580 (pilot local water management program). If the bill is not  
8 enacted by June 30, 2009, the amounts provided in this subsection shall  
9 lapse.

10 (15) \$200,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$187,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the purpose of supporting the  
13 trust water rights program and processing trust water right transfer  
14 applications that improve instream flow.

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

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

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

28 (17) \$73,000 of the water quality permit account--state  
29 appropriation is provided solely to implement Substitute House Bill No.  
30 1413 (water discharge fees). If the bill is not enacted by June 30,  
31 2009, the amount provided in this subsection shall lapse.

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

37 (19) The department shall track any changes in costs, wages, and  
38 benefits that would have resulted if House Bill No. 1716 (public

1 contract living wages), as introduced in the 2009 regular session of  
2 the legislature, were enacted and made applicable to contracts and  
3 related subcontracts entered into, renewed, or extended during the  
4 2009-11 biennium. The department shall submit a report to the house of  
5 representatives commerce and labor committee and the senate labor,  
6 commerce, and consumer protection committee by December 1, 2011. The  
7 report shall include data on any aggregate changes in wages and  
8 benefits that would have resulted during the 2009-11 biennium.

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

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

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

1 instruments with local governments; and (d) an assessment of overall  
2 economic benefits of the remedial action grants funded using the  
3 instruments identified in this section.

4 (23) \$220,000 of the site closure account--state appropriation is  
5 provided solely for litigation expenses associated with the lawsuit  
6 filed by energy solutions, inc., against the Northwest interstate  
7 compact on low-level radioactive waste management and its executive  
8 director.

9 (24) \$68,000 of the water rights processing account--state  
10 appropriation is provided solely for implementation of Engrossed Second  
11 Substitute Senate Bill No. 6267 (water rights processing). If the bill  
12 is not enacted by June 30, 2010, the amount provided in this subsection  
13 shall lapse.

14 (25) \$10,000 of the state toxics control account--state  
15 appropriation is provided solely for implementation of Engrossed  
16 Substitute Senate Bill No. 5543 (mercury-containing lights). If the  
17 bill is not enacted by June 30, 2010, the amount provided in this  
18 subsection shall lapse.

19 (26) \$300,000 of the state toxics control account--state  
20 appropriation is provided solely for piloting and evaluating two  
21 coordinated, multijurisdictional permitting teams for nontransportation  
22 projects.

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

31 (b) Projects or measures for which funding will be provided must be  
32 connected with a water system, water source, or water body that is  
33 receiving, or has been projected to receive, less than seventy-five  
34 percent of normal water supply, as the result of natural drought  
35 conditions. This reduction in water supply must be such that it is  
36 causing, or will cause, undue hardship for the entities or fish or  
37 wildlife depending on the water supply. The department shall issue

1 guidelines outlining grant program and matching fund requirements  
2 within ten days of a drought declaration.

3 (28) In accordance with RCW 43.135.055, the department is  
4 authorized to increase the fees set forth in and previously authorized  
5 in section 302(10), chapter 564, Laws of 2009.

6 (29) In accordance with RCW 43.135.055, the department is  
7 authorized to adopt and increase the fees set forth in and previously  
8 authorized in sections 3, 5, 7, and 12, chapter 285, Laws of 2010.

9 **Sec. 1202.** 2011 c 5 s 302 (uncodified) is amended to read as  
10 follows:

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

12	General Fund--State Appropriation (FY 2010) . . . . .	\$23,176,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$18,309,000 ))</del>
14		<u>\$18,275,000</u>
15	General Fund--Federal Appropriation . . . . .	\$6,892,000
16	General Fund--Private/Local Appropriation . . . . .	\$73,000
17	Winter Recreation Program Account--State Appropriation . . .	\$1,556,000
18	Off Road Vehicle Account--State Appropriation . . . . .	\$239,000
19	Snowmobile Account--State Appropriation . . . . .	\$4,842,000
20	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$368,000
21	Recreation Resources Account--State Appropriation . . . . .	\$9,469,000
22	NOVA Program Account--State Appropriation . . . . .	\$9,164,000
23	Parks Renewal and Stewardship Account--State	
24	Appropriation . . . . .	\$72,975,000
25	Parks Renewal and Stewardship Account--Private/Local	
26	Appropriation . . . . .	\$300,000
27	TOTAL APPROPRIATION . . . . .	<del>(( \$147,363,000 ))</del>
28		<u>\$147,329,000</u>

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

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

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



1 (3) With the passage of Substitute House Bill No. 2339 (state parks  
2 system donation), the legislature finds that it has provided sufficient  
3 funds to ensure that all state parks remain open during the 2009-11  
4 biennium. The commission shall not close state parks unless the bill  
5 is not enacted by June 30, 2009, or revenue collections are  
6 insufficient to fund the ongoing operation of state parks. By January  
7 10, 2010, the commission shall provide a report to the legislature on  
8 their budget and resources related to operating parks for the remainder  
9 of the biennium.

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

17 **Sec. 1203.** 2011 c 5 s 303 (uncodified) is amended to read as  
18 follows:

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

20	General Fund--State Appropriation (FY 2010) . . . . .	\$1,486,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$1,312,000))</del>
22		<u>\$1,311,000</u>
23	General Fund--Federal Appropriation . . . . .	\$10,427,000
24	General Fund--Private/Local Appropriation . . . . .	\$250,000
25	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
26	Firearms Range Account--State Appropriation . . . . .	\$39,000
27	Recreation Resources Account--State Appropriation . . . . .	\$2,738,000
28	NOVA Program Account--State Appropriation . . . . .	\$1,059,000
29	TOTAL APPROPRIATION . . . . .	<del>(((\$17,589,000))</del>
30		<u>\$17,588,000</u>

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

33 (1) \$204,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$194,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for the implementation of  
36 Substitute House Bill No. 2157 (salmon recovery). If the bill is not

1 enacted by June 30, 2009, the amounts provided in this subsection shall  
2 lapse.

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

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

21 **Sec. 1204.** 2010 2nd sp.s. c 1 s 305 (uncodified) is amended to  
22 read as follows:

23 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

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

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

33 **Sec. 1205.** 2010 2nd sp.s. c 1 s 306 (uncodified) is amended to  
34 read as follows:

35 **FOR THE CONSERVATION COMMISSION**

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

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

12 **Sec. 1206.** 2011 c 5 s 304 (uncodified) is amended to read as  
13 follows:

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

15	General Fund--State Appropriation (FY 2010) . . . . .	\$41,263,000
16	General Fund--State Appropriation (FY 2011) . . . . .	(\$30,560,000)
17		<u>\$31,053,000</u>
18	General Fund--Federal Appropriation . . . . .	\$88,799,000
19	General Fund--Private/Local Appropriation . . . . .	\$47,211,000
20	Off Road Vehicle Account--State Appropriation . . . . .	\$413,000
21	Aquatic Lands Enhancement Account--State Appropriation . . .	\$6,739,000
22	Recreational Fisheries Enhancement--State	
23	Appropriation . . . . .	\$3,472,000
24	Warm Water Game Fish Account--State Appropriation . . . . .	\$2,861,000
25	Eastern Washington Pheasant Enhancement Account--	
26	State Appropriation . . . . .	\$851,000
27	Aquatic Invasive Species Enforcement Account--State	
28	Appropriation . . . . .	\$207,000
29	Aquatic Invasive Species Prevention Account--State	
30	Appropriation . . . . .	\$833,000
31	Wildlife Account--State Appropriation . . . . .	\$86,998,000
32	Wildlife Account--Federal Appropriation . . . . .	\$101,000
33	Wildlife Account--Private/Local Appropriation . . . . .	\$39,000
34	Game Special Wildlife Account--State Appropriation . . . . .	\$2,367,000
35	Game Special Wildlife Account--Federal Appropriation . . . . .	\$3,426,000
36	Game Special Wildlife Account--Private/Local	
37	Appropriation . . . . .	\$487,000

1 Wildlife Rehabilitation Account--State Appropriation . . . . . \$269,000  
2 Regional Fisheries Salmonid Recovery Account--  
3 Federal Appropriation . . . . . \$5,001,000  
4 Oil Spill Prevention Account--State Appropriation . . . . . \$876,000  
5 Oyster Reserve Land Account--State Appropriation . . . . . \$916,000  
6 TOTAL APPROPRIATION . . . . . ((~~\$323,689,000~~))  
7 \$324,182,000

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

10 (1) \$294,000 of the aquatic lands enhancement account--state  
11 appropriation is provided solely for the implementation of hatchery  
12 reform recommendations defined by the hatchery scientific review group.

13 (2) \$355,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$422,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely for the department to implement a  
16 pilot project with the Confederated Tribes of the Colville Reservation  
17 to develop expanded recreational fishing opportunities on Lake Rufus  
18 Woods and its northern shoreline and to conduct joint enforcement of  
19 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
20 state and tribal intergovernmental agreements developed under the  
21 Columbia River water supply program. For the purposes of the pilot  
22 project:

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

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

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

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

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

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

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

20 (5) \$1,232,000 of the state wildlife account--state appropriation  
21 is provided solely to implement Substitute House Bill No. 1778 (fish  
22 and wildlife). If the bill is not enacted by June 30, 2009, the amount  
23 provided in this subsection shall lapse.

24 (6) \$400,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$400,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for a state match to support the  
27 Puget Sound nearshore partnership between the department and the U.S.  
28 army corps of engineers.

29 (7) \$50,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$50,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for removal of derelict gear in  
32 Washington waters.

33 (8) The department of fish and wildlife shall dispose of all Cessna  
34 aircraft it currently owns. The proceeds from the aircraft shall be  
35 deposited into the state wildlife account. Disposal of the aircraft  
36 must occur no later than June 30, 2010. The department shall  
37 coordinate with the department of natural resources on the installation  
38 of fire surveillance equipment into its Partenavia aircraft. The

1 department shall make its Partenavia aircraft available to the  
2 department of natural resources on a cost-reimbursement basis for its  
3 use in coordinating fire suppression efforts. The two agencies shall  
4 develop an interagency agreement that defines how they will share  
5 access to the plane.

6 (9) \$50,000 of the general fund--state appropriation for fiscal  
7 year 2010 is provided solely for an electron project fish passage study  
8 consistent with the recommendations and protocols contained in the 2008  
9 electron project downstream fish passage final report.

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

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

28 (12) \$100,000 of the eastern Washington pheasant enhancement  
29 account--state appropriation is provided solely for the department to  
30 support efforts to enhance permanent and temporary pheasant habitat on  
31 public and private lands in Grant, Franklin, and Adams counties. The  
32 department may support efforts by entities including conservation  
33 districts, nonprofit organizations, and landowners, and must require  
34 such entities to provide significant nonstate matching resources, which  
35 may be in the form of funds, material, or labor.

36 (13) Within the amounts appropriated in this section, the  
37 department of fish and wildlife shall develop a method for allocating  
38 its administrative and overhead costs proportionate to program fund

1 use. As part of its 2011-2013 biennial operating budget, the  
2 department shall submit a decision package that rebalances expenditure  
3 authority for all agency funds based upon proportionate contributions.

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

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

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

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

35 (18) The department must work with appropriate stakeholders to  
36 facilitate the disposition of salmon to best utilize the resource,  
37 increase revenues to regional fisheries enhancement groups, and enhance  
38 the provision of nutrients to food banks. By November 1, 2010, the

1 department must provide a report to the appropriate committees of the  
2 legislature summarizing these discussions, outcomes, and  
3 recommendations. After November 1, 2010, the department shall not  
4 solicit or award a surplus salmon disposal contract without first  
5 giving due consideration to implementing the recommendations developed  
6 during the stakeholder process.

7 (19) \$50,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided solely for increased fish production at Voight  
9 Creek hatchery.

10 **Sec. 1207.** 2011 c 5 s 305 (uncodified) is amended to read as  
11 follows:

12 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

13	General Fund--State Appropriation (FY 2010) . . . . .	\$48,822,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$37,321,000)</del>
15		<u>\$37,302,000</u>
16	General Fund--Federal Appropriation . . . . .	\$28,784,000
17	General Fund--Private/Local Appropriation . . . . .	\$2,369,000
18	Forest Development Account--State Appropriation . . . . .	\$41,640,000
19	Off Road Vehicle Account--State Appropriation . . . . .	\$4,406,000
20	Surveys and Maps Account--State Appropriation . . . . .	\$2,332,000
21	Aquatic Lands Enhancement Account--State	
22	Appropriation . . . . .	\$8,315,000
23	Resources Management Cost Account--State	
24	Appropriation . . . . .	\$78,704,000
25	Surface Mining Reclamation Account--State	
26	Appropriation . . . . .	\$3,494,000
27	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
28	Forest and Fish Support Account--State Appropriation . . . . .	\$8,000,000
29	Aquatic Land Dredged Material Disposal Site	
30	Account--State Appropriation . . . . .	\$1,333,000
31	Natural Resources Conservation Areas Stewardship	
32	Account--State Appropriation . . . . .	\$184,000
33	State Toxics Control Account--State Appropriation . . . . .	\$720,000
34	Air Pollution Control Account--State Appropriation . . . . .	\$478,000
35	NOVA Program Account--State Appropriation . . . . .	\$974,000
36	Derelict Vessel Removal Account--State Appropriation . . . . .	\$1,749,000
37	Agricultural College Trust Management Account--	



1	State Appropriation . . . . .	\$1,941,000
2	TOTAL APPROPRIATION . . . . .	(( <del>\$276,566,000</del> ))
3		<u>\$276,547,000</u>

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

6 (1) \$1,355,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$327,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for deposit into the agricultural  
9 college trust management account and are provided solely to manage  
10 approximately 70,700 acres of Washington State University's  
11 agricultural college trust lands.

12 (2) \$22,670,000 of the general fund--state appropriation for fiscal  
13 year 2010, \$15,089,000 of the general fund--state appropriation for  
14 fiscal year 2011, and \$5,000,000 of the disaster response account--  
15 state appropriation are provided solely for emergency fire suppression.  
16 None of the general fund and disaster response account amounts provided  
17 in this subsection may be used to fund agency indirect and  
18 administrative expenses. Agency indirect and administrative costs  
19 shall be allocated among the agency's remaining accounts and  
20 appropriations. The department of natural resources shall submit a  
21 quarterly report to the office of financial management and the  
22 legislative fiscal committees detailing information on current and  
23 planned expenditures from the disaster response account. This work  
24 shall be done in coordination with the military department.

25 (3) \$5,000,000 of the forest and fish support account--state  
26 appropriation is provided solely for adaptive management, monitoring,  
27 and participation grants to tribes. If federal funding for this  
28 purpose is reinstated, the amount provided in this subsection shall  
29 lapse.

30 (4) \$600,000 of the derelict vessel removal account--state  
31 appropriation is provided solely for removal of derelict and abandoned  
32 vessels that have the potential to contaminate Puget Sound.

33 (5) \$666,000 of the general fund--federal appropriation is provided  
34 solely to implement House Bill No. 2165 (forest biomass energy  
35 project). If the bill is not enacted by June 30, 2009, the amount  
36 provided in this subsection shall lapse.

37 (6) \$5,000 of the general fund--state appropriation for fiscal year  
38 2010 and \$5,000 of the general fund--state appropriation for fiscal

1 year 2011 are provided solely to implement Substitute House Bill No.  
2 1038 (specialized forest products). If the bill is not enacted by June  
3 30, 2009, the amounts provided in this subsection shall lapse.

4 (7) \$440,000 of the state general fund--state appropriation for  
5 fiscal year 2010 and \$440,000 of the state general fund--state  
6 appropriation for fiscal year 2011 are provided solely for forest work  
7 crews that support correctional camps and are contingent upon  
8 continuing operations of Naselle youth camp at the level provided in  
9 fiscal year 2008. The department shall consider using up to \$2,000,000  
10 of the general fund--federal appropriation to support and utilize  
11 correctional camp crews to implement natural resource projects approved  
12 by the federal government for federal stimulus funding.

13 (8) The department of natural resources shall dispose of the King  
14 Air aircraft it currently owns. Before disposal and within existing  
15 funds, the department shall transfer specialized equipment for fire  
16 surveillance to the department of fish and wildlife's Partenavia  
17 aircraft. Disposal of the aircraft must occur no later than June 30,  
18 2010, and the proceeds from the sale of the aircraft shall be deposited  
19 into the forest and fish support account.

20 (9) \$30,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$28,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for implementation of Engrossed  
23 Second Substitute Bill No. 5560 (agency climate leadership). If the  
24 bill is not enacted by June 30, 2009, the amounts provided in this  
25 subsection shall lapse.

26 (10) \$1,030,000 of the aquatic lands enhancement account--state  
27 appropriation for fiscal year 2011 is provided solely for continuing  
28 scientific studies already underway as part of the adaptive management  
29 process. Funds may not be used to initiate new studies unless the  
30 department secures new federal funding for the adaptive management  
31 process.

32 (11) Within available funds, the department of natural resources  
33 shall review the statutory method for determining aquatic lands lease  
34 rates for private marinas, public marinas not owned and operated by  
35 port districts, yacht clubs, and other entities leasing state land for  
36 boat moorage. The review shall consider alternative methods for  
37 determining rents for these entities for a fair distribution of rent,

1 consistent with the department management mandates for state aquatic  
2 lands.

3 (12) \$37,000 of the general fund--state appropriation for fiscal  
4 year 2011 and \$100,000 of the aquatic lands enhancement account--state  
5 appropriation are provided solely to install up to twenty mooring buoys  
6 in Eagle Harbor and to remove abandoned boats, floats, and other  
7 trespassing structures.

8 (13) By October 1, 2010, the department shall enter into an  
9 interagency agreement with the department of fish and wildlife for  
10 providing land management services on the department of fish and  
11 wildlife's wildlife conservation and recreation lands. Land management  
12 services may include but are not limited to records management, real  
13 estate services such as surveying, and land acquisition and disposal  
14 services. The interagency agreement shall describe business processes,  
15 service delivery expectations, cost, and timing. A draft agreement  
16 shall be submitted to the office of financial management and the  
17 appropriate fiscal committees of the legislature by July 1, 2010.

18 (14) \$41,000 of the forest development account--state  
19 appropriation, \$44,000 of the resources management cost account--state  
20 appropriation, and \$2,000 of the agricultural college trust management  
21 account--state appropriation are provided solely for the implementation  
22 of Second Substitute House Bill No. 2481 (DNR forest biomass  
23 agreements). If the bill is not enacted by June 30, 2010, the amount  
24 provided in this subsection shall lapse.

25 **Sec. 1208.** 2011 c 5 s 306 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF AGRICULTURE**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$12,320,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$15,391,000)</del>
30		<u>\$15,366,000</u>
31	General Fund--Federal Appropriation . . . . .	\$21,047,000
32	General Fund--Private/Local Appropriation . . . . .	\$193,000
33	Aquatic Lands Enhancement Account--State Appropriation . . .	\$2,564,000
34	State Toxics Control Account--State Appropriation . . . . .	\$4,724,000
35	Water Quality Permit Account--State Appropriation . . . . .	\$61,000
36	TOTAL APPROPRIATION . . . . .	<del>(\$56,300,000)</del>
37		<u>\$56,275,000</u>

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

3       (1) \$350,000 of the aquatic lands enhancement account appropriation  
4 is provided solely for funding to the Pacific county noxious weed  
5 control board to eradicate remaining spartina in Willapa Bay.

6       (2) \$19,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$6,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to implement Substitute Senate  
9 Bill No. 5797 (solid waste handling permits). If the bill is not  
10 enacted by June 30, 2009, the amounts provided in this subsection shall  
11 lapse.

12       (3) The department is authorized to establish or increase the  
13 following fees in the 2009-11 biennium as necessary to meet the actual  
14 costs of conducting business: Christmas tree grower licensing, nursery  
15 dealer licensing, plant pest inspection and testing, and commission  
16 merchant licensing.

17       (4) \$5,179,000 of the general fund--state appropriation for fiscal  
18 year 2011 and \$2,782,000 of the general fund--federal appropriation are  
19 provided solely for implementation of Substitute Senate Bill No. 6341  
20 (food assistance/department of agriculture). Within amounts  
21 appropriated in this subsection, \$65,000 of the general fund--state  
22 appropriation for fiscal year 2011 is provided solely for a contract  
23 with a food distribution program for communities in the southwestern  
24 portion of the state and for workers impacted by timber and salmon  
25 fishing closures and reductions. The department may not charge  
26 administrative overhead or expenses to this contract. If the bill is  
27 not enacted by June 30, 2010, the amounts provided in this subsection  
28 shall lapse.

29       (5) The department shall, if public or private funds are available,  
30 partner with eligible public and private entities with experience in  
31 food collection and distribution to review funding sources for eight  
32 full-time volunteers in the AmeriCorps VISTA program to conduct  
33 outreach to local growers, agricultural donors, and community  
34 volunteers. Public and private partners shall also be utilized to  
35 coordinate gleaning unharvested tree fruits and fresh produce for  
36 distribution to individuals throughout Washington state.

37       (6) When reducing laboratory activities and functions, the

1 department shall not impact any research or analysis pertaining to  
2 bees.

3 **Sec. 1209.** 2011 c 5 s 307 (uncodified) is amended to read as  
4 follows:

5 **FOR THE PUGET SOUND PARTNERSHIP**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$3,143,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,528,000)</del>
8		<u>\$2,525,000</u>
9	General Fund--Federal Appropriation . . . . .	\$8,096,000
10	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$493,000
11	State Toxics Control Account--State Appropriation . . . . .	\$794,000
12	TOTAL APPROPRIATION . . . . .	<del>(\$15,054,000)</del>
13		<u>\$15,051,000</u>

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

16 (1) \$305,000 of the general fund--state appropriation for fiscal  
17 year 2010 is provided solely for measuring water and habitat quality to  
18 determine watershed health and assist salmon recovery.

19 (2) \$794,000 of the state toxics control account--state  
20 appropriation is provided solely for activities that contribute to  
21 Puget Sound protection and recovery, including provision of independent  
22 advice and assessment of the state's oil spill prevention,  
23 preparedness, and response programs, including review of existing  
24 activities and recommendations for any necessary improvements. The  
25 partnership may carry out this function through an existing committee,  
26 such as the ecosystem coordination board or the leadership council, or  
27 may appoint a special advisory council. Because this is a unique  
28 statewide program, the partnership may invite participation from  
29 outside the Puget Sound region.

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

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

1 (5) \$839,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$608,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely to support public education and  
4 volunteer programs. The partnership is directed to distribute the  
5 majority of funding as grants to local organizations, local  
6 governments, and education, communication, and outreach network  
7 partners. The partnership shall track progress for this activity  
8 through the accountability system of the Puget Sound partnership.

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

(End of part)

**PART XIII**  
**TRANSPORTATION**

**Sec. 1301.** 2011 c 5 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2010) . . . . .	\$1,436,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,322,000)</del>
	<u>\$1,320,000</u>
Architects' License Account--State Appropriation . . . . .	\$923,000
Professional Engineers' Account--State	
Appropriation . . . . .	\$3,568,000
Real Estate Commission Account--State Appropriation . . . . .	\$9,987,000
Master License Account--State Appropriation . . . . .	\$15,718,000
Uniform Commercial Code Account--State Appropriation . . . . .	\$3,090,000
Real Estate Education Account--State Appropriation . . . . .	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation . . . . .	\$1,683,000
Business and Professions Account--State Appropriation . . . . .	\$15,188,000
Real Estate Research Account--State Appropriation . . . . .	\$471,000
Geologists' Account--State Appropriation . . . . .	\$53,000
Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
TOTAL APPROPRIATION . . . . .	<del>(\$53,746,000)</del>
	<u>\$53,744,000</u>

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

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees for cosmetologists, funeral directors, cemeteries, court reporters and appraisers. These increases are necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$1,352,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5391 (tattoo and body piercing). If the bill is not enacted by June 30, 2009, the amount provided in this subsection shall lapse.

(3) \$358,000 of the business and professions account--state

1 appropriation is provided solely to implement Senate Bill No. 6126  
2 (professional athletics). If the bill is not enacted by June 30, 2009,  
3 the amount provided in this subsection shall lapse.

4 (4) \$151,000 of the real estate research account appropriation is  
5 provided solely to implement chapter 156, Laws of 2010 (real estate  
6 broker licensure fees).

7 (5) \$158,000 of the architects' license account--state  
8 appropriation is provided solely to implement chapter 129, Laws of 2010  
9 (architect licensing).

10 (6) \$60,000 of the master license account--state appropriation is  
11 provided solely to implement chapter 174, Laws of 2010 (vaccine  
12 association). The amount provided in this subsection shall be from fee  
13 revenue authorized in chapter 174, Laws of 2010.

14 **Sec. 1302.** 2011 c 5 s 402 (uncodified) is amended to read as  
15 follows:

16 **FOR THE STATE PATROL**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$38,977,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$33,292,000)</del>
19		<u>\$32,813,000</u>
20	General Fund--Federal Appropriation . . . . .	\$15,793,000
21	General Fund--Private/Local Appropriation . . . . .	\$4,986,000
22	Death Investigations Account--State Appropriation . . . . .	\$5,580,000
23	Enhanced 911 Account--State Appropriation . . . . .	\$603,000
24	County Criminal Justice Assistance Account--State	
25	Appropriation . . . . .	\$3,146,000
26	Municipal Criminal Justice Assistance Account--State	
27	Appropriation . . . . .	\$1,255,000
28	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
29	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
30	Fire Service Training Account--State Appropriation . . . . .	\$8,821,000
31	Aquatic Invasive Species Enforcement Account--State	
32	Appropriation . . . . .	\$54,000
33	State Toxics Control Account--State Appropriation . . . . .	\$509,000
34	Fingerprint Identification Account--State	
35	Appropriation . . . . .	\$10,454,000
36	TOTAL APPROPRIATION . . . . .	<del>(\$131,603,000)</del>
37		<u>\$131,124,000</u>



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

3 (1) \$200,000 of the fire service training account--state  
4 appropriation is provided solely for two FTEs in the office of the  
5 state director of fire protection to exclusively review K-12  
6 construction documents for fire and life safety in accordance with the  
7 state building code. It is the intent of this appropriation to provide  
8 these services only to those districts that are located in counties  
9 without qualified review capabilities.

10 (2) \$8,000,000 of the disaster response account--state  
11 appropriation is provided solely for Washington state fire service  
12 resource mobilization costs incurred in response to an emergency or  
13 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
14 patrol shall submit a report quarterly to the office of financial  
15 management and the legislative fiscal committees detailing information  
16 on current and planned expenditures from this account. This work shall  
17 be done in coordination with the military department.

18 (3) The 2010 legislature will review the use of king air planes by  
19 the executive branch and the adequacy of funding in this budget  
20 regarding maintaining and operating the planes to successfully  
21 accomplish their mission.

22 (4) The appropriations in this section reflect reductions in the  
23 appropriations for the agency's administrative expenses. It is the  
24 intent of the legislature that these reductions shall be achieved, to  
25 the greatest extent possible, by reducing those administrative costs  
26 that do not affect direct client services or direct service delivery or  
27 programs.

28 (5) \$400,000 of the fire service training account--state  
29 appropriation is provided solely for the firefighter apprenticeship  
30 training program.

31 (6) \$48,000 of the fingerprint identification account--state  
32 appropriation is provided solely to implement Substitute House Bill No.  
33 1621 (consumer loan companies). If the bill is not enacted by June 30,  
34 2009, the amounts provided in this subsection shall lapse.

35 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,  
36 the state patrol is authorized to increase the following fees in fiscal  
37 year 2011 as necessary to meet the actual costs of conducting business

1 and the appropriation levels in this section: Collision records  
2 requests; fire training academy courses; and fire training academy dorm  
3 accommodations.

4 (8) \$24,000 of the fingerprint identification account--state  
5 appropriation is provided solely for implementation of chapter 47, Laws  
6 of 2010 (criminal background checks).

(End of part)

**PART XIV**  
**EDUCATION**

**Sec. 1401.** 2011 c 5 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2010) . . . . .	\$35,415,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$30,196,000)</del>
	<u>\$30,336,000</u>
General Fund--Federal Appropriation . . . . .	\$87,081,000
TOTAL APPROPRIATION . . . . .	<del>(\$152,692,000)</del>
	<u>\$152,832,000</u>

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

(1) A maximum of \$23,096,000 of the general fund--state appropriation for fiscal year 2010 and \$20,070,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) \$11,226,000 of the general fund--state appropriation for fiscal year 2010 and \$9,709,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, monthly, accurate monthly headcount and FTE enrollments for students in alternative learning experience (ALE) programs as well as information about resident and serving districts.

1 (iii) Within amounts provided in this subsection (1)(a), the state  
2 superintendent of public instruction shall share best practices with  
3 school districts regarding strategies for increasing efficiencies and  
4 economies of scale in school district noninstructional operations  
5 through shared service arrangements and school district cooperatives,  
6 as well as other practices.

7 (b) \$25,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided to the office of the superintendent of public  
9 instruction solely to convene a science, technology, engineering, and  
10 mathematics (STEM) working group to develop a comprehensive plan with  
11 a shared vision, goals, and measurable objectives to improve policies  
12 and practices to ensure that a pathway is established for elementary  
13 schools, middle schools, high schools, postsecondary degree programs,  
14 and careers in the areas of STEM, including improving practices for  
15 recruiting, preparing, hiring, retraining, and supporting teachers and  
16 instructors while creating pathways to boost student success, close the  
17 achievement gap, and prepare every student to be college and career  
18 ready. The working group shall be composed of the director of STEM at  
19 the office of the superintendent of public instruction who shall be the  
20 chair of the working group, and at least one representative from the  
21 state board of education, professional educator standards board, state  
22 board of community and technical colleges, higher education  
23 coordinating board, workforce training and education coordinating  
24 board, the achievement gap oversight and accountability committee, and  
25 others with appropriate expertise. The working group shall develop a  
26 comprehensive plan and a report with recommendations, including a  
27 timeline for specific actions to be taken, which is due to the governor  
28 and the appropriate committees of the legislature by December 1, 2010.

29 (c) \$920,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$491,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for research and development  
32 activities associated with the development of options for new school  
33 finance systems, including technical staff, reprogramming, and analysis  
34 of alternative student funding formulae. Within this amount is  
35 \$150,000 for the state board of education for further development of  
36 accountability systems, and \$150,000 for the professional educator  
37 standards board for continued development of teacher certification and  
38 evaluation systems.

1 (d) \$965,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$887,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the operation and expenses of  
4 the state board of education, including basic education assistance  
5 activities.

6 (e) \$5,366,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$3,103,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to the professional educator  
9 standards board for the following:

10 (i) \$1,070,000 in fiscal year 2010 and \$985,000 in fiscal year 2011  
11 are for the operation and expenses of the Washington professional  
12 educator standards board;

13 (ii) \$4,106,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$1,936,000 of the general fund--state appropriation for  
15 fiscal year 2011 are for conditional scholarship loans and mentor  
16 stipends provided through the alternative routes to certification  
17 program administered by the professional educator standards board,  
18 including the pipeline for paraeducators program and the retooling to  
19 teach conditional loan programs. Funding within this subsection  
20 (1)(f)(ii) is also provided for the recruiting Washington teachers  
21 program.

22 (iii) \$102,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided for the implementation of Second Substitute  
24 Senate Bill No. 5973 (student achievement gap). \$94,000 of the general  
25 fund--state appropriation for fiscal year 2011 is provided solely for  
26 the ongoing work of the achievement gap oversight and accountability  
27 committee and implementation of the committee's recommendations.

28 (f) \$1,349,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$144,000 of the general fund--state appropriation for  
30 fiscal year 2011 are provided solely for replacement of the  
31 apportionment system, which includes the processes that collect school  
32 district budget and expenditure information, staffing characteristics,  
33 and the student enrollments that drive the funding process.

34 (g) \$1,140,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$1,227,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for the creation of a statewide  
37 data base of longitudinal student information. This amount is

1 conditioned on the department satisfying the requirements in section  
2 902 of this act.

3 (h) \$75,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to promote the financial literacy of  
5 students. The effort will be coordinated through the financial  
6 education public-private partnership. It is expected that  
7 nonappropriated funds available to the public-private partnership will  
8 be sufficient to continue financial literacy activities.

9 (i) To the maximum extent possible, in adopting new agency rules or  
10 making any changes to existing rules or policies related to the fiscal  
11 provisions in the administration of part V of this act, the office of  
12 the superintendent of public instruction shall attempt to request  
13 approval through the normal legislative budget process.

14 (j) \$44,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$45,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for the implementation of  
17 Substitute Senate Bill No. 5248 (enacting the interstate compact on  
18 educational opportunity for military children).

19 (k) \$700,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$700,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for the implementation of  
22 Substitute Senate Bill No. 5410 (online learning).

23 (l) \$25,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$12,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for project citizen, a program  
26 sponsored by the national conference of state legislatures and the  
27 center for civic education to promote participation in government by  
28 middle school students.

29 (m) \$2,518,000 of the general fund--state appropriation for fiscal  
30 year 2011 is provided solely for the implementation of Substitute House  
31 Bill No. 2776 (K-12 education funding). If the bill is not enacted by  
32 June 30, 2010, the amount provided in this subsection shall lapse.

33 (n) \$89,000 of the general fund--state appropriation for fiscal  
34 year 2011 is provided solely for the implementation of Engrossed Second  
35 Substitute House Bill No. 3026 (state and federal civil rights laws).  
36 If the bill is not enacted by June 30, 2010, the amount provided in  
37 this subsection shall lapse.

1 (o) Beginning in the 2010-11 school year, the superintendent of  
2 public instruction shall require all districts receiving general  
3 apportionment funding for alternative learning experience (ALE)  
4 programs as defined in WAC 392-121-182 to provide separate financial  
5 accounting of expenditures for the ALE programs offered in district or  
6 with a provider, including but not limited to private companies and  
7 multidistrict cooperatives.

8 (p) \$55,000 of the general fund--state appropriation for fiscal  
9 year 2011 is provided to the office of the superintendent of public  
10 instruction solely to convene a technical working group to establish  
11 standards, guidelines, and definitions for what constitutes a basic  
12 education program for highly capable students and the appropriate  
13 funding structure for such a program, and to submit recommendations to  
14 the legislature for consideration. The working group may convene  
15 advisory subgroups on specific topics as necessary to assure  
16 participation and input from a broad array of diverse stakeholders.  
17 The working group must consult with and seek input from nationally  
18 recognized experts; researchers and academics on the unique  
19 educational, emotional, and social needs of highly capable students and  
20 how to identify such students; representatives of national  
21 organizations and associations for educators of or advocates for highly  
22 capable students; school district representatives who are educators,  
23 counselors, and classified school employees involved with highly  
24 capable programs; parents of students who have been identified as  
25 highly capable; representatives from the federally recognized tribes;  
26 and representatives of cultural, linguistic, and racial minority groups  
27 and the community of persons with disabilities. The working group  
28 shall make recommendations to the quality education council and to  
29 appropriate committees of the legislature by December 1, 2010. The  
30 recommendations shall take into consideration that access to the  
31 program for highly capable students is not an individual entitlement  
32 for any particular student. The recommendations shall seek to minimize  
33 underrepresentation of any particular demographic or socioeconomic  
34 group by better identification, not lower standards or quotas, and  
35 shall include the following:

36 (i) Standardized state-level identification procedures, standards,  
37 criteria, and benchmarks, including a definition or definitions of a

1 highly capable student. Students who are both highly capable and are  
2 students of color, are poor, or have a disability must be addressed;

3 (ii) Appropriate programs and services that have been shown by  
4 research and practice to be effective with highly capable students but  
5 maintain options and flexibility for school districts, where possible;

6 (iii) Program administration, management, and reporting  
7 requirements for school districts;

8 (iv) Appropriate educator qualifications, certification  
9 requirements, and professional development and support for educators  
10 and other staff who are involved in programs for highly capable  
11 students;

12 (v) Self-evaluation models to be used by school districts to  
13 determine the effectiveness of the program and services provided by the  
14 school district for highly capable programs;

15 (vi) An appropriate state-level funding structure; and

16 (vii) Other topics deemed to be relevant by the working group.

17 (q) \$1,000,000 of the general fund--state appropriation for fiscal  
18 year 2011 is provided solely for contracting with a college scholarship  
19 organization with expertise in conducting outreach to students  
20 concerning eligibility for the Washington college bound scholarship  
21 consistent with chapter 405, Laws of 2007.

22 (r) \$24,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided solely for implementation of Substitute Senate  
24 Bill No. 6759 (requiring a plan for a voluntary program of early  
25 learning as a part of basic education). If the bill is not enacted by  
26 June 30, 2010, the amounts provided in this subsection (1)(r) shall  
27 lapse.

28 (s) \$950,000 of the general fund--state appropriation for fiscal  
29 year 2010 (~~(is)~~) and \$150,000 of the general fund--state appropriation  
30 for fiscal year 2011 are provided solely for office of the attorney  
31 general costs related to *McCleary v. State of Washington*.

32 (2) \$12,320,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$10,127,000 of the general fund--state appropriation for  
34 fiscal year 2011, and \$55,890,000 of the general fund--federal  
35 appropriation are for statewide programs.

36 (a) HEALTH AND SAFETY

37 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$2,381,000 of the general fund--state appropriation for



1 fiscal year 2011 are provided solely for a corps of nurses located at  
2 educational service districts, as determined by the superintendent of  
3 public instruction, to be dispatched to the most needy schools to  
4 provide direct care to students, health education, and training for  
5 school staff.

6 (ii) \$100,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$94,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for a school safety training  
9 program provided by the criminal justice training commission. The  
10 commission, in collaboration with the school safety center advisory  
11 committee, shall provide the school safety training for all school  
12 administrators and school safety personnel, including school safety  
13 personnel hired after the effective date of this section.

14 (iii) \$9,670,000 of the general fund--federal appropriation is  
15 provided for safe and drug free schools and communities grants for drug  
16 and violence prevention activities and strategies.

17 (iv) \$96,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$90,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for the school safety center in  
20 the office of the superintendent of public instruction subject to the  
21 following conditions and limitations:

22 (A) The safety center shall: Disseminate successful models of  
23 school safety plans and cooperative efforts; provide assistance to  
24 schools to establish a comprehensive safe school plan; select models of  
25 cooperative efforts that have been proven successful; act as an  
26 information dissemination and resource center when an incident occurs  
27 in a school district either in Washington or in another state;  
28 coordinate activities relating to school safety; review and approve  
29 manuals and curricula used for school safety models and training; and  
30 develop and maintain a school safety information web site.

31 (B) The school safety center advisory committee shall develop a  
32 training program, using the best practices in school safety, for all  
33 school safety personnel.

34 (v) \$70,000 of the general fund--state appropriation for fiscal  
35 year 2010 is provided solely for the youth suicide prevention program.

36 (vi) \$50,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$47,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for a nonviolence and leadership  
2 training program provided by the institute for community leadership.

3 (b) TECHNOLOGY

4 (i) \$1,842,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$1,635,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for K-20 telecommunications  
7 network technical support in the K-12 sector to prevent system failures  
8 and avoid interruptions in school utilization of the data processing  
9 and video-conferencing capabilities of the network. These funds may be  
10 used to purchase engineering and advanced technical support for the  
11 network.

12 (ii) \$1,475,000 of the general fund--state appropriation for fiscal  
13 year 2010, \$1,045,000 of the general fund--state appropriation for  
14 fiscal year 2011, and \$435,000 of the general fund--federal  
15 appropriation are provided solely for implementing a comprehensive data  
16 system to include financial, student, and educator data. The office of  
17 the superintendent of public instruction will convene a data governance  
18 group to create a comprehensive needs-requirement document, conduct a  
19 gap analysis, and define operating rules and a governance structure for  
20 K-12 data collections.

21 (c) GRANTS AND ALLOCATIONS

22 (i) \$1,329,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$664,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely for the special services pilot  
25 project to include up to seven participating districts. The office of  
26 the superintendent of public instruction shall allocate these funds to  
27 the district or districts participating in the pilot program according  
28 to the provisions of RCW 28A.630.016.

29 (ii) \$750,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$750,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the Washington state achievers  
32 scholarship program. The funds shall be used to support community  
33 involvement officers that recruit, train, and match community volunteer  
34 mentors with students selected as achievers scholars.

35 (iii) \$25,000 of the general fund--state appropriation for fiscal  
36 year 2010 is provided solely for developing and disseminating  
37 curriculum and other materials documenting women's role in World War  
38 II.

1 (iv) \$175,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$87,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for incentive grants for districts  
4 and pilot projects to develop preapprenticeship programs. Incentive  
5 grant awards up to \$10,000 each shall be used to support the program's  
6 design, school/business/labor agreement negotiations, and recruiting  
7 high school students for preapprenticeship programs in the building  
8 trades and crafts.

9 (v) \$2,898,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$2,924,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for the dissemination of the  
12 navigation 101 curriculum to all districts. The funding shall support  
13 electronic student planning tools and software for analyzing the impact  
14 of navigation 101 on student performance, as well as grants to a  
15 maximum of one hundred school districts each year, based on progress  
16 and need for the implementation of the navigation 101 program. The  
17 implementation grants shall be awarded to a cross-section of school  
18 districts reflecting a balance of geographic and demographic  
19 characteristics. Within the amounts provided, the office of the  
20 superintendent of public instruction will create a navigation 101  
21 accountability model to analyze the impact of the program.

22 (vi) \$627,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$225,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely for implementation of a statewide  
25 program for comprehensive dropout prevention, intervention, and  
26 retrieval.

27 (vii) \$40,000 of the general fund--state appropriation for fiscal  
28 year 2010 is provided solely for program initiatives to address the  
29 educational needs of Latino students and families. Using the full  
30 amounts of the appropriations under this subsection (2)(c)(vii), the  
31 office of the superintendent of public instruction shall contract with  
32 the Seattle community coalition of compaña quetzal to provide for three  
33 initiatives: (A) Early childhood education; (B) parent leadership  
34 training; and (C) high school success and college preparation programs.

35 (viii) \$60,000 of the general fund--state appropriation for fiscal  
36 year 2010 is provided solely for a pilot project to encourage bilingual  
37 high school students to pursue public school teaching as a profession.  
38 Using the full amounts of the appropriation under this subsection, the

1 office of the superintendent of public instruction shall contract with  
 2 the Latino/a educational achievement project (LEAP) to work with school  
 3 districts to identify and mentor not fewer than fifty bilingual  
 4 students in their junior year of high school, encouraging them to  
 5 become bilingual instructors in schools with high English language  
 6 learner populations. Students shall be mentored by bilingual teachers  
 7 and complete a curriculum developed and approved by the participating  
 8 districts.

9 (ix) \$145,000 of the general fund--state appropriation for fiscal  
 10 year 2010 and \$37,000 of the general fund--state appropriation for  
 11 fiscal year 2011 are provided solely to the office of the  
 12 superintendent of public instruction to enhance the reading skills of  
 13 students with dyslexia by implementing the findings of the dyslexia  
 14 pilot program. Funds shall be used to provide information and training  
 15 to classroom teachers and reading specialists, for development of a  
 16 dyslexia handbook, and to take other statewide actions to improve the  
 17 reading skills of students with dyslexia. The training program shall  
 18 be delivered regionally through the educational service districts.

19 (x) \$97,000 of the general fund--state appropriation for fiscal  
 20 year 2010 and \$48,000 of the general fund--state appropriation for  
 21 fiscal year 2011 are provided solely to support vocational student  
 22 leadership organizations.

23 (xi) \$100,000 of the general fund--state appropriation for fiscal  
 24 year 2011 is provided solely for drop-out prevention programs at the  
 25 office of the superintendent of public instruction including the jobs  
 26 for America's graduates (JAG) program.

27 **Sec. 1402.** 2011 c 5 s 502 (uncodified) is amended to read as  
 28 follows:

29	<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL</b>	
30	<b>APPORTIONMENT</b>	
31	General Fund--State Appropriation (FY 2010) . . . . .	\$5,126,153,000
32	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$4,887,369,000)</del>
33		<u>\$4,863,555,000</u>
34	General Fund--Federal Appropriation . . . . .	\$208,098,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$10,221,620,000)</del>
36		<u>\$10,197,806,000</u>

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

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

6 (b) The appropriations in this section include federal funds  
7 provided through section 101 of Public Law No. 111-226 (education jobs  
8 fund), which shall be used to support general apportionment program  
9 funding. In distributing general apportionment allocations under this  
10 section for the 2010-11 school year, the superintendent shall include  
11 the entire allocation from the federal funds provided through section  
12 101 of Public Law No. 111-226 (education jobs fund) as part of each  
13 district's general apportionment allocation.

14 (2) Allocations for certificated staff salaries for the 2009-10 and  
15 2010-11 school years shall be determined using formula-generated staff  
16 units calculated pursuant to this subsection. Staff allocations for  
17 small school enrollments in (e) through (g) of this subsection shall be  
18 reduced for vocational full-time equivalent enrollments. Staff  
19 allocations for small school enrollments in grades K-6 shall be the  
20 greater of that generated under (a) of this subsection, or under (d)  
21 and (e) of this subsection. Certificated staffing allocations shall be  
22 as follows:

23 (a) On the basis of each 1,000 average annual full-time equivalent  
24 enrollments, excluding full-time equivalent enrollment otherwise  
25 recognized for certificated staff unit allocations under (d) through  
26 (g) of this subsection:

27 (i) Four certificated administrative staff units per thousand  
28 full-time equivalent students in grades K-12;

29 (ii)(A)(I) For districts that enroll fewer than 25 percent of their  
30 total full-time equivalent student enrollment in grades K through three  
31 in digital or online learning programs as defined in WAC 392-121-182,  
32 as in effect on November 1, 2009: For the 2009-10 school year, fifty-  
33 three and two-tenths certificated instructional staff units per  
34 thousand full-time equivalent students in grades K through three and,  
35 for the portion of the 2010-11 school year from September 1, 2010,  
36 through January 31, 2011, fifty and seventy-five one-hundredths  
37 certificated instructional staff units per thousand full-time  
38 equivalent students in grades K through three.

1 (II) For all other districts for the 2009-10 school year, a minimum  
2 of forty-nine certificated instructional staff units per 1,000  
3 full-time equivalent (FTE) students in grades K through three, with  
4 additional certificated instructional staff units to equal the  
5 documented staffing level in grades K through three, up to a maximum of  
6 fifty-three and two-tenths certificated instructional staff units per  
7 1,000 FTE students.

8 For the portion of the 2010 school year from September 1, 2010,  
9 through January 31, 2011, a minimum of forty-nine certificated  
10 instructional staff units per thousand full-time equivalent students in  
11 grades K through three, with additional certificated instructional  
12 staff units to equal the documented staffing level in grades K through  
13 three, up to a maximum of fifty and seventy-five one-hundredths  
14 certificated instructional staff units per thousand full-time  
15 equivalent students in grades K through three.

16 (B)(I) For districts that enroll fewer than 25 percent of their  
17 total full-time equivalent student enrollment in grade four in digital  
18 or online learning programs defined in WAC 392-121-182 as in effect on  
19 November 1, 2009: For the 2009-10 school year, fifty-three and  
20 two-tenths certificated instructional staff units per thousand full-  
21 time equivalent students in grade four, and for the portion of the  
22 2010-11 school year from September 1, 2010, through January 31, 2011,  
23 forty-six and twenty-seven one-hundredths certificated instructional  
24 staff units per thousand full-time equivalent students in grade four.

25 (II) For all other districts:

26 For the 2009-10 school year, a minimum of forty-six certificated  
27 instructional staff units per 1,000 full-time equivalent (FTE) students  
28 in grade four, and additional certificated instructional staff units to  
29 equal the documented staffing level in grade four, up to a maximum of  
30 fifty-three and two-tenths certificated instructional staff units per  
31 1,000 FTE students.

32 For the portion of the 2010-11 school year from September 1, 2010,  
33 through January 31, 2011, a minimum of forty-six certificated  
34 instructional staff units per 1,000 full-time equivalent (FTE) students  
35 in grade four, and additional certificated instructional staff units to  
36 equal the documented staffing level in grade four, up to a maximum of  
37 forty-six and twenty-seven one-hundredths certificated instructional  
38 staff units per 1,000 FTE students;

1 (iii) For the portion of the 2010-11 school year beginning February  
2 1, 2010:

3 (A) Forty-nine certificated instructional staff units per thousand  
4 full-time equivalent students in grades kindergarten through three;

5 (B) Forty-six certificated instructional staff units per thousand  
6 full-time equivalent students in grade 4;

7 (iv) All allocations for instructional staff units per thousand  
8 full-time equivalent students above forty-nine in grades kindergarten  
9 through three and forty-six in grade four shall occur in apportionments  
10 in the monthly periods prior to February 1, 2011;

11 (v) Forty-six certificated instructional staff units per thousand  
12 full-time equivalent students in grades 5-12;

13 (vi) Certificated staff allocations in this subsection (2)(a)  
14 exceeding the statutory minimums established in RCW 28A.150.260 shall  
15 not be considered part of basic education;

16 (b) For school districts with a minimum enrollment of 250 full-time  
17 equivalent students whose full-time equivalent student enrollment count  
18 in a given month exceeds the first of the month full-time equivalent  
19 enrollment count by 5 percent, an additional state allocation of 110  
20 percent of the share that such increased enrollment would have  
21 generated had such additional full-time equivalent students been  
22 included in the normal enrollment count for that particular month;

23 (c)(i) On the basis of full-time equivalent enrollment in:

24 (A) Vocational education programs approved by the superintendent of  
25 public instruction, a maximum of 0.92 certificated instructional staff  
26 units and 0.08 certificated administrative staff units for each 19.5  
27 full-time equivalent vocational students;

28 (B) Middle school vocational STEM programs approved by the  
29 superintendent of public instruction, a maximum of 0.92 certificated  
30 instructional staff units and 0.8 certificated administrative staff  
31 units for each 19.5 full-time equivalent vocational students; and

32 (C) Skills center programs meeting the standards for skills center  
33 funding established in January 1999 by the superintendent of public  
34 instruction with a waiver allowed for skills centers in current  
35 operation that are not meeting this standard until the 2010-11 school  
36 year, 0.92 certificated instructional staff units and 0.08 certificated  
37 administrative units for each 16.67 full-time equivalent vocational  
38 students;

1 (ii) Vocational full-time equivalent enrollment shall be reported  
2 on the same monthly basis as the enrollment for students eligible for  
3 basic support, and payments shall be adjusted for reported vocational  
4 enrollments on the same monthly basis as those adjustments for  
5 enrollment for students eligible for basic support; and

6 (iii) Indirect cost charges by a school district to  
7 vocational-secondary programs and vocational middle-school shall not  
8 exceed 15 percent of the combined basic education and vocational  
9 enhancement allocations of state funds;

10 (d) 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 state board of education and enroll not  
14 more than twenty-five average annual full-time equivalent students in  
15 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 (e) 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 state board of education:

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 (f) For districts operating no more than two high schools with  
2 enrollments of less than three hundred average annual full-time  
3 equivalent students, for enrollment in grades 9-12 in each such school,  
4 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, nine  
11 certificated instructional staff units and one-half of a certificated  
12 administrative staff unit for the first sixty average annual full time  
13 equivalent students, and additional staff units based on a ratio of  
14 0.8732 certificated instructional staff units and 0.1268 certificated  
15 administrative staff units per each additional forty-three and one-half  
16 average annual full time equivalent students.

17 Units calculated under (f)(ii) of this subsection shall be reduced  
18 by certificated staff units at the rate of forty-six certificated  
19 instructional staff units and four certificated administrative staff  
20 units per thousand vocational full-time equivalent students;

21 (g) For each nonhigh school district having an enrollment of more  
22 than seventy annual average full-time equivalent students and less than  
23 one hundred eighty students, operating a grades K-8 program or a grades  
24 1-8 program, an additional one-half of a certificated instructional  
25 staff unit; and

26 (h) For each nonhigh school district having an enrollment of more  
27 than fifty annual average full-time equivalent students and less than  
28 one hundred eighty students, operating a grades K-6 program or a grades  
29 1-6 program, an additional one-half of a certificated instructional  
30 staff unit.

31 (3) Allocations for classified salaries for the 2009-10 and 2010-11  
32 school years shall be calculated using formula-generated classified  
33 staff units determined as follows:

34 (a) For enrollments generating certificated staff unit allocations  
35 under subsection (2)(e) through (h) of this section, one classified  
36 staff unit for each 2.94 certificated staff units allocated under such  
37 subsections;

1 (b) For all other enrollment in grades K-12, including vocational  
2 full-time equivalent enrollments, one classified staff unit for each  
3 58.75 average annual full-time equivalent students; and

4 (c) For each nonhigh school district with an enrollment of more  
5 than fifty annual average full-time equivalent students and less than  
6 one hundred eighty students, an additional one-half of a classified  
7 staff unit.

8 (4) Fringe benefit allocations shall be calculated at a rate of  
9 14.43 percent in the 2009-10 school year and 14.43 percent in the  
10 2010-11 school year for certificated salary allocations provided under  
11 subsection (2) of this section, and a rate of 16.59 percent in the  
12 2009-10 school year and 16.59 percent in the 2010-11 school year for  
13 classified salary allocations provided under subsection (3) of this  
14 section.

15 (5) Insurance benefit allocations shall be calculated at the  
16 maintenance rate specified in section 504(2) of this act, based on the  
17 number of benefit units determined as follows:

18 (a) The number of certificated staff units determined in subsection  
19 (2) of this section; and

20 (b) The number of classified staff units determined in subsection  
21 (3) of this section multiplied by 1.152. This factor is intended to  
22 adjust allocations so that, for the purposes of distributing insurance  
23 benefits, full-time equivalent classified employees may be calculated  
24 on the basis of 1440 hours of work per year, with no individual  
25 employee counted as more than one full-time equivalent.

26 (6)(a) For nonemployee-related costs associated with each  
27 certificated staff unit allocated under subsection (2)(a), (b), and (d)  
28 through (g) of this section, there shall be provided a maximum of  
29 \$10,179 per certificated staff unit in the 2009-10 school year and a  
30 maximum of \$10,424 per certificated staff unit in the 2010-11 school  
31 year.

32 (b) For nonemployee-related costs associated with each vocational  
33 certificated staff unit allocated under subsection (2)(c)(i)(A) of this  
34 section, there shall be provided a maximum of \$24,999 per certificated  
35 staff unit in the 2009-10 school year and a maximum of \$25,399 per  
36 certificated staff unit in the 2010-11 school year.

37 (c) For nonemployee-related costs associated with each vocational  
38 certificated staff unit allocated under subsection (2)(c)(i)(B) of this

1 section, there shall be provided a maximum of \$19,395 per certificated  
2 staff unit in the 2009-10 school year and a maximum of \$19,705 per  
3 certificated staff unit in the 2010-11 school year.

4 (7) Allocations for substitute costs for classroom teachers shall  
5 be distributed at a maintenance rate of \$607.44 for the 2009-10 and  
6 2010-11 school years per allocated classroom teachers exclusive of  
7 salary increase amounts provided in section 504 of this act. Solely  
8 for the purposes of this subsection, allocated classroom teachers shall  
9 be equal to the number of certificated instructional staff units  
10 allocated under subsection (2) of this section, multiplied by the ratio  
11 between the number of actual basic education certificated teachers and  
12 the number of actual basic education certificated instructional staff  
13 reported statewide for the prior school year.

14 (8) Any school district board of directors may petition the  
15 superintendent of public instruction by submission of a resolution  
16 adopted in a public meeting to reduce or delay any portion of its basic  
17 education allocation for any school year. The superintendent of public  
18 instruction shall approve such reduction or delay if it does not impair  
19 the district's financial condition. Any delay shall not be for more  
20 than two school years. Any reduction or delay shall have no impact on  
21 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
22 pursuant to chapter 28A.500 RCW.

23 (9) Funding in this section is sufficient to provide additional  
24 service year credits to educational staff associates pursuant to  
25 chapter 403, Laws of 2007.

26 (10)(a) The superintendent may distribute a maximum of \$5,452,000  
27 outside the basic education formula during fiscal years 2010 and 2011  
28 as follows:

29 (i) For fire protection for school districts located in a fire  
30 protection district as now or hereafter established pursuant to chapter  
31 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010  
32 and a maximum of \$576,000 may be expended in fiscal year 2011;

33 (ii) For summer vocational programs at skills centers, a maximum of  
34 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of  
35 \$600,000 for the 2011 fiscal year;

36 (iii) A maximum of \$403,000 may be expended for school district  
37 emergencies; and

1 (iv) A maximum of \$485,000 for fiscal year 2010 and \$436,000 for  
2 fiscal year 2011 may be expended for programs providing skills training  
3 for secondary students who are enrolled in extended day school-to-work  
4 programs, as approved by the superintendent of public instruction. The  
5 funds shall be allocated at a rate not to exceed \$500 per full-time  
6 equivalent student enrolled in those programs.

7 (b) Funding in this section is sufficient to fund a maximum of 1.6  
8 FTE enrollment for skills center students pursuant to chapter 463, Laws  
9 of 2007.

10 (11) For purposes of RCW 84.52.0531, the increase per full-time  
11 equivalent student is 4.0 percent from the 2008-09 school year to the  
12 2009-10 school year and 4.0 percent from the 2009-10 school year to the  
13 2010-11 school year.

14 (12) If two or more school districts consolidate and each district  
15 was receiving additional basic education formula staff units pursuant  
16 to subsection (2)(b) through (g) of this section, the following shall  
17 apply:

18 (a) For three school years following consolidation, the number of  
19 basic education formula staff units shall not be less than the number  
20 of basic education formula staff units received by the districts in the  
21 school year prior to the consolidation; and

22 (b) For the fourth through eighth school years following  
23 consolidation, the difference between the basic education formula staff  
24 units received by the districts for the school year prior to  
25 consolidation and the basic education formula staff units after  
26 consolidation pursuant to subsection (2)(a) through (h) of this section  
27 shall be reduced in increments of twenty percent per year.

28 (13) General apportionment payments to the Steilacoom historical  
29 school district shall reflect changes to operation of the Harriet  
30 Taylor elementary school consistent with the timing of reductions in  
31 correctional facility capacity and staffing.

32 (14) \$2,500,000 of the general fund--state appropriation for fiscal  
33 year 2011 is provided solely for the superintendent for financial  
34 contingency funds for eligible school districts. The financial  
35 contingency funds shall be allocated to eligible districts in the form  
36 of an advance of their respective general apportionment allocations.

37 (a) Eligibility:

1 The superintendent shall determine a district's eligibility for  
2 receipt of financial contingency funds, and districts shall be eligible  
3 only if the following conditions are met:

4 (i) A petition is submitted by the school district as provided in  
5 RCW 28A.510.250 and WAC 392-121-436; and

6 (ii) The district's projected general fund balance for the month of  
7 March is less than one-half of one percent of its budgeted general fund  
8 expenditures as submitted to the superintendent for the 2010-11 school  
9 year on the F-196 report.

10 (b) Calculations:

11 The superintendent shall calculate the financial contingency  
12 allocation to each district as the lesser of:

13 (i) The amount set forth in the school district's resolution;

14 (ii) An amount not to exceed 10 percent of the total amount to  
15 become due and apportionable to the district from September 1st through  
16 August 31st of the current school year;

17 (iii) The highest negative monthly cash and investment balance of  
18 the general fund between the date of the resolution and May 31st of the  
19 school year based on projections approved by the county treasurer and  
20 the educational service district.

21 (c) Repayment:

22 For any amount allocated to a district in state fiscal year 2011,  
23 the superintendent shall deduct in state fiscal year 2012 from the  
24 district's general apportionment the amount of the emergency  
25 contingency allocation and any earnings by the school district on the  
26 investment of a temporary cash surplus due to the emergency contingency  
27 allocation. Repayments or advances will be accomplished by a reduction  
28 in the school district's apportionment payments on or before June 30th  
29 of the school year following the distribution of the emergency  
30 contingency allocation. All disbursements, repayments, and outstanding  
31 allocations to be repaid of the emergency contingency pool shall be  
32 reported to the office of financial management and the appropriate  
33 fiscal committees of the legislature on July 1st and January 1st of  
34 each year.

35 **Sec. 1403.** 2010 1st sp.s. c 37 s 504 (uncodified) is amended to  
36 read as follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
2 **COMPENSATION ADJUSTMENTS**

3	General Fund--State Appropriation (FY 2010) . . . . .	(\$4,414,000)
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>((-\$1,806,000))</del>
5		<u>(\$1,539,000)</u>
6	General Fund--Federal Appropriation . . . . .	(\$1,000)
7	TOTAL APPROPRIATION . . . . .	<del>((-\$6,221,000))</del>
8		<u>(\$5,954,000)</u>

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

11 (1)(a) Additional salary adjustments as necessary to fund the base  
12 salaries for certificated instructional staff as listed for each  
13 district in LEAP Document 2, defined in section 503(2)(b) of this act.  
14 Allocations for these salary adjustments shall be provided to all  
15 districts that are not grandfathered to receive salary allocations  
16 above the statewide salary allocation schedule, and to certain  
17 grandfathered districts to the extent necessary to ensure that salary  
18 allocations for districts that are currently grandfathered do not fall  
19 below the statewide salary allocation schedule.

20 (b) Additional salary adjustments to certain districts as necessary  
21 to fund the per full-time-equivalent salary allocations for  
22 certificated administrative staff as listed for each district in LEAP  
23 Document 2, defined in section 503(2)(b) of this act. These  
24 adjustments shall ensure a minimum salary allocation for certificated  
25 administrative staff of \$57,986 in the 2009-10 school year and \$57,986  
26 in the 2010-11 school year.

27 (c) Additional salary adjustments to certain districts as necessary  
28 to fund the per full-time-equivalent salary allocations for classified  
29 staff as listed for each district in LEAP Document 2, defined in  
30 section 503(2)(b) of this act. These salary adjustments ensure a  
31 minimum salary allocation for classified staff of \$31,865 in the 2009-  
32 10 school year and \$31,865 in the 2010-11 school year.

33 (d) The appropriations in this subsection (1) include associated  
34 incremental fringe benefit allocations at rates 13.79 percent for the  
35 2009-10 school year and 13.79 percent for the 2010-11 school year for  
36 certificated staff and 13.09 percent for the 2009-10 school year and  
37 13.09 percent for the 2010-11 school year for classified staff.

1 (e) The appropriations in this section include the increased or  
 2 decreased portion of salaries and incremental fringe benefits for all  
 3 relevant state-funded school programs in part V of this act. Changes  
 4 for general apportionment (basic education) are based on the salary  
 5 allocation schedules and methodology in sections 502 and 503 of this  
 6 act. Changes for special education result from changes in each  
 7 district's basic education allocation per student. Changes for  
 8 educational service districts and institutional education programs are  
 9 determined by the superintendent of public instruction using the  
 10 methodology for general apportionment salaries and benefits in sections  
 11 502 and 503 of this act. The appropriations in this section provide  
 12 incremental fringe benefit alterations based on formula adjustments as  
 13 follows:

	School Year	
	2009-10	2010-11
14 Pupil Transportation (per weighted pupil mile)	\$0	\$0
15 Highly Capable (per formula student)	(\$1.49)	(\$2.98)
16 Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$7.86)
17 Learning Assistance (per formula student)	(\$1.18)	(\$2.36)

20 (f) The appropriations in this section include no salary  
 21 adjustments for substitute teachers.

22 (2) \$44,213,000 is provided for adjustments to insurance benefit  
 23 allocations. The maintenance rate for insurance benefit allocations is  
 24 \$732.00 per month for the 2009-10 and 2010-11 school years. The  
 25 appropriations in this section provide for a rate increase to \$745.00  
 26 per month for the 2009-10 school year and \$768.00 per month for the  
 27 2010-11 school year. The adjustments to health insurance benefits are  
 28 at the following rates:

	School Year	
	2009-10	2010-11
30 Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33

1	Highly Capable (per formula student)	\$0.79	\$2.22
2	Transitional Bilingual Education (per eligible bilingual student)	\$2.11	\$5.83
3	Learning Assistance (per formula student)	\$0.54	\$1.49

4 (3) The rates specified in this section are subject to revision  
5 each year by the legislature.

6 **Sec. 1404.** 2011 c 5 s 503 (uncodified) is amended to read as  
7 follows:

8	<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION</b>		
9	General Fund--State Appropriation (FY 2010) . . . . .	\$317,116,000	
10	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$296,408,000)</del>	
11			<u>\$297,393,000</u>
12	TOTAL APPROPRIATION . . . . .	<del>(\$613,524,000)</del>	
13			<u>\$614,509,000</u>

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

16 (1) Each general fund fiscal year appropriation includes such funds  
17 as are necessary to complete the school year ending in the fiscal year  
18 and for prior fiscal year adjustments.

19 (2) A maximum of \$878,000 of this fiscal year 2010 appropriation  
20 and a maximum of \$803,000 of the fiscal year 2011 appropriation may be  
21 expended for regional transportation coordinators and related  
22 activities. The transportation coordinators shall ensure that data  
23 submitted by school districts for state transportation funding shall,  
24 to the greatest extent practical, reflect the actual transportation  
25 activity of each district.

26 (3) Allocations for transportation of students shall be based on  
27 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school  
28 year and \$48.37 per weighted mile in the 2010-11 school year exclusive  
29 of salary and benefit adjustments provided in section 504 of this act.  
30 Allocations for transportation of students transported more than one  
31 radius mile shall be based on weighted miles as determined by  
32 superintendent of public instruction multiplied by the per mile  
33 reimbursement rates for the school year pursuant to the formulas  
34 adopted by the superintendent of public instruction. Allocations for  
35 transportation of students living within one radius mile shall be based



1 on the number of enrolled students in grades kindergarten through five  
2 living within one radius mile of their assigned school multiplied by  
3 the per mile reimbursement rate for the school year multiplied by 1.29.

4 (4) The office of the superintendent of public instruction shall  
5 provide reimbursement funding to a school district only after the  
6 superintendent of public instruction determines that the school bus was  
7 purchased from the list established pursuant to RCW 28A.160.195(2) or  
8 a comparable competitive bid process based on the lowest price quote  
9 based on similar bus categories to those used to establish the list  
10 pursuant to RCW 28A.160.195.

11 (5) The superintendent of public instruction shall base  
12 depreciation payments for school district buses on the pre-sales tax  
13 five-year average of lowest bids in the appropriate category of bus.  
14 In the final year on the depreciation schedule, the depreciation  
15 payment shall be based on the lowest bid in the appropriate bus  
16 category for that school year.

17 (6) Funding levels in this section reflect reductions from the  
18 implementation of Substitute House Bill No. 1292 (authorizing waivers  
19 from the one hundred eighty-day school year requirement in order to  
20 allow four-day school weeks).

21 **Sec. 1405.** 2011 c 5 s 504 (uncodified) is amended to read as  
22 follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**  
24 **PROGRAMS**

25	General Fund--State Appropriation (FY 2010) . . . . .	\$3,159,000
26	General Fund--State Appropriation (FY 2011) . . . . .	\$7,111,000
27	General Fund--Federal Appropriation . . . . .	<del>(\$448,588,000)</del>
28		<u>\$505,188,000</u>
29	TOTAL APPROPRIATION . . . . .	<del>(\$458,858,000)</del>
30		<u>\$515,458,000</u>

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

33 (1) \$3,000,000 of the general fund--state appropriation for fiscal  
34 year 2010 is provided for state matching money for federal child  
35 nutrition programs.

36 (2) \$100,000 of the general fund--state appropriation for fiscal

1 year 2010 is provided for summer food programs for children in low-  
2 income areas.

3 (3) \$59,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to reimburse school districts for school  
5 breakfasts served to students enrolled in the free or reduced price  
6 meal program pursuant to chapter 287, Laws of 2005 (requiring school  
7 breakfast programs in certain schools).

8 (4) \$7,111,000 of the general fund--state appropriation for fiscal  
9 year 2011 is provided solely for state matching money for federal child  
10 nutrition programs, and may support the meals for kids program through  
11 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; and

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.

23 **Sec. 1406.** 2011 c 5 s 505 (uncodified) is amended to read as  
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
26 **PROGRAMS**

27	General Fund--State Appropriation (FY 2010) . . . . .	\$632,136,000
28	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$626,099,000)</del>
29		<u>\$627,316,000</u>
30	General Fund--Federal Appropriation . . . . .	<del>(\$664,601,000)</del>
31		<u>\$675,618,000</u>
32	Education Legacy Trust Account--State	
33	Appropriation . . . . .	\$756,000
34	TOTAL APPROPRIATION . . . . .	<del>(\$1,923,592,000)</del>
35		<u>\$1,935,826,000</u>

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

1 (1) Funding for special education programs is provided on an excess  
2 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
3 that special education students as a class receive their full share of  
4 the general apportionment allocation accruing through sections 502 and  
5 504 of this act. To the extent a school district cannot provide an  
6 appropriate education for special education students under chapter  
7 28A.155 RCW through the general apportionment allocation, it shall  
8 provide services through the special education excess cost allocation  
9 funded in this section.

10 (2)(a) The superintendent of public instruction shall ensure that:

11 (i) Special education students are basic education students first;

12 (ii) As a class, special education students are entitled to the  
13 full basic education allocation; and

14 (iii) Special education students are basic education students for  
15 the entire school day.

16 (b) The superintendent of public instruction shall continue to  
17 implement the full cost method of excess cost accounting, as designed  
18 by the committee and recommended by the superintendent, pursuant to  
19 section 501(1)(k), chapter 372, Laws of 2006.

20 (3) Each fiscal year appropriation includes such funds as are  
21 necessary to complete the school year ending in the fiscal year and for  
22 prior fiscal year adjustments.

23 (4) The superintendent of public instruction shall distribute state  
24 funds to school districts based on two categories: (a) The first  
25 category includes (i) children birth through age two who are eligible  
26 for the optional program for special education eligible developmentally  
27 delayed infants and toddlers, and (ii) students eligible for the  
28 mandatory special education program and who are age three or four, or  
29 five and not yet enrolled in kindergarten; and (b) the second category  
30 includes students who are eligible for the mandatory special education  
31 program and who are age five and enrolled in kindergarten and students  
32 age six through 21.

33 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent  
34 shall make allocations to each district based on the sum of:

35 (i) A district's annual average headcount enrollment of students  
36 ages birth through four and those five year olds not yet enrolled in  
37 kindergarten, as defined in subsection (4) of this section, multiplied

1 by the district's average basic education allocation per full-time  
2 equivalent student, multiplied by 1.15; and

3 (ii) A district's annual average full-time equivalent basic  
4 education enrollment multiplied by the funded enrollment percent  
5 determined pursuant to subsection (6)(b) of this section, multiplied by  
6 the district's average basic education allocation per full-time  
7 equivalent student multiplied by 0.9309.

8 (b) For purposes of this subsection, "average basic education  
9 allocation per full-time equivalent student" for a district shall be  
10 based on the staffing ratios required by RCW 28A.150.260 and shall not  
11 include enhancements, secondary vocational education, or small schools  
12 in the 2009-10 school year. In the 2010-11 school year, the per  
13 student allocation under this subsection (5)(b) shall include the same  
14 factors as in the 2009-10 school year, but shall also include the  
15 classified staff enhancements included in section 502(3)(b).

16 (6) The definitions in this subsection apply throughout this  
17 section.

18 (a) "Annual average full-time equivalent basic education  
19 enrollment" means the resident enrollment including students enrolled  
20 through choice (RCW 28A.225.225) and students from nonhigh districts  
21 (RCW 28A.225.210) and excluding students residing in another district  
22 enrolled as part of an interdistrict cooperative program (RCW  
23 28A.225.250).

24 (b) "Enrollment percent" means the district's resident special  
25 education annual average enrollment, excluding the birth through age  
26 four enrollment and those five year olds not yet enrolled in  
27 kindergarten, as a percent of the district's annual average full-time  
28 equivalent basic education enrollment.

29 Each district's general fund--state funded special education  
30 enrollment shall be the lesser of the district's actual enrollment  
31 percent or 12.7 percent.

32 (7) At the request of any interdistrict cooperative of at least 15  
33 districts in which all excess cost services for special education  
34 students of the districts are provided by the cooperative, the maximum  
35 enrollment percent shall be calculated in accordance with subsection  
36 (6)(b) of this section, and shall be calculated in the aggregate rather  
37 than individual district units. For purposes of this subsection, the

1 average basic education allocation per full-time equivalent student  
2 shall be calculated in the aggregate rather than individual district  
3 units.

4 (8) To the extent necessary, \$19,512,000 of the general fund--state  
5 appropriation and \$29,574,000 of the general fund--federal  
6 appropriation are provided for safety net awards for districts with  
7 demonstrated needs for special education funding beyond the amounts  
8 provided in subsection (5) of this section. If the federal safety net  
9 awards based on the federal eligibility threshold exceed the federal  
10 appropriation in this subsection (8) in any fiscal year, the  
11 superintendent shall expend all available federal discretionary funds  
12 necessary to meet this need. Safety net funds shall be awarded by the  
13 state safety net oversight committee subject to the following  
14 conditions and limitations:

15 (a) The committee shall consider unmet needs for districts that can  
16 convincingly demonstrate that all legitimate expenditures for special  
17 education exceed all available revenues from state funding formulas.  
18 In the determination of need, the committee shall also consider  
19 additional available revenues from federal sources. Differences in  
20 program costs attributable to district philosophy, service delivery  
21 choice, or accounting practices are not a legitimate basis for safety  
22 net awards. In the determination of need, the committee shall require  
23 that districts demonstrate that they are maximizing their eligibility  
24 for all state and federal revenues related to services for special  
25 education-eligible students. Awards associated with (b) and (c) of  
26 this subsection shall not exceed the total of a district's specific  
27 determination of need.

28 (b) The committee shall then consider the extraordinary high cost  
29 needs of one or more individual special education students.  
30 Differences in costs attributable to district philosophy, service  
31 delivery choice, or accounting practices are not a legitimate basis for  
32 safety net awards.

33 (c) Using criteria developed by the committee, the committee shall  
34 then consider extraordinary costs associated with communities that draw  
35 a larger number of families with children in need of special education  
36 services. The safety net awards to school districts shall be adjusted  
37 to reflect amounts awarded under (b) of this subsection.

1 (d) The maximum allowable indirect cost for calculating safety net  
2 eligibility may not exceed the federal restricted indirect cost rate  
3 for the district plus one percent.

4 (e) Safety net awards must be adjusted for any audit findings or  
5 exceptions related to special education funding.

6 (f) Safety net awards shall be adjusted based on the percent of  
7 potential medicaid eligible students billed as calculated by the  
8 superintendent in accordance with chapter 318, Laws of 1999. The state  
9 safety net oversight committee shall ensure that safety net  
10 documentation and awards are based on current medicaid revenue amounts.

11 (g) Beginning with the 2010-11 school year award cycle, the office  
12 of the superintendent of public instruction shall make award  
13 determinations for state safety net funding in August of each school  
14 year. Determinations on school district eligibility for state safety  
15 net awards shall be based on analysis of actual expenditure data from  
16 the current school year.

17 (9) The superintendent of public instruction may adopt such rules  
18 and procedures as are necessary to administer the special education  
19 funding and safety net award process. Prior to revising any standards,  
20 procedures, or rules, the superintendent shall consult with the office  
21 of financial management and the fiscal committees of the legislature.

22 (10) The safety net oversight committee appointed by the  
23 superintendent of public instruction shall consist of:

24 (a) One staff from the office of superintendent of public  
25 instruction;

26 (b) Staff of the office of the state auditor who shall be nonvoting  
27 members of the committee; and

28 (c) One or more representatives from school districts or  
29 educational service districts knowledgeable of special education  
30 programs and funding.

31 (11) The office of the superintendent of public instruction shall  
32 review and streamline the application process to access safety net  
33 funds, provide technical assistance to school districts, and annually  
34 survey school districts regarding improvement to the process.

35 (12) A maximum of \$678,000 may be expended from the general  
36 fund--state appropriations to fund 5.43 full-time equivalent teachers  
37 and 2.1 full-time equivalent aides at children's orthopedic hospital

1 and medical center. This amount is in lieu of money provided through  
2 the home and hospital allocation and the special education program.

3 (13) The superintendent shall maintain the percentage of federal  
4 flow-through to school districts at 85 percent. In addition to other  
5 purposes, school districts may use increased federal funds for  
6 high-cost students, for purchasing regional special education services  
7 from educational service districts, and for staff development  
8 activities particularly relating to inclusion issues.

9 (14) A school district may carry over from one year to the next  
10 year up to 10 percent of the general fund--state funds allocated under  
11 this program; however, carryover funds shall be expended in the special  
12 education program.

13 (15) \$262,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$251,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely for two additional full-time  
16 equivalent staff to support the work of the safety net committee and to  
17 provide training and support to districts applying for safety net  
18 awards.

19 (16) \$50,000 of the general fund--state appropriation for fiscal  
20 year 2010, \$50,000 of the general fund--state appropriation for fiscal  
21 2011, and \$100,000 of the general fund--federal appropriation shall be  
22 expended to support a special education ombudsman program within the  
23 office of superintendent of public instruction.

24 **Sec. 1407.** 2010 1st sp.s. c 37 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 2010) . . . . .	\$93,141,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$286,911,000)</del>
30		<u>\$285,980,000</u>
31	General Fund--Federal Appropriation . . . . .	\$157,043,000
32	TOTAL APPROPRIATION . . . . .	<del>(\$537,095,000)</del>
33		<u>\$536,164,000</u>

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

36 (1) \$157,043,000 of the general fund--federal appropriation for

1 fiscal year 2010 is provided solely for American recovery and  
2 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
3 state reductions for local effort assistance payments.

4 (2) \$21,808,000 of the general fund--state appropriation for fiscal  
5 year 2011 is provided solely for implementation of Substitute House  
6 Bill No. 2893 (school levies). If the bill is not enacted by June 30,  
7 2010, the amount provided in this subsection shall lapse.

8 **Sec. 1408.** 2010 1st sp.s. c 37 s 510 (uncodified) is amended to  
9 read as follows:

10 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
11 **EDUCATION PROGRAMS**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$18,059,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$19,006,000)</del>
14		<u>\$20,063,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$37,065,000)</del>
16		<u>\$38,122,000</u>

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

19 (1) Each general fund--state fiscal year appropriation includes  
20 such funds as are necessary to complete the school year ending in the  
21 fiscal year and for prior fiscal year adjustments.

22 (2) State funding provided under this section is based on salaries  
23 and other expenditures for a 220-day school year. The superintendent  
24 of public instruction shall monitor school district expenditure plans  
25 for institutional education programs to ensure that districts plan for  
26 a full-time summer program.

27 (3) State funding for each institutional education program shall be  
28 based on the institution's annual average full-time equivalent student  
29 enrollment. Staffing ratios for each category of institution shall  
30 remain the same as those funded in the 1995-97 biennium.

31 (4) The funded staffing ratios for education programs for juveniles  
32 age 18 or less in department of corrections facilities shall be the  
33 same as those provided in the 1997-99 biennium.

34 (5) \$228,000 of the general fund--state appropriation for fiscal  
35 year 2010 and ~~(\$228,000)~~ \$509,000 of the general fund--state  
36 appropriation for fiscal year 2011 are provided solely to maintain at  
37 least one certificated instructional staff and related support services



1 at an institution whenever the K-12 enrollment is not sufficient to  
2 support one full-time equivalent certificated instructional staff to  
3 furnish the educational program. The following types of institutions  
4 are included: Residential programs under the department of social and  
5 health services for developmentally disabled juveniles, programs for  
6 juveniles under the department of corrections, and programs for  
7 juveniles under the juvenile rehabilitation administration.

8 (6) Ten percent of the funds allocated for each institution may be  
9 carried over from one year to the next.

10 **Sec. 1409.** 2011 c 5 s 507 (uncodified) is amended to read as  
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**  
13 **CAPABLE STUDENTS**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$9,189,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$9,162,000)</del>
16		<u>\$9,137,000</u>
17	TOTAL APPROPRIATION . . . . .	<del>(\$18,351,000)</del>
18		<u>\$18,326,000</u>

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

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

24 (2) Allocations for school district programs for highly capable  
25 students shall be distributed at a maximum rate of \$401.08 per funded  
26 student for the 2009-10 school year and \$401.08 per funded student for  
27 the 2010-11 school year, exclusive of salary and benefit adjustments  
28 pursuant to section 504 of this act. For the 2009-10 and 2010-11  
29 school years, the number of funded students shall be a maximum of 2.314  
30 percent of each district's full-time equivalent basic education  
31 enrollment.

32 (3) \$90,000 of the fiscal year 2010 appropriation and \$81,000 of  
33 the fiscal year 2011 appropriation are provided for the Washington  
34 destination imagination network and future problem-solving programs.

35 (4) \$170,000 of the fiscal year 2010 appropriation and \$153,000 of  
36 the fiscal year 2011 appropriation are provided for the centrum program  
37 at Fort Worden state park.

1       **Sec. 1410.** 2011 c 5 s 508 (uncodified) is amended to read as  
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
4 **PROGRAMS**

5	General Fund--State Appropriation (FY 2010) . . . . .	\$93,642,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$85,691,000)</del>
7		<u>\$83,143,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(\$154,627,000)</del>
9		<u>\$245,841,000</u>
10	Education Legacy Trust Account--State	
11	Appropriation . . . . .	<del>(\$98,981,000)</del>
12		<u>\$98,610,000</u>
13	TOTAL APPROPRIATION . . . . .	<del>(\$432,941,000)</del>
14		<u>\$521,236,000</u>

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

17       (1) \$35,804,000 of the general fund--state appropriation for fiscal  
18 year 2010, \$31,850,000 of the general fund--state appropriation for  
19 fiscal year 2011, \$1,350,000 of the education legacy trust  
20 account--state appropriation, and \$17,869,000 of the general  
21 fund--federal appropriation are provided solely for development and  
22 implementation of the Washington state assessment system, including:  
23 (i) Development and implementation of retake assessments for high  
24 school students who are not successful in one or more content areas;  
25 and (ii) development and implementation of alternative assessments or  
26 appeals procedures to implement the certificate of academic  
27 achievement. The superintendent of public instruction shall report  
28 quarterly on the progress on development and implementation of  
29 alternative assessments or appeals procedures. Within these amounts,  
30 the superintendent of public instruction shall contract for the early  
31 return of 10th grade student assessment results, on or around June 10th  
32 of each year.

33       (2) \$3,249,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$3,249,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for the design of the state  
36 assessment system and the implementation of end of course assessments  
37 for high school math.

1 (3) Within amounts provided in subsections (1) and (2) of this  
2 section, the superintendent of public instruction, in consultation with  
3 the state board of education, shall develop a statewide high school  
4 end-of-course assessment measuring student achievement of the state  
5 science standards in biology to be implemented statewide in the 2011-12  
6 school year. By December 1, 2010, the superintendent of public  
7 instruction shall recommend whether additional end-of-course  
8 assessments in science should be developed and in which content areas.  
9 Any recommendation for additional assessments must include an  
10 implementation timeline and the projected cost to develop and  
11 administer the assessments.

12 (4) \$1,014,000 of the education legacy trust account appropriation  
13 is provided solely for allocations to districts for salaries and  
14 benefits for the equivalent of two additional professional development  
15 days for fourth and fifth grade teachers during the 2008-2009 school  
16 year. The allocations shall be made based on the calculations of  
17 certificated instructional staff units for fourth and fifth grade  
18 provided in section 502 of this act and on the calculations of  
19 compensation provided in sections 503 and 504 of this act. Districts  
20 may use the funding to support additional days for professional  
21 development as well as job-embedded forms of professional development.

22 (5) \$3,241,000 of the education legacy trust fund appropriation is  
23 provided solely for allocations to districts for salaries and benefits  
24 for the equivalent of three additional professional development days  
25 for middle and high school math and science teachers during the 2008-  
26 2009 school year, as well as specialized training for one math and  
27 science teacher in each middle school and high school during the 2008-  
28 2009 school year. Districts may use the funding to support additional  
29 days for professional development as well as job-embedded forms of  
30 professional development.

31 (6) \$3,773,000 of the education legacy trust account--state  
32 appropriation is provided solely for a math and science instructional  
33 coaches program pursuant to chapter 396, Laws of 2007. Funding shall  
34 be used to provide grants to schools and districts to provide salaries,  
35 benefits, and professional development activities for up to twenty-five  
36 instructional coaches in middle and high school math and twenty-five  
37 instructional coaches in middle and high school science in each year of

1 the biennium; and up to \$300,000 may be used by the office of the  
2 superintendent of public instruction to administer and coordinate the  
3 program.

4 (7) \$1,740,000 of the general fund--state appropriation for fiscal  
5 year 2010 (~~(and \$1,775,000 of the general fund--state appropriation for~~  
6 ~~fiscal year 2011 are))~~ is provided solely to allow approved middle and  
7 junior high school career and technical education programs to receive  
8 enhanced vocational funding. The office of the superintendent of  
9 public instruction shall provide allocations to districts for middle  
10 and junior high school students in accordance with the funding formulas  
11 provided in section 502 of this act. If Second Substitute Senate Bill  
12 No. 5676 is enacted the allocations are formula-driven, otherwise the  
13 office of the superintendent shall consider the funding provided in  
14 this subsection as a fixed amount, and shall adjust funding to stay  
15 within the amounts provided in this subsection. Beginning in school  
16 year 2010-11, middle and junior high vocational programs will be funded  
17 out of general apportionment.

18 (8) \$139,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$93,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for (a) staff at the office of the  
21 superintendent of public instruction to coordinate and promote efforts  
22 to develop integrated math, science, technology, and engineering  
23 programs in schools and districts across the state; and (b) grants of  
24 \$2,500 to provide twenty middle and high school teachers each year  
25 professional development training for implementing integrated math,  
26 science, technology, and engineering program in their schools.

27 (9) \$1,473,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$197,000 of the general fund--state appropriation for  
29 fiscal year 2011 are provided solely for the Washington state  
30 leadership and assistance for science education reform (LASER) regional  
31 partnership activities coordinated at the Pacific science center,  
32 including instructional material purchases, teacher and principal  
33 professional development, and school and community engagement events.  
34 Funding shall be distributed to the various LASER activities in a  
35 manner proportional to LASER program spending during the 2007-2009  
36 biennium.

37 (10) (~~(\$88,981,000)~~) \$88,610,000 of the education legacy trust  
38 account--state appropriation is provided solely for grants for

1 voluntary full-day kindergarten at the highest poverty schools, as  
2 provided in chapter 400, Laws of 2007. The office of the  
3 superintendent of public instruction shall provide allocations to  
4 districts for recipient schools in accordance with the funding formulas  
5 provided in section 502 of this act. Each kindergarten student who  
6 enrolls for the voluntary full-day program in a recipient school shall  
7 count as one-half of one full-time equivalent student for the purpose  
8 of making allocations under this subsection. Although the allocations  
9 are formula-driven, the office of the superintendent shall consider the  
10 funding provided in this subsection as a fixed amount, and shall limit  
11 the number of recipient schools so as to stay within the amounts  
12 appropriated each fiscal year in this subsection. The funding provided  
13 in this subsection is estimated to provide full-day kindergarten  
14 programs for 20 percent of kindergarten enrollment. Funding priority  
15 shall be given to schools with the highest poverty levels, as measured  
16 by prior year free and reduced priced lunch eligibility rates in each  
17 school. Additionally, as a condition of funding, school districts must  
18 agree to provide the full-day program to the children of parents who  
19 request it in each eligible school. For the purposes of calculating a  
20 school district levy base, funding provided in this subsection shall be  
21 considered a state block grant program under RCW 84.52.0531.

22 (a) Of the amounts provided in this subsection, a maximum of  
23 \$272,000 may be used for administrative support of the full-day  
24 kindergarten program within the office of the superintendent of public  
25 instruction.

26 (b) Student enrollment pursuant to this program shall not be  
27 included in the determination of a school district's overall K-12 FTE  
28 for the allocation of student achievement programs and other funding  
29 formulas unless specifically stated.

30 (11) \$700,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$450,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for the development of a  
33 leadership academy for school principals and administrators. The  
34 superintendent of public instruction shall contract with an independent  
35 organization to design, field test, and implement a state-of-the-art  
36 education leadership academy that will be accessible throughout the  
37 state. Initial development of the content of the academy activities  
38 shall be supported by private funds. Semiannually the independent

1 organization shall report on amounts committed by foundations and  
2 others to support the development and implementation of this program.  
3 Leadership academy partners, with varying roles, shall include the  
4 state level organizations for school administrators and principals, the  
5 superintendent of public instruction, the professional educator  
6 standards board, and others as the independent organization shall  
7 identify.

8 (12) \$105,754,000 of the general fund--federal appropriation is  
9 provided for preparing, training, and recruiting high quality teachers  
10 and principals under Title II of the no child left behind act.

11 (13) \$1,960,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$761,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely to the office of the  
14 superintendent of public instruction for focused assistance. The  
15 office of the superintendent of public instruction shall conduct  
16 educational audits of low-performing schools and enter into performance  
17 agreements between school districts and the office to implement the  
18 recommendations of the audit and the community. Funding in this  
19 subsection shall be used for focused assistance programs for individual  
20 schools or school districts. The office of the superintendent of  
21 public instruction shall report to the fiscal committees of the  
22 legislature by September 1, 2011, providing an accounting of the uses  
23 of focused assistance funds during the 2009-11 fiscal biennium,  
24 including a list of schools served and the types of services provided.

25 (14) \$1,667,000 of the general fund--state appropriation for fiscal  
26 year 2010 is provided solely to eliminate the lunch co-pay for students  
27 in grades kindergarten through third grade that are eligible for  
28 reduced price lunch.

29 (15) \$5,285,000 of the general fund--state appropriation for fiscal  
30 year 2010 is provided solely for: (a) The meals for kids program under  
31 RCW 28A.235.145 through 28A.235.155; (b) to eliminate the breakfast co-  
32 pay for students eligible for reduced price lunch; and (c) for  
33 additional assistance for school districts initiating a summer food  
34 service program.

35 (16) \$1,003,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$528,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for the Washington reading corps.  
38 The superintendent shall allocate reading corps members to low-

1 performing schools and school districts that are implementing  
2 comprehensive, proven, research-based reading programs. Two or more  
3 schools may combine their Washington reading corps programs. Grants  
4 provided under this section may be used by school districts for  
5 expenditures from September 2009 through August 31, 2011.

6 (17) \$3,269,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$3,594,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for grants to school districts to  
9 provide a continuum of care for children and families to help children  
10 become ready to learn. Grant proposals from school districts shall  
11 contain local plans designed collaboratively with community service  
12 providers. If a continuum of care program exists in the area in which  
13 the school district is located, the local plan shall provide for  
14 coordination with existing programs to the greatest extent possible.  
15 Grant funds shall be allocated pursuant to RCW 70.190.040.

16 (18) \$1,861,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$1,836,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely for improving technology  
19 infrastructure, monitoring and reporting on school district technology  
20 development, promoting standards for school district technology,  
21 promoting statewide coordination and planning for technology  
22 development, and providing regional educational technology support  
23 centers, including state support activities, under chapter 28A.650 RCW.

24 (19) \$225,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$150,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for the operation of the center  
27 for the improvement of student learning pursuant to RCW 28A.300.130.

28 (20) \$246,000 of the education legacy trust account--state  
29 appropriation is provided solely for costs associated with the office  
30 of the superintendent of public instruction's statewide director of  
31 technology position.

32 (21)(a) \$28,715,000 of the general fund--state appropriation for  
33 fiscal year 2010 and (~~(\$36,168,000)~~) \$35,395,000 of the general fund--  
34 state appropriation for fiscal year 2011 are provided solely for the  
35 following bonuses for teachers who hold valid, unexpired certification  
36 from the national board for professional teaching standards and who are  
37 teaching in a Washington public school, subject to the following  
38 conditions and limitations:

1 (i) For national board certified teachers, a bonus of \$5,000 per  
2 teacher beginning in the 2007-08 school year and adjusted for inflation  
3 in each school year thereafter in which Initiative 732 cost of living  
4 adjustments are provided;

5 (ii) An additional \$5,000 annual bonus shall be paid to national  
6 board certified teachers who teach in either: (A) High schools where  
7 at least 50 percent of student headcount enrollment is eligible for  
8 federal free or reduced price lunch, (B) middle schools where at least  
9 60 percent of student headcount enrollment is eligible for federal free  
10 or reduced price lunch, or (C) elementary schools where at least 70  
11 percent of student headcount enrollment is eligible for federal free or  
12 reduced price lunch;

13 (iii) The superintendent of public instruction shall adopt rules to  
14 ensure that national board certified teachers meet the qualifications  
15 for bonuses under (a)(ii) of this subsection for less than one full  
16 school year receive bonuses in a pro-rated manner; and

17 (iv) During the 2009-10 and 2010-11 school years, and within the  
18 available state and federal appropriations, certificated instructional  
19 staff who have met the eligibility requirements and have applied for  
20 certification from the national board for professional teaching  
21 standards may receive a conditional two thousand dollars or the amount  
22 set by the office of the superintendent of public instruction to  
23 contribute toward the current assessment fee, not including the initial  
24 up-front candidacy payment. The fee shall be an advance on the first  
25 annual bonus under RCW 28A.405.415. The assessment fee for national  
26 certification is provided in addition to compensation received under a  
27 district's salary schedule adopted in accordance with RCW 28A.405.200  
28 and shall not be included in calculations of a district's average  
29 salary and associated salary limitation under RCW 28A.400.200.  
30 Recipients who fail to receive certification after three years are  
31 required to repay the assessment fee, not including the initial up-  
32 front candidacy payment, as set by the national board for professional  
33 teaching standards and administered by the office of the superintendent  
34 of public instruction. The office of the superintendent of public  
35 instruction shall adopt rules to define the terms for initial grant of  
36 the assessment fee and repayment, including applicable fees.

37 (b) Included in the amounts provided in this subsection are amounts  
38 for mandatory fringe benefits.



1 (22) \$2,475,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$456,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for secondary career and technical  
4 education grants pursuant to chapter 170, Laws of 2008. This funding  
5 may additionally be used to support FIRST Robotics programs. In fiscal  
6 year 2011, if equally matched by private donations, \$300,000 of the  
7 appropriation shall be used to support FIRST Robotics programs,  
8 including FIRST Robotics professional development.

9 (23) \$75,000 of the general fund--state appropriation for fiscal  
10 year 2011 is provided solely for the implementation of House Bill No.  
11 2621 (K-12 school resource programs). If the bill is not enacted by  
12 June 30, 2010, the amount provided in this subsection shall lapse.

13 (24) \$300,000 of the general fund--state appropriation for fiscal  
14 year 2010 is provided solely for the local farms-healthy kids program  
15 as described in chapter 215, Laws of 2008. The program is suspended in  
16 the 2011 fiscal year, and not eliminated.

17 (25) \$2,348,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$1,000,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for a beginning educator support  
20 program. School districts and/or regional consortia may apply for  
21 grant funding beginning in the 2009-10 school year. The superintendent  
22 shall implement this program in 5 to 15 school districts and/or  
23 regional consortia. The program provided by a district and/or regional  
24 consortia shall include: A paid orientation; assignment of a qualified  
25 mentor; development of a professional growth plan for each beginning  
26 teacher aligned with professional certification; release time for  
27 mentors and new teachers to work together, and teacher observation time  
28 with accomplished peers. \$250,000 may be used to provide state-wide  
29 professional development opportunities for mentors and beginning  
30 educators. The superintendent of public instruction shall adopt rules  
31 to establish and operate a research-based beginning educator support  
32 program no later than August 31, 2009. OSPI must evaluate the  
33 program's progress and may contract for this work. A report to the  
34 legislature about the beginning educator support program is due  
35 November 1, 2010.

36 (26) \$390,000 of the education legacy trust account--state  
37 appropriation is provided solely for the development and implementation

1 of diagnostic assessments, consistent with the recommendations of the  
2 Washington assessment of student learning work group.

3 (27) Funding within this section is provided for implementation of  
4 Engrossed Substitute Senate Bill No. 5414 (statewide assessments and  
5 curricula).

6 (28) \$530,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$265,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for the leadership internship  
9 program for superintendents, principals, and program administrators.

10 (29) Funding for the community learning center program, established  
11 in RCW 28A.215.060, and providing grant funding for the 21st century  
12 after-school program, is suspended and not eliminated.

13 (30) \$2,357,000 of the general fund--state appropriation for fiscal  
14 year 2011 is provided solely for implementation of Engrossed Second  
15 Substitute Senate Bill No. 6696 (education reform). Of the amount  
16 provided, \$142,000 is provided to the professional educators' standards  
17 board and \$120,000 is provided to the system of the educational service  
18 districts, to fulfill their respective duties under the bill.

19 **Sec. 1411.** 2010 1st sp.s. c 37 s 514 (uncodified) is amended to  
20 read as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
22 **BILINGUAL PROGRAMS**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$76,419,000
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$77,672,000)</del>
25		<u>\$79,912,000</u>
26	General Fund--Federal Appropriation . . . . .	\$65,263,000
27	TOTAL APPROPRIATION . . . . .	<del>(\$219,354,000)</del>
28		<u>\$221,594,000</u>

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

31 (1) Each general fund fiscal year appropriation includes such funds  
32 as are necessary to complete the school year ending in the fiscal year  
33 and for prior fiscal year adjustments.

34 (2) The superintendent shall distribute a maximum of \$901.46 per  
35 eligible bilingual student in the 2009-10 school year and \$901.46 in  
36 the 2010-11 school year, exclusive of salary and benefit adjustments  
37 provided in section 504 of this act.

1 (3) The superintendent may withhold up to 1.5 percent of the school  
2 year allocations to school districts in subsection (2) of this section,  
3 and adjust the per eligible pupil rates in subsection (2) of this  
4 section accordingly, solely for the central provision of assessments as  
5 provided in RCW 28A.180.090 (1) and (2).

6 (4) \$70,000 of the amounts appropriated in this section are  
7 provided solely to track current and former transitional bilingual  
8 program students.

9 (5) The general fund--federal appropriation in this section is  
10 provided for migrant education under Title I Part C and English  
11 language acquisition, and language enhancement grants under Title III  
12 of the elementary and secondary education act.

13 **Sec. 1412.** 2010 1st sp.s. c 37 s 515 (uncodified) is amended to  
14 read as follows:

15 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
16 **ASSISTANCE PROGRAM**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$103,865,000
18	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$110,312,000)</del>
19		<u>\$114,240,000</u>
20	General Fund--Federal Appropriation . . . . .	<del>(\$553,925,000)</del>
21		<u>\$580,425,000</u>
22	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
23	TOTAL APPROPRIATION . . . . .	<del>(\$816,082,000)</del>
24		<u>\$846,510,000</u>

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

27 (1) The general fund--state appropriations in this section are  
28 subject to the following conditions and limitations:

29 (a) The appropriations include such funds as are necessary to  
30 complete the school year ending in the fiscal year and for prior fiscal  
31 year adjustments.

32 (b) Funding for school district learning assistance programs shall  
33 be allocated at maximum rates of \$281.71 per funded student for the  
34 2009-10 school year and \$283.00 per funded student for the 2010-11  
35 school year exclusive of salary and benefit adjustments provided under  
36 section 504 of this act.

1 (c) A school district's funded students for the learning assistance  
2 program shall be the sum of the following as appropriate:

3 (i) The district's full-time equivalent enrollment in grades K-12  
4 for the prior school year multiplied by the district's percentage of  
5 October headcount enrollment in grades K-12 eligible for free or  
6 reduced price lunch in the prior school year; and

7 (ii) If, in the prior school year, the district's percentage of  
8 October headcount enrollment in grades K-12 eligible for free or  
9 reduced price lunch exceeded forty percent, subtract forty percent from  
10 the district's percentage and multiply the result by the district's K-  
11 12 annual average full-time equivalent enrollment for the prior school  
12 year.

13 (d) In addition to the amounts allocated in (b) and (c) of this  
14 subsection, an additional amount shall be allocated to school districts  
15 with high concentrations of poverty and English language learner  
16 students, subject to the following rules and conditions:

17 (i) To qualify for additional funding under this subsection, a  
18 district's October headcount enrollment in grades kindergarten through  
19 grade twelve must have at least twenty percent enrolled in the  
20 transitional bilingual instruction program based on an average of the  
21 program headcount taken in October and May of the prior school year;  
22 and must also have at least forty percent eligible for free or reduced  
23 price lunch based on October headcount enrollment in grades  
24 kindergarten through twelve in the prior school year.

25 (ii) Districts meeting the specifications in (d)(i) of this  
26 subsection shall receive additional funded students for the learning  
27 assistance program at the rates specified in subsection (1)(b) of this  
28 section. The number of additional funded student units shall be  
29 calculated by subtracting twenty percent from the district's percent  
30 transitional bilingual instruction program enrollment as defined in  
31 (d)(i) of this subsection, and the resulting percent shall be  
32 multiplied by the district's kindergarten through twelve annual average  
33 full-time equivalent enrollment for the prior school year.

34 (2) Allocations made pursuant to subsection (1) of this section  
35 shall be adjusted to reflect ineligible applications identified through  
36 the annual income verification process required by the national school  
37 lunch program, as recommended in the report of the state auditor on the  
38 learning assistance program dated February, 2010.

1 (3) The general fund--federal appropriation in this section is  
2 provided for Title I Part A allocations of the no child left behind act  
3 of 2001.

4 (4) A school district may carry over from one year to the next up  
5 to 10 percent of the general fund--state or education legacy trust  
6 funds allocated under this program; however, carryover funds shall be  
7 expended for the learning assistance program.

8 (5) School districts are encouraged to coordinate the use of these  
9 funds with other federal, state, and local sources to serve students  
10 who are below grade level and to make efficient use of resources in  
11 meeting the needs of students with the greatest academic deficits.

12 (6) Within amounts appropriated in this section, funding is  
13 provided for the implementation of extended learning programs required  
14 in chapter 328, Laws of 2008.

15 **Sec. 1413.** 2010 1st sp.s. c 37 s 516 (uncodified) is amended to  
16 read as follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**  
18 **PROGRAMS**

19	General Fund--State Appropriation (FY 2010) . . . . .	\$19,000
20	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$25,730,000)</del>
21		<u>\$25,417,000</u>
22	General Fund--Federal Appropriation . . . . .	\$200,295,000
23	TOTAL APPROPRIATION . . . . .	<del>(\$226,044,000)</del>
24		<u>\$225,731,000</u>

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

27 (1) Funding for school district student achievement programs shall  
28 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-  
29 10 school year and \$0 per FTE student for the 2010-11 school year. For  
30 the purposes of this section, FTE student refers to the annual average  
31 full-time equivalent enrollment of the school district in grades  
32 kindergarten through twelve for the prior school year, as reported to  
33 the office of the superintendent of public instruction by August 31st  
34 of the previous school year.

35 (2) The appropriation is allocated for the following uses as  
36 specified in RCW 28A.505.210:

1 (a) To reduce class size by hiring certificated elementary  
2 classroom teachers in grades K-4 and paying nonemployee-related costs  
3 associated with those new teachers;

4 (b) To make selected reductions in class size in grades 5-12, such  
5 as small high school writing classes;

6 (c) To provide extended learning opportunities to improve student  
7 academic achievement in grades K-12, including, but not limited to,  
8 extended school year, extended school day, before-and-after-school  
9 programs, special tutoring programs, weekend school programs, summer  
10 school, and all-day kindergarten;

11 (d) To provide additional professional development for educators  
12 including additional paid time for curriculum and lesson redesign and  
13 alignment, training to ensure that instruction is aligned with state  
14 standards and student needs, reimbursement for higher education costs  
15 related to enhancing teaching skills and knowledge, and mentoring  
16 programs to match teachers with skilled, master teachers. The funding  
17 shall not be used for salary increases or additional compensation for  
18 existing teaching duties, but may be used for extended year and  
19 extended day teaching contracts;

20 (e) To provide early assistance for children who need  
21 prekindergarten support in order to be successful in school; or

22 (f) To provide improvements or additions to school building  
23 facilities which are directly related to the class size reductions and  
24 extended learning opportunities under (a) through (c) of this  
25 subsection (2).

26 (3) The superintendent of public instruction shall distribute the  
27 school year allocation according to the monthly apportionment schedule  
28 defined in RCW 28A.510.250.

29 (4) \$200,295,000 of the general fund--federal appropriation for  
30 fiscal year 2010 is provided solely for American recovery and  
31 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
32 state reductions for the student achievement program.

33 **Sec. 1414.** 2010 1st sp.s. c 37 s 517 (uncodified) is amended to  
34 read as follows:

35 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

36 (1) Appropriations made in this act to the office of the  
37 superintendent of public instruction shall initially be allotted as

1 required by this act. Subsequent allotment modifications shall not  
2 include transfers of moneys between sections of this act, except as  
3 expressly provided in subsection (2) of this section.

4 (2) The appropriations to the office of the superintendent of  
5 public instruction in this act shall be expended for the programs and  
6 amounts specified in this act. However, after May 1, (~~2010~~) 2011,  
7 unless specifically prohibited by this act and after approval by the  
8 director of financial management, the superintendent of public  
9 instruction may transfer state general fund appropriations for fiscal  
10 year (~~2010~~) 2011 among the following programs to meet the  
11 apportionment schedule for a specified formula in another of these  
12 programs: General apportionment; employee compensation adjustments;  
13 pupil transportation; special education programs; institutional  
14 education programs; transitional bilingual programs; and student  
15 achievement and learning assistance programs.

16 (3) The director of financial management shall notify the  
17 appropriate legislative fiscal committees in writing prior to approving  
18 any allotment modifications or transfers under this section.

(End of part)

PART XV  
HIGHER EDUCATION

Sec. 1501. 2011 c 5 s 601 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

General Fund--State Appropriation (FY 2010) . . . . .	\$269,571,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$259,706,000 ))</del>
	<u>\$259,552,000</u>
General Fund--Federal Appropriation . . . . .	\$43,971,000
Education Legacy Trust Account--State Appropriation . . . . .	\$54,534,000
Accident Account--State Appropriation . . . . .	\$6,750,000
Medical Aid Account--State Appropriation . . . . .	\$6,540,000
Biotoxin Account--State Appropriation . . . . .	\$449,000
TOTAL APPROPRIATION . . . . .	<del>(( \$641,521,000 ))</del>
	<u>\$641,367,000</u>

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other non-instructional activities.

(2) Because higher education is an essential driver of economic recovery and development, the university shall maintain, and endeavor to increase, enrollment and degree production levels at or beyond their academic year 2008-09 levels in the following high-demand fields: Biological and biomedical sciences; computer and information sciences; education with specializations in special education, math, or science; engineering and engineering technology; health professions and related clinical sciences; and mathematics and statistics.

(3) \$75,000 of the general fund--state appropriation for fiscal year 2010 and \$75,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for forestry research by the Olympic natural resources center.

(4) \$150,000 of the general fund--state appropriation for fiscal year 2010 is provided solely for the William D. Ruckelshaus center for



1 facilitation, support, and analysis to support the nurse staffing  
2 steering committee in its work to apply best practices related to  
3 patient safety and nurse staffing.

4 (5) \$54,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$54,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the University of Washington  
7 geriatric education center to provide a voluntary adult family home  
8 certification program. In addition to the minimum qualifications  
9 required under RCW 70.128.120, individuals participating in the  
10 voluntary adult family home certification program shall complete fifty-  
11 two hours of class requirements as established by the University of  
12 Washington geriatric education center. Individuals completing the  
13 requirements of RCW 70.128.120 and the voluntary adult family home  
14 certification program shall be issued a certified adult family home  
15 license by the department of social and health services. The  
16 department of social and health services shall adopt rules implementing  
17 the provisions of this subsection.

18 (6) \$50,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$52,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for the center for international  
21 trade in forest products in the college of forest resources.

22 (7) \$250,000 of the general fund--state appropriation for fiscal  
23 year 2011 is provided solely for joint planning to increase the number  
24 of residency positions and programs in eastern Washington and Spokane  
25 within the existing Washington, Wyoming, Alaska, Montana, Idaho (WWAMI)  
26 regional medical education program partnership between the University  
27 of Washington school of medicine, Washington State University, and area  
28 physicians and hospitals. The joint planning efforts are to include  
29 preparation of applications for new residency programs in family  
30 medicine, internal medicine, obstetrics, psychiatry and general  
31 surgery; business plans for those new programs; and for increasing the  
32 number of positions in existing programs among regional academic and  
33 hospital partners and networks. The results of the joint planning  
34 efforts, including the status of the application preparation and  
35 business plan, must be reported to the house of representatives  
36 committee on higher education and the senate committee on higher  
37 education and workforce development by December 1, 2010.

1 (8) \$25,000 of the general fund--state appropriation for fiscal  
2 year 2011 is provided solely for implementation of chapter 164, Laws of  
3 2010 (local government infrastructure). The University of Washington  
4 shall use a qualified researcher to report the percentage probability  
5 that the application's assumptions and estimates of jobs created and  
6 increased tax receipts will be achieved by the projects. In making  
7 this report, the qualified researcher shall work with the department of  
8 revenue and the applicants to develop a series of factors that are  
9 based on available economic metrics and sound principles.

10 (9) Appropriations in section 609 of this act reflect reductions to  
11 the state need grant. The University of Washington shall use locally  
12 held funds to provide a commensurate amount of aid to eligible students  
13 who would have received state need grant payments through the  
14 appropriations in section 609 of this act.

15 By September 1, 2011, the University of Washington shall report to  
16 the appropriate legislative fiscal and policy committees regarding the  
17 implementation of this section. The report shall provide detail on the  
18 number of students provided aid under this subsection and the amount of  
19 aid provided to each student.

20 **Sec. 1502.** 2011 c 5 s 602 (uncodified) is amended to read as  
21 follows:

22 **FOR WASHINGTON STATE UNIVERSITY**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$169,462,000
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$170,699,000 ))</del>
25		<u>\$170,090,000</u>
26	General Fund--Federal Appropriation . . . . .	\$15,772,000
27	Education Legacy Trust Account--State Appropriation . . . . .	\$34,435,000
28	TOTAL APPROPRIATION . . . . .	<del>(( \$390,368,000 ))</del>
29		<u>\$389,759,000</u>

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

32 (1) In implementing the appropriations in this section, the  
33 president and regents shall seek to minimize impacts on student  
34 services and instructional programs by maximizing reductions in  
35 administration and other non-instructional activities.

36 (2) Because higher education is an essential driver of economic  
37 recovery and development, the university shall maintain, and endeavor

1 to increase, enrollment and degree production levels at or beyond their  
2 academic year 2008-09 levels in the following high-demand fields:  
3 Biological and biomedical sciences; computer and information sciences;  
4 education with specializations in special education, math, or science;  
5 engineering and engineering technology; health professions and related  
6 clinical sciences; and mathematics and statistics.

7 (3) When implementing reductions for fiscal year 2010 and fiscal  
8 year 2011, Washington State University shall minimize reductions to  
9 extension services and agriculture extension services. Agriculture  
10 extension includes:

11 (a) Faculty with extension appointments working within the  
12 following departments in the college of agricultural, human, and  
13 natural resource sciences with extension appointments: Animal  
14 sciences, crop and soil sciences, entomology, horticulture, and plant  
15 pathology;

16 (b) The portion of county extension educators' appointments  
17 assigned to the "agricultural programs" area;

18 (c) Staff with extension appointments and extension operating  
19 allocations located at the irrigated agriculture research and extension  
20 center (Prosser), northwest Washington research and extension center  
21 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);  
22 and

23 (d) Extension contributions to the center for precision  
24 agricultural systems, center for sustaining agriculture and natural  
25 resources, and the agriculture weather network.

26 (4) \$75,000 of the general fund--state appropriation for fiscal  
27 year 2010 and \$75,000 of the general fund--state appropriation for  
28 fiscal year 2011 are provided solely for research related to honeybee  
29 colony collapse disease.

30 (5) Appropriations in section 609 of this act reflect reductions to  
31 the state need grant. Washington State University shall use locally  
32 held funds to provide a commensurate amount of aid to eligible students  
33 who would have received state need grant payments through the  
34 appropriations in section 609 of this act.

35 By September 1, 2011, Washington State University shall report to  
36 the appropriate legislative fiscal and policy committees regarding the  
37 implementation of this section. The report shall provide detail on the

1 number of students provided aid under this subsection and the amount of  
2 aid provided to each student.

3 **Sec. 1503.** 2011 c 5 s 603 (uncodified) is amended to read as  
4 follows:

5 **FOR EASTERN WASHINGTON UNIVERSITY**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$34,689,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$35,126,000)</del>
8		<u>\$35,106,000</u>
9	General Fund--Federal Appropriation . . . . .	\$5,522,000
10	Education Legacy Trust Account--State Appropriation . . . . .	\$16,041,000
11	TOTAL APPROPRIATION . . . . .	<del>(\$91,378,000)</del>
12		<u>\$91,358,000</u>

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

15 (1) In implementing the appropriations in this section, the  
16 president and governing board shall seek to minimize impacts on student  
17 services and instructional programs by maximizing reductions in  
18 administration and other non-instructional activities.

19 (2) Because higher education is an essential driver of economic  
20 recovery and development, the university shall maintain, and endeavor  
21 to increase, enrollment and degree production levels at or beyond their  
22 academic year 2008-09 levels in the following high-demand fields:  
23 Biological and biomedical sciences; computer and information sciences;  
24 education with specializations in special education, math, or science;  
25 engineering and engineering technology; health professions and related  
26 clinical sciences; and mathematics and statistics.

27 (3) At least \$200,000 of the general fund--state appropriation for  
28 fiscal year 2010 and at least \$200,000 of the general fund--state  
29 appropriation for fiscal year 2011 shall be expended on the northwest  
30 autism center.

31 (4) Appropriations in section 609 of this act reflect reductions to  
32 the state need grant. Eastern Washington University shall use locally  
33 held funds to provide a commensurate amount of aid to eligible students  
34 who would have received state need grant payments through the  
35 appropriations in section 609 of this act.

36 By September 1, 2011, Eastern Washington University shall report to  
37 the appropriate legislative fiscal and policy committees regarding the

1 implementation of this section. The report shall provide detail on the  
2 number of students provided aid under this subsection and the amount of  
3 aid provided to each student.

4 **Sec. 1504.** 2011 c 5 s 604 (uncodified) is amended to read as  
5 follows:

6 **FOR CENTRAL WASHINGTON UNIVERSITY**

7	General Fund--State Appropriation (FY 2010) . . . . .	\$30,289,000
8	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$32,383,000)</del>
9		<u>\$32,337,000</u>
10	General Fund--Federal Appropriation . . . . .	\$6,975,000
11	Education Legacy Trust Account--State Appropriation . . . . .	\$19,012,000
12	TOTAL APPROPRIATION . . . . .	<del>(\$88,659,000)</del>
13		<u>\$88,613,000</u>

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

16 (1) In implementing the appropriations in this section, the  
17 president and governing board shall seek to minimize impacts on student  
18 services and instructional programs by maximizing reductions in  
19 administration and other non-instructional activities.

20 (2) Because higher education is an essential driver of economic  
21 recovery and development, the university shall maintain, and endeavor  
22 to increase, enrollment and degree production levels at or beyond their  
23 academic year 2008-09 levels in the following high-demand fields:  
24 Biological and biomedical sciences; computer and information sciences;  
25 education with specializations in special education, math, or science;  
26 engineering and engineering technology; health professions and related  
27 clinical sciences; and mathematics and statistics.

28 (3) Appropriations in section 609 of this act reflect reductions to  
29 the state need grant. Central Washington University shall use locally  
30 held funds to provide a commensurate amount of aid to eligible students  
31 who would have received state need grant payments through the  
32 appropriations in section 609 of this act.

33 By September 1, 2011, Central Washington University shall report to  
34 the appropriate legislative fiscal and policy committees regarding the  
35 implementation of this section. The report shall provide detail on the  
36 number of students provided aid under this subsection and the amount of  
37 aid provided to each student.

1       **Sec. 1505.** 2011 c 5 s 605 (uncodified) is amended to read as  
2 follows:

3 **FOR THE EVERGREEN STATE COLLEGE**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$20,514,000
5	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$17,728,000</del> ))
6		<u>\$17,714,000</u>
7	General Fund--Federal Appropriation . . . . .	\$2,366,000
8	Education Legacy Trust Account--State Appropriation . . . . .	\$5,417,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$46,025,000</del> ))
10		<u>\$46,011,000</u>

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

13       (1) In implementing the appropriations in this section, the  
14 president and governing board shall seek to minimize impacts on student  
15 services and instructional programs by maximizing reductions in  
16 administration and other non-instructional activities.

17       (2) Because higher education is an essential driver of economic  
18 recovery and development, the college shall maintain, and endeavor to  
19 increase, enrollment and degree production levels at or beyond their  
20 academic year 2008-09 levels in the following high-demand fields:  
21 Biological and biomedical sciences; computer and information sciences;  
22 education with specializations in special education, math, or science;  
23 engineering and engineering technology; health professions and related  
24 clinical sciences; and mathematics and statistics.

25       (3)(a) At least \$100,000 of the general fund--state appropriation  
26 for fiscal year 2010 shall be expended on the labor education and  
27 research center.

28       (b) In fiscal year 2011 the labor education and research center  
29 shall be transferred from The Evergreen State College to south Seattle  
30 community college.

31       (4) \$100,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$100,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for the Washington state institute  
34 for public policy to report to the legislature regarding efficient and  
35 effective programs and policies. The report shall calculate the return  
36 on investment to taxpayers from evidence-based prevention and  
37 intervention programs and policies that influence crime, K-12 education  
38 outcomes, child maltreatment, substance abuse, mental health, public

1 health, public assistance, employment, and housing. The institute for  
2 public policy shall provide the legislature with a comprehensive list  
3 of programs and policies that improve these outcomes for children and  
4 adults in Washington and result in more cost-efficient use of public  
5 resources. The institute shall submit interim reports by December 15,  
6 2009, and October 1, 2010, and a final report by June 30, 2011. The  
7 institute may receive additional funds from a private organization for  
8 the purpose of conducting this study.

9 (5) To the extent federal or private funding is available for this  
10 purpose, the Washington state institute for public policy and the  
11 center for reinventing public education at the University of Washington  
12 shall examine the relationship between participation in pension systems  
13 and teacher quality and mobility patterns in the state. The department  
14 of retirement systems shall facilitate researchers' access to necessary  
15 individual-level data necessary to effectively conduct the study. The  
16 researchers shall ensure that no individually identifiable information  
17 will be disclosed at any time. An interim report on project findings  
18 shall be completed by November 15, 2010, and a final report shall be  
19 submitted to the governor and to the relevant committees of the  
20 legislature by October 15, 2011.

21 (6) At least \$200,000 of the general fund--state appropriation for  
22 fiscal year 2010 and at least \$200,000 of the general fund--state  
23 appropriation for fiscal year 2011 shall be expended on the Washington  
24 center for undergraduate education.

25 (7) \$15,000 of the general fund--state appropriation for fiscal  
26 year 2010 is provided solely for the Washington state institute for  
27 public policy to examine the need for and methods to increase the  
28 availability of nonfood items, such as personal hygiene supplies,  
29 soaps, paper products, and other items, to needy persons in the state.  
30 The study shall examine existing private and public programs that  
31 provide such products, and develop recommendations for the most cost-  
32 effective incentives for private and public agencies to increase local  
33 distribution outlets and local and regional networks of supplies. A  
34 final report shall be delivered to the legislature and the governor by  
35 December 1, 2009.

36 (8) \$17,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$42,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided to the Washington state institute for

1 public policy to implement Second Substitute House Bill No. 2106 (child  
2 welfare outcomes). If the bill is not enacted by June 30, 2009, the  
3 amounts provided in this subsection shall lapse.

4 (9) \$54,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$23,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely to implement Substitute Senate  
7 Bill No. 5882 (racial disproportionality). If the bill is not enacted  
8 by June 30, 2009, the amounts provided in this subsection shall lapse.

9 (10) \$75,000 of the general fund--state appropriation for fiscal  
10 year 2010 is provided solely for the Washington state institute of  
11 public policy to evaluate the adequacy of and access to financial aid  
12 and independent living programs for youth in foster care. The  
13 examination shall include opportunities to improve efficiencies within  
14 these programs. The institute shall report its findings by December 1,  
15 2009.

16 (11) \$75,000 of the general fund--state appropriation for fiscal  
17 year 2010 is provided solely for the Washington state institute for  
18 public policy to conduct an assessment of the general assistance  
19 unemployable program and other similar programs. The assessment shall  
20 include a review of programs in other states that provide similar  
21 services and will include recommendations on promising approaches that  
22 both improve client outcomes and reduce state costs. A report is due  
23 by December 1, 2009.

24 (12) To the extent funds are available, the Washington state  
25 institute for public policy is encouraged to continue the longitudinal  
26 analysis of long-term mental health outcomes directed in chapter 334,  
27 Laws of 2001 (mental health performance audit), to build upon the  
28 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill  
29 offenders); and to assess program outcomes and cost effectiveness of  
30 the children's mental health pilot projects as required by chapter 372,  
31 Laws of 2006.

32 (13) \$50,000 of the general fund--state appropriation for fiscal  
33 year 2011 is provided solely for the institute for public policy to  
34 provide research support to the council on quality education.

35 (14) At least \$119,207 of the general fund--state appropriation for  
36 fiscal year 2011 shall be expended on the longhouse center.

37 (15) At least \$103,146 of the general fund--state appropriation for



1 fiscal year 2011 shall be expended on the Northwest Indian applied  
2 research institute.

3 (16) Appropriations in section 609 of this act reflect reductions  
4 to the state need grant. The Evergreen State College shall use locally  
5 held funds to provide a commensurate amount of aid to eligible students  
6 who would have received state need grant payments through the  
7 appropriations in section 609 of this act.

8 By September 1, 2011, The Evergreen State College shall report to  
9 the appropriate legislative fiscal and policy committees regarding the  
10 implementation of this section. The report shall provide detail on the  
11 number of students provided aid under this subsection and the amount of  
12 aid provided to each student.

13 **Sec. 1506.** 2011 c 5 s 606 (uncodified) is amended to read as  
14 follows:

15 **FOR WESTERN WASHINGTON UNIVERSITY**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$43,146,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$46,359,000)</del>
18		<u>\$46,310,000</u>
19	General Fund--Federal Appropriation . . . . .	\$8,885,000
20	Education Legacy Trust Account--State Appropriation . . . . .	\$12,917,000
21	TOTAL APPROPRIATION . . . . .	<del>(\$111,307,000)</del>
22		<u>\$111,258,000</u>

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

25 (1) In implementing the appropriations in this section, the  
26 president and governing board shall seek to minimize impacts on student  
27 services and instructional programs by maximizing reductions in  
28 administration and other non-instructional activities.

29 (2) Because higher education is an essential driver of economic  
30 recovery and development, the university shall maintain, and endeavor  
31 to increase, enrollment and degree production levels at or beyond their  
32 academic year 2008-09 levels in the following high-demand fields:  
33 Biological and biomedical sciences; computer and information sciences;  
34 education with specializations in special education, math, or science;  
35 engineering and engineering technology; health professions and related  
36 clinical sciences; and mathematics and statistics.

1 (3) Appropriations in section 609 of this act reflect reductions to  
2 the state need grant. Western Washington University shall use locally  
3 held funds to provide a commensurate amount of aid to eligible students  
4 who would have received state need grant payments through the  
5 appropriations in section 609 of this act.

6 By September 1, 2011, Western Washington University shall report to  
7 the appropriate legislative fiscal and policy committees regarding the  
8 implementation of this section. The report shall provide detail on the  
9 number of students provided aid under this subsection and the amount of  
10 aid provided to each student.

11 **Sec. 1507.** 2011 c 5 s 607 (uncodified) is amended to read as  
12 follows:

13 **FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$631,804,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$603,296,000 ))</del>
16		<u>\$603,511,000</u>
17	General Fund--Federal Appropriation . . . . .	\$17,171,000
18	Education Legacy Trust Account--State Appropriation . . . . .	\$95,035,000
19	Opportunity Express Account--State Appropriation . . . . .	\$18,556,000
20	TOTAL APPROPRIATION . . . . .	<del>(( \$1,365,862,000 ))</del>
21		<u>\$1,366,077,000</u>

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

24 (1) \$28,761,000 of the general fund--state appropriation for fiscal  
25 year 2010, \$28,761,000 of the general fund--state appropriation for  
26 fiscal year 2011, and \$17,556,000 of the opportunity express account--  
27 state appropriation are provided solely as special funds for training  
28 and related support services, including financial aid, as specified in  
29 RCW 28C.04.390. Funding is provided to support at least 6,200 full-  
30 time equivalent students in fiscal year 2010 and at least 9,984 full-  
31 time equivalent students in fiscal year 2011.

32 (2) \$2,725,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$2,725,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for administration and customized  
35 training contracts through the job skills program. The state board  
36 shall make an annual report by January 1st of each year to the governor  
37 and to the appropriate policy and fiscal committees of the legislature

1 regarding implementation of this section, listing the scope of grant  
2 awards, the distribution of funds by educational sector and region of  
3 the state, and the results of the partnerships supported by these  
4 funds.

5 (3) Of the amounts appropriated in this section, \$3,500,000 is  
6 provided solely for the student achievement initiative.

7 (4) When implementing the appropriations in this section, the state  
8 board and the trustees of the individual community and technical  
9 colleges shall minimize impact on academic programs, maximize  
10 reductions in administration, and shall at least maintain, and endeavor  
11 to increase, enrollment opportunities and degree and certificate  
12 production in high employer-demand fields of study at their academic  
13 year 2008-09 levels.

14 (5) Within the board's 2009-11 biennial budget allocation to  
15 Bellevue College, and pursuant to RCW 28B.50.810, the college may  
16 implement, on a tuition and fee basis, an additional applied  
17 baccalaureate degree in interior design. This program is intended to  
18 provide students with additional opportunities to earn baccalaureate  
19 degrees and to respond to emerging job and economic growth  
20 opportunities. The program reviews and approval decisions required by  
21 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that  
22 the degree may be offered during the 2009-10 academic year.

23 (6) In accordance with the recommendations of the higher education  
24 coordinating board's 2008 *Kitsap region higher education center study*,  
25 the state board shall facilitate development of university centers by  
26 allocating thirty 2-year and 4-year partnership full-time enrollment  
27 equivalencies to Olympic College and ten 2-year and 4-year partnership  
28 full-time enrollment equivalencies to Peninsula College. The colleges  
29 shall use the allocations to establish a partnership with a  
30 baccalaureate university or universities for delivery of upper division  
31 degree programs in the Kitsap region. The Olympic and Peninsula  
32 Community College districts shall additionally work together to ensure  
33 coordinated development of these and other future baccalaureate  
34 opportunities through coordinated needs assessment, planning, and  
35 scheduling.

36 (7) By September 1, 2009, the state board for community and  
37 technical colleges, the higher education coordinating board, and the  
38 office of financial management shall review and to the extent necessary

1 revise current 2009-11 performance measures and targets based on the  
2 level of state, tuition, and other resources appropriated or authorized  
3 in this act and in the omnibus 2009-11 omnibus capital budget act. The  
4 boards and the office of financial management shall additionally  
5 develop new performance targets for the 2011-13 and the 2013-15 biennia  
6 that will guide and measure the community and technical college  
7 system's contributions to achievement of the state's higher education  
8 master plan goals.

9 (8) \$2,250,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$2,250,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for the hospital employee  
12 education and training program under which labor, management, and  
13 college partnerships develop or expand and evaluate training programs  
14 for incumbent hospital workers that lead to careers in nursing and  
15 other high-demand health care occupations. The board shall report  
16 student progress, outcomes, and costs to the relevant fiscal and policy  
17 committees of the legislature by November 2009 and November 2010.

18 (9) Community and technical colleges are not required to send mass  
19 mailings of course catalogs to residents of their districts. Community  
20 and technical colleges shall consider lower cost alternatives, such as  
21 mailing postcards or brochures that direct individuals to online  
22 information and other ways of acquiring print catalogs.

23 (10) \$1,112,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$1,113,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for the state board to enhance  
26 online distance learning and open courseware technology. Funds shall  
27 be used to support open courseware, open textbooks, open licenses to  
28 increase access, affordability and quality of courses in higher  
29 education. The state board for community and technical colleges shall  
30 select the most appropriate courses to support open courseware based  
31 solely upon criteria of maximizing the value of instruction and  
32 reducing costs of textbooks and other instructional materials for the  
33 greatest number of students in higher education, regardless of the type  
34 of institution those students attend.

35 (11) \$158,000 of the general fund--state appropriation for fiscal  
36 year 2011 is provided solely to implement House Bill No. 2694 (B.S. in  
37 nursing/university center). If the bill is not enacted by June 30,  
38 2010, the amount provided in this subsection shall lapse.

1 (12)(a) The labor education and research center is transferred from  
2 The Evergreen State College to south Seattle community college and  
3 shall begin operations on July 1, 2010.

4 (b) At least \$164,000 of the general fund--state appropriation for  
5 fiscal year 2011 shall be expended on the labor education and research  
6 center to provide outreach programs and direct educational and research  
7 services to labor unions and worker-centered organizations.

8 (13) \$1,000,000 of the opportunity express account--state  
9 appropriation is provided solely for the opportunity grant program as  
10 specified in RCW 28B.50.271.

11 (14) \$1,750,000 of the general fund--state appropriation for fiscal  
12 year 2011 is provided solely for the state board for community and  
13 technical colleges to contract with the aerospace training and research  
14 center on Paine field in Everett, Washington to support industry-  
15 identified training in the aerospace sector.

16 (15) Sufficient amounts are provided in this section to implement  
17 the food stamp employment and training program under Second Substitute  
18 House Bill No. 2782 (security lifeline act).

19 (16) Appropriations in section 609 of this act reflect reductions  
20 to the state need grant. The state board for community and technical  
21 colleges shall use locally held funds to provide a commensurate amount  
22 of aid to eligible students who would have received state need grant  
23 payments through the appropriations in section 609 of this act.

24 By September 1, 2011, the state board for community and technical  
25 colleges shall report to the appropriate legislative fiscal and policy  
26 committees regarding the implementation of this section. The report  
27 shall provide detail on the number of students provided aid under this  
28 subsection and the amount of aid provided to each student.

29 **Sec. 1508.** 2011 c 5 s 608 (uncodified) is amended to read as  
30 follows:

31 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**  
32 **ADMINISTRATION**

33	General Fund--State Appropriation (FY 2010) . . . . .	\$6,402,000
34	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,183,000)</del>
35		<u>\$5,339,000</u>
36	General Fund--Federal Appropriation . . . . .	\$4,332,000
37	TOTAL APPROPRIATION . . . . .	<del>(\$15,917,000)</del>

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

(1) Within the funds appropriated in this section, the higher education coordinating board shall complete a system design planning project that defines how the current higher education delivery system can be shaped and expanded over the next ten years to best meet the needs of Washington citizens and businesses for high quality and accessible post-secondary education. The board shall propose policies and specific, fiscally feasible implementation recommendations to accomplish the goals established in the *2008 strategic master plan for higher education*. The project shall specifically address the roles, missions, and instructional delivery systems both of the existing and of proposed new components of the higher education system; the extent to which specific academic programs should be expanded, consolidated, or discontinued and how that would be accomplished; the utilization of innovative instructional delivery systems and pedagogies to reach both traditional and nontraditional students; and opportunities to consolidate institutional administrative functions. The study recommendations shall also address the proposed location, role, mission, academic program, and governance of any recommended new campus, institution, or university center. During the planning process, the board shall inform and actively involve the chairs from the senate and house of representatives committees on higher education, or their designees. The board shall report the findings and recommendations of this system design planning project to the governor and the appropriate committees of the legislature by December 1, 2009.

(2) \$146,000 of the general fund--state appropriation for fiscal year 2010 and \$65,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the higher education coordinating board to administer Engrossed Second Substitute House Bill No. 2021 (revitalizing student financial aid). If the bill is not enacted by June 30, 2009, the amounts provided in this subsection shall lapse.

(3) \$167,000 of the general fund--state appropriation for fiscal year 2010 and \$67,000 of the general fund--state appropriation for fiscal year 2011 are provided solely to implement Engrossed Second

1 Substitute House Bill No. 1946 (regarding higher education online  
2 technology). If the bill is not enacted by June 30, 2009, the amounts  
3 provided in this subsection shall lapse.

4 (4) \$350,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$200,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the higher education  
7 coordinating board to contract with the Pacific Northwest university of  
8 health sciences to conduct training and education of health care  
9 professionals to promote osteopathic physician services in rural and  
10 underserved areas of the state.

11 **Sec. 1509.** 2011 c 5 s 609 (uncodified) is amended to read as  
12 follows:

13 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
14 **PROGRAMS**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$188,332,000
16	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$96,833,000)</del>
17		<u>\$182,683,000</u>
18	General Fund--Federal Appropriation . . . . .	\$13,129,000
19	Education Legacy Trust Account--State	
20	Appropriation . . . . .	<del>(\$116,060,000)</del>
21		<u>\$30,210,000</u>
22	Opportunity Pathways Account--State Appropriation . . . . .	\$73,500,000
23	TOTAL APPROPRIATION . . . . .	\$487,854,000

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

26 (1) \$178,726,000 of the general fund--state appropriation for  
27 fiscal year 2010, \$95,187,000 of the general fund--state appropriation  
28 for fiscal year 2011, \$109,188,000 of the education legacy trust  
29 account appropriation, \$73,500,000 of the opportunity pathways  
30 appropriation, and \$2,545,000 of the general fund--federal  
31 appropriation are provided solely for student financial aid payments  
32 under the state need grant; the state work study program including up  
33 to a four percent administrative allowance; the Washington scholars  
34 program; and the Washington award for vocational excellence. State  
35 need grant and the Washington award for vocational excellence shall be  
36 adjusted to offset the cost of the resident undergraduate tuition

1 increases, limited to those tuition increases authorized under this  
2 act. The Washington scholars program shall provide awards sufficient  
3 to offset ninety percent of the total tuition and fee award.

4 (2)(a) Within the funds appropriated in this section, eligibility  
5 for the state need grant shall include students with family incomes at  
6 or below 70 percent of the state median family income (MFI), adjusted  
7 for family size. 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 (b) Grant awards for students at private four-year colleges shall  
19 be set at the same level as the student would receive if attending one  
20 of the public research universities.

21 (3) To the maximum extent practicable, the board shall provide  
22 state work study subsidies only to resident students during the 2010-11  
23 academic year. Additionally, in order to provide work opportunities to  
24 as many resident students as possible, the board is encouraged to  
25 increase the proportion of student wages that is to be paid by both  
26 proprietary and nonprofit, public, and private employers.

27 (4) \$3,872,000 of the education legacy trust account--state  
28 appropriation is provided solely for the passport to college  
29 scholarship program pursuant to chapter 28B.117 RCW. The higher  
30 education coordinating board shall contract with a college scholarship  
31 organization with expertise in managing scholarships for low-income,  
32 high-potential students and foster care children and young adults to  
33 administer the program. Of the amount in this subsection, \$39,000 is  
34 provided solely for the higher education coordinating board for  
35 administration of the contract and the remaining shall be contracted  
36 out to the organization for the following purposes:

37 (a) \$384,000 is provided solely for program administration, and



1 (b) \$3,449,000 is provided solely for student financial aid for up  
2 to 151 students and to fund student support services. Funds are  
3 provided for student scholarships, provider training, and for incentive  
4 payments to the colleges they attend for individualized student support  
5 services which may include, but are not limited to, college and career  
6 advising, counseling, tutoring, costs incurred for students while  
7 school is not in session, personal expenses, health insurance, and  
8 emergency services.

9 (5) \$1,250,000 of the general fund--state appropriation for fiscal  
10 year 2010 is provided solely for the health professional scholarship  
11 and loan program. The funds provided in this subsection shall be: (a)  
12 Prioritized for health care deliver sites demonstrating a commitment to  
13 serving the uninsured; and (b) allocated between loan repayments and  
14 scholarships proportional to current program allocations.

15 (6) For fiscal year 2010 and fiscal year 2011, the board shall  
16 defer loan or conditional scholarship repayments to the future teachers  
17 conditional scholarship and loan repayment program for up to one year  
18 for each participant if the participant has shown evidence of efforts  
19 to find a teaching job but has been unable to secure a teaching job per  
20 the requirements of the program.

21 (7) \$246,000 of the general fund--state appropriation for fiscal  
22 year 2010 and \$246,000 of the general fund--state appropriation for  
23 fiscal year 2011 are for community scholarship matching grants and its  
24 administration. To be eligible for the matching grant, nonprofit  
25 groups organized under section 501(c)(3) of the federal internal  
26 revenue code must demonstrate they have raised at least \$2,000 in new  
27 moneys for college scholarships after the effective date of this  
28 section. Groups may receive no more than one \$2,000 matching grant per  
29 year and preference shall be given to groups affiliated with  
30 scholarship America. Up to a total of \$46,000 per year of the amount  
31 appropriated in this section may be awarded to a nonprofit community  
32 organization to administer scholarship matching grants, with preference  
33 given to an organization affiliated with scholarship America.

34 (8) \$500,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$500,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for state need grants provided to  
37 students enrolled in three to five credit-bearing quarter credits, or

1 the equivalent semester credits. Total state expenditures on this  
2 program shall not exceed the amounts provided in this subsection.

3 (9) \$2,500,000 of the education legacy trust account--state  
4 appropriation is provided solely for the gaining early awareness and  
5 readiness for undergraduate programs project.

6 (10) \$75,000 of the general fund--state appropriation for fiscal  
7 year 2010 is provided solely for higher education student child care  
8 matching grants under chapter 28B.135 RCW.

9 (11) \$200,000 of the general fund--state appropriation for fiscal  
10 year 2011 is provided solely for continuation of the leadership 1000  
11 scholarship sponsorship and matching program.

12 (12) In 2010 and 2011, the board shall continue to designate  
13 Washington scholars and scholar-alternates and to recognize them at  
14 award ceremonies as provided in RCW 28A.600.150, but state funding is  
15 provided for award of only one scholarship per legislative district  
16 during the 2010-11 academic year. After the 2010-11 academic year, and  
17 as provided in RCW 28B.76.660, the board may distribute grants to these  
18 eligible students to the extent that funds are appropriated for this  
19 purpose.

20 (13) Fiscal year 2011 appropriations in this section reflect  
21 general fund-state reductions to the state need grant. In implementing  
22 these reductions, the board shall reduce state need grant payments to  
23 each of the following institutions in the following amounts:

24	University of Washington . . . . .	\$5,658,000
25	Washington State University . . . . .	\$3,718,000
26	Eastern Washington University . . . . .	\$765,000
27	Central Washington University . . . . .	\$705,000
28	The Evergreen State College . . . . .	\$386,000
29	Western Washington University . . . . .	\$1,010,000
30	State Board for Community and Technical Colleges . . . . .	\$13,143,000

31 If any of these institutions has received state need grant payments  
32 in excess of the amount to which it is entitled after application of  
33 the reductions in this section, that institution shall remit to the  
34 board the amount of the overpayment.

35 **Sec. 1510.** 2011 c 5 s 610 (uncodified) is amended to read as  
36 follows:

1	<b>FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD</b>	
2	General Fund--State Appropriation (FY 2010) . . . . .	\$1,465,000
3	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,353,000)</del>
4		<u>\$1,358,000</u>
5	General Fund--Federal Appropriation . . . . .	<del>(\$54,020,000)</del>
6		<u>\$54,022,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(\$56,838,000)</del>
8		<u>\$56,845,000</u>

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

11 (1) \$60,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$60,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely for implementation of Engrossed  
14 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
15 bill is not enacted by June 30, 2009, the amounts provided in this  
16 subsection shall lapse.

17 (2) In 2010 and 2011, the board shall continue to designate  
18 recipients of the Washington award for vocational excellence and to  
19 recognize them at award ceremonies as provided in RCW 28C.04.535, but  
20 state funding is provided for award of only one scholarship per  
21 legislative district during the 2010-11 academic year. After the  
22 2010-11 academic year, and as provided in RCW 28B.76.670, the board may  
23 distribute grants to these eligible students to the extent that funds  
24 are appropriated for this purpose.

25 **Sec. 1511.** 2011 c 5 s 612 (uncodified) is amended to read as  
26 follows:

27	<b>FOR THE DEPARTMENT OF EARLY LEARNING</b>	
28	General Fund--State Appropriation (FY 2010) . . . . .	\$60,400,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$19,335,000)</del>
30		<u>\$19,302,000</u>
31	General Fund--Federal Appropriation . . . . .	\$266,004,000
32	Opportunity Pathways Account--State Appropriation . . . . .	\$40,000,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$385,739,000)</del>
34		<u>\$385,706,000</u>

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

1 (1) \$54,878,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$14,405,000 of the general fund--state appropriation for  
3 fiscal year 2011, and \$40,000,000 of the opportunity pathways account  
4 appropriation are provided solely for early childhood education and  
5 assistance program services. This appropriation temporarily reduces  
6 the number of slots for the 2009-11 fiscal biennium for the early  
7 childhood education and assistance program. The department shall  
8 reduce slots where providers serve both federal headstart and early  
9 childhood education and assistance program children, to the greatest  
10 extent possible, in order to achieve no reduction of slots across the  
11 state. The amounts in this subsection also reflect reductions to the  
12 administrative expenditures for the early childhood education and  
13 assistance program. The department shall reduce administrative  
14 expenditures, to the greatest extent possible, prior to reducing early  
15 childhood education and assistance program slots. Of these amounts,  
16 \$10,284,000 is a portion of the biennial amount of state matching  
17 dollars required to receive federal child care and development fund  
18 grant dollars.

19 (2) \$1,000,000 of the general fund--federal appropriation is  
20 provided to the department to contract with Thrive by Five, Washington  
21 for a pilot project for a quality rating and improvement system to  
22 provide parents with information they need to choose quality child care  
23 and education programs and to improve the quality of early care and  
24 education programs. The department in collaboration with Thrive by  
25 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,  
26 and Kitsap counties. The department shall use child care development  
27 fund quality money for this purpose.

28 (3) \$425,000 of the general fund--state appropriation for fiscal  
29 year 2010, \$213,000 of the general fund--state appropriation for fiscal  
30 year 2011, and \$850,000 of the general fund--federal appropriation are  
31 provided solely for child care resource and referral network services.  
32 The general fund--federal funding represents moneys from the American  
33 recovery and reinvestment act of 2009 (child care development block  
34 grant).

35 (4) \$750,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$1,500,000 of the general fund--federal appropriation are  
37 provided solely for the career and wage ladder program created by

1 chapter 507, Laws of 2005. The general fund--federal funding  
2 represents moneys from the American recovery and reinvestment act of  
3 2009 (child care development block grant).

4 (5) \$50,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$50,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the department to work with  
7 stakeholders and the office of the superintendent of public instruction  
8 to identify and test a kindergarten assessment process and tools in  
9 geographically diverse school districts. School districts may  
10 participate in testing the kindergarten assessment process on a  
11 voluntary basis. The department shall report to the legislature on the  
12 kindergarten assessment process not later than January 15, 2011.  
13 Expenditure of amounts provided in this subsection is contingent on  
14 receipt of an equal match from private sources. As matching funds are  
15 made available, the department may expend the amounts provided in this  
16 subsection.

17 (6) \$1,600,000 of the general fund--federal appropriation is  
18 provided solely for the department to fund programs to improve the  
19 quality of infant and toddler child care through training, technical  
20 assistance, and child care consultation.

21 (7) \$200,000 of the general fund--state appropriation for fiscal  
22 year 2010 and \$200,000 of the general fund--state appropriation for  
23 fiscal year 2011 are provided solely to develop and provide culturally  
24 relevant supports for parents, family, and other caregivers.

25 (8) The legislature notes that the department of early learning is  
26 developing a plan for improving child care licensing and is consulting,  
27 as practicable, with parents, licensed child care providers, and  
28 stakeholders from the child care community. The plan shall outline the  
29 processes and specify the resources necessary for improvements such as  
30 continuing licenses, child care licensing technology, and weighted  
31 child care regulations, including development of risk-based decision  
32 making models and inclusive, evidence-based rule making. The  
33 department shall submit to the appropriate committees of the  
34 legislature a plan by January 15, 2011.

35 (9) The department is the lead agency for and recipient of the  
36 federal child care and development fund grant. Amounts within this  
37 grant shall be used to fund child care licensing, quality initiatives,  
38 agency administration, and other costs associated with child care

1 subsidies. The department shall transfer a portion of this grant to  
2 the department of social and health services to partially fund the  
3 child care subsidies paid by the department of social and health  
4 services on behalf of the department of early learning.

5 (10) The department shall use child care development fund money to  
6 satisfy the federal audit requirement of the improper payments act  
7 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent  
8 on the audits will not count against the five percent state limit on  
9 administrative expenditures.

10 (11) Within available amounts, the department in consultation with  
11 the office of financial management and the department of social and  
12 health services shall report quarterly enrollments and active caseload  
13 for the working connections child care program to the legislative  
14 fiscal committees. The report shall also identify the number of cases  
15 participating in both temporary assistance for needy families and  
16 working connections child care.

17 (12) The appropriations in this section reflect reductions in the  
18 appropriations for the department's administrative expenses. It is the  
19 intent of the legislature that these reductions shall be achieved, to  
20 the greatest extent possible, by reducing those administrative costs  
21 that do not affect direct client services or direct service delivery or  
22 program.

23 (13) \$500,000 of the general fund--state appropriation for fiscal  
24 year 2011 is provided solely for the department to contract with the  
25 private-public partnership established in chapter 43.215 RCW for home  
26 visitation programs. Of this amount, \$200,000 of the general fund--  
27 state appropriation for fiscal year 2011 is provided solely for  
28 expenditure into the home visiting services account created in Part IX  
29 of this act to be used for contracts for home visitation with the  
30 private-public partnership.

31 (14) In accordance to RCW 43.215.255(2) and 43.135.055, the  
32 department is authorized to increase child care center licensure fees  
33 by fifty-two dollars for the first twelve children and an additional  
34 four dollars per additional child in fiscal year 2011 for costs to the  
35 department for the licensure activity, including costs of necessary  
36 inspection.

37 (15) In accordance with RCW 43.135.055, the department of early

1 learning is authorized to adopt and increase the fees set forth in and  
2 previously authorized in section 3, chapter 231, Laws of 2010.

3 (16) As of January 31, 2011, the department may not adopt, enforce,  
4 or implement any rules or policies restricting the eligibility of  
5 consumers for child care subsidy benefits to a countable income level  
6 below one hundred seventy-five percent of the federal poverty  
7 guidelines.

8 **Sec. 1512.** 2011 c 5 s 613 (uncodified) is amended to read as  
9 follows:

10 **FOR THE STATE SCHOOL FOR THE BLIND**

11	General Fund--State Appropriation (FY 2010) . . . . .	\$5,902,000
12	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,509,000)</del>
13		<u>\$5,506,000</u>
14	General Fund--Private/Local Appropriation . . . . .	\$1,942,000
15	TOTAL APPROPRIATION . . . . .	<del>(\$13,353,000)</del>
16		<u>\$13,350,000</u>

17 The appropriations in this section are subject to the following  
18 conditions and limitations: \$271,000 of the general fund--  
19 private/local appropriation is provided solely for the school for the  
20 blind to offer short course programs, allowing students the opportunity  
21 to leave their home schools for short periods and receive intensive  
22 training. The school for the blind shall provide this service to the  
23 extent that it is funded by contracts with school districts and  
24 educational services districts.

25 **Sec. 1513.** 2011 c 5 s 614 (uncodified) is amended to read as  
26 follows:

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

29	General Fund--State Appropriation (FY 2010) . . . . .	\$8,593,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,230,000)</del>
31		<u>\$8,226,000</u>
32	General Fund--Private/Local Appropriation . . . . .	\$526,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$17,349,000)</del>
34		<u>\$17,345,000</u>

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

1 (1) \$210,000 of the general fund--private/local appropriation is  
2 provided solely for the operation of the shared reading video outreach  
3 program. The school for the deaf shall provide this service to the  
4 extent it is funded by contracts with school districts and educational  
5 service districts.

6 (2) \$25,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$25,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for implementation of Engrossed  
9 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If  
10 the bill is not enacted by June 30, 2009, the amounts provided in this  
11 subsection shall lapse.

12 **Sec. 1514.** 2011 c 5 s 615 (uncodified) is amended to read as  
13 follows:

14 **FOR THE WASHINGTON STATE ARTS COMMISSION**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$1,844,000
16	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,230,000)</del>
17		<u>\$1,228,000</u>
18	General Fund--Federal Appropriation . . . . .	<del>(\$1,944,000)</del>
19		<u>\$2,107,000</u>
20	General Fund--Private/Local Appropriation . . . . .	\$1,052,000
21	TOTAL APPROPRIATION . . . . .	<del>(\$6,070,000)</del>
22		<u>\$6,231,000</u>

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

31 **Sec. 1515.** 2011 c 5 s 616 (uncodified) is amended to read as  
32 follows:

33 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$2,592,000
35	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,381,000)</del>
36		<u>\$2,379,000</u>



1 TOTAL APPROPRIATION . . . . . ((~~\$4,973,000~~))  
2 \$4,971,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: It is the intent of the legislature that  
5 the reductions in appropriations in this section shall be achieved, to  
6 the greatest extent possible, by reducing those administrative costs  
7 that do not affect direct client services or direct service delivery or  
8 programs. The agency shall, to the greatest extent possible, reduce  
9 spending in those areas that shall have the least impact on  
10 implementing its mission.

11 **Sec. 1516.** 2011 c 5 s 617 (uncodified) is amended to read as  
12 follows:

13 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**  
14 General Fund--State Appropriation (FY 2010) . . . . . \$1,612,000  
15 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$1,490,000~~))  
16 \$1,489,000  
17 TOTAL APPROPRIATION . . . . . ((~~\$3,102,000~~))  
18 \$3,101,000

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

(End of part)

PART XVI  
SPECIAL APPROPRIATIONS

Sec. 1601. 2010 1st sp.s. c 37 s 701 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund--State Appropriation (FY 2010)	\$842,590,000
General Fund--State Appropriation (FY 2011)	<del>(\$894,284,000)</del>
	<u>\$878,400,000</u>
State Building Construction Account--State	
Appropriation	\$11,707,000
Columbia River Basin Water Supply Development Account--	
State Appropriation	\$117,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$11,000
State Taxable Building Construction Account--State	
Appropriation	\$1,136,000
Gardner-Evans Higher Education Construction Account--	
State Appropriation	\$260,000
Debt-Limit Reimbursable Bond Retirement Account--State	
Appropriation	\$2,612,000
TOTAL APPROPRIATION	<del>(\$1,752,717,000)</del>
	<u>\$1,736,833,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

Sec. 1602. 2010 1st sp.s. c 37 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1	<b>BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO</b>	
2	<b>BE REIMBURSED AS PRESCRIBED BY STATUTE</b>	
3	General Fund--State Appropriation (FY 2010) . . . . .	\$26,436,000
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$27,773,000)</del>
5		<u>\$27,709,000</u>
6	School Construction and Skill Centers Building	
7	Account--State Appropriation . . . . .	\$477,000
8	Nondebt-Limit Reimbursable Bond Retirement Account--	
9	State Appropriation . . . . .	<del>(\$140,872,000)</del>
10		<u>\$135,872,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$195,558,000)</del>
12		<u>\$190,494,000</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 2010 shall be expended into the nondebt-limit general fund bond  
18 retirement account by June 30, 2010.

19       **Sec. 1603.** 2010 1st sp.s. c 37 s 703 (uncodified) is amended to  
20 read as follows:

21	<b>FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING</b>	
22	<b>BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES</b>	
23	General Fund--State Appropriation (FY 2010) . . . . .	\$1,357,000
24	General Fund--State Appropriation (FY 2011) . . . . .	\$1,357,000
25	State Building Construction Account--State	
26	Appropriation . . . . .	\$1,273,000
27	Columbia River Basin Water Supply Development	
28	Account--State Appropriation . . . . .	<del>(\$9,000)</del>
29		<u>\$13,000</u>
30	Hood Canal Aquatic Rehabilitation Bond Account--	
31	State Appropriation . . . . .	\$1,000
32	State Taxable Building Construction Account--State	
33	Appropriation . . . . .	<del>(\$72,000)</del>
34		<u>\$131,000</u>
35	Gardner-Evans Higher Education Construction	
36	Account--State Appropriation . . . . .	\$18,000
37	School Construction and Skill Centers Building	

1 Account--State Appropriation . . . . . ((~~\$30,000~~))  
2 \$51,000  
3 TOTAL APPROPRIATION . . . . . ((~~\$4,117,000~~))  
4 \$4,201,000

5 **Sec. 1604.** 2010 1st sp.s. c 37 s 709 (uncodified) is amended to  
6 read as follows:

7 **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may  
8 be necessary, are appropriated from the general fund, unless otherwise  
9 indicated, for relief of various individuals, firms, and corporations  
10 for sundry claims. These appropriations are to be disbursed on  
11 vouchers approved by the director of financial management, except as  
12 otherwise provided, as follows:

13 (1) Reimbursement of criminal defendants acquitted on the basis of  
14 self-defense, pursuant to RCW 9A.16.110:

- 15 (a) Gerald S. Morrow, claim number 99970006 . . . . . \$20,567
- 16 (b) Darrell R. Baumgart, claim number 99970007 . . . . . \$4,528
- 17 (c) William Davis, claim number 99970008 . . . . . \$8,093
- 18 (d) Gene T. Strader, claim number 99970009 . . . . . \$33,875
- 19 (e) Cecilio Cortez, claim number 99970012 . . . . . \$17,055
- 20 (f) Alexander D. Coble, claim number 99970013 . . . . . \$302,110
- 21 (g) James W. Jolly, claim number 99970017 . . . . . \$28,884
- 22 (h) James Jay Olsen, claim number 99970018 . . . . . \$97,220
- 23 (i) Todd E. Miller, claim number 99970019 . . . . . \$6,957
- 24 (j) Sean S. DeHart, claim number 99970021 . . . . . \$52,062
- 25 (k) Thomas L. Raglin, Jr., claim number 99970022 . . . . . \$4,360
- 26 (l) Matthew Smitham, claim number 99970016 . . . . . \$8,100
- 27 (m) John R. Frederick, claim number 99970020 . . . . . \$7,719
- 28 (n) Justin C. Federmeier, claim number 99970023 . . . . . \$29,728
- 29 (o) David R. Palmer, claim number 99970024 . . . . . \$4,250
- 30 (p) Ian K. Berghoffer, claim number 99970026 . . . . . \$33,455
- 31 (q) Darryl L. Koenen, claim number 99970027 . . . . . \$23,077
- 32 (r) Lee J. Stites, claim number 99970028 . . . . . \$7,502
- 33 (s) Bobby G. Ewing, claim number 99970029 . . . . . \$51,093
- 34 (t) Dylan Friesz, claim number 99970030 . . . . . \$10,200
- 35 (u) Kevin L. Lund, claim number 99970031 . . . . . \$11,402
- 36 (v) Rodney C. Price, claim number 99970033 . . . . . \$11,250
- 37 (w) Matthew S. Lovacs, claim number 99970034 . . . . . \$25,700

1	<u>(x) Christopher A. Peeler, claim number 99970035 . . . . .</u>	<u>\$47,923</u>
2	<u>(y) Dwayne Myatt-Perez, claim number 99970036 . . . . .</u>	<u>\$70,000</u>
3	<u>(z) Roland L. Savage, claim number 99970037 . . . . .</u>	<u>\$48,752</u>
4	<u>(aa) Horace G. Graham, claim number 99970038 . . . . .</u>	<u>\$7,674</u>
5	<u>(bb) Kenneth L. Werner, claim number 99900039 . . . . .</u>	<u>\$33,162</u>
6	<u>(cc) Mark A. Peterson, claim number 99970040 . . . . .</u>	<u>\$61,940</u>
7	<u>(dd) Phillip C. Sly, claim number 99970042 . . . . .</u>	<u>\$3,349</u>
8	<u>(ee) Sandra Colebourn, claim number 99970043 . . . . .</u>	<u>\$10,615</u>
9	<u>(ff) Joseph B. Wiggins, claim number 99970044 . . . . .</u>	<u>\$3,500</u>
10	(2) Payment of death benefit, pursuant to RCW 41.04.017: Estate of	
11	Erik Anderson, claim number 99970014 . . . . .	\$150,000

12       **Sec. 1605.** 2010 1st sp.s. c 37 s 710 (uncodified) is amended to  
13 read as follows:

14       **STRATEGIC PRINTING STRATEGY.** (1) The office of financial  
15 management shall work with the appropriate state agencies to generate  
16 savings of \$1,500,000 from the state general fund that can arise from  
17 a strategic printing strategy. (~~From appropriations in this act, the~~  
18 ~~office of financial management shall reduce general fund state~~  
19 ~~allotments by \$1,500,000 for fiscal year 2011 to reflect the savings~~  
20 ~~from the strategic printing strategy. The allotment reductions shall~~  
21 ~~be placed in unallotted status and remain unexpended.))~~

22       (2) The office of financial management, with the assistance of the  
23 department of information services and the department of printing,  
24 shall conduct an analysis of the state's printing processes to identify  
25 the most reasonable strategies of attaining a statewide savings target  
26 of \$1,500,000 without affecting direct program activities. The  
27 strategies shall include, but not be limited to, standardizing  
28 envelopes, utilizing print management, and streamlining processes.  
29 Pursuant to RCW 41.06.142(3), the strategies shall also include, on the  
30 approval of the office of financial management, pilot projects to  
31 authorize state agencies and institutions to directly acquire printing  
32 services. The analysis shall identify savings by agency and fund that  
33 will result from the implementation of a strategic printing strategy.  
34 The results of this analysis shall then be provided to the director of  
35 financial management and appropriate legislative committees by July 1,  
36 2010. The director shall use the analysis as the basis to achieve the  
37 savings identified in subsection (1) of this section.

1       **Sec. 1606.** 2011 c 5 s 703 (uncodified) is amended to read as  
2 follows:

3       **INFORMATION TECHNOLOGY**

4       Pursuant to section 11, chapter 282, Laws of 2010 (state government  
5 technology use), the office of financial management shall work with the  
6 appropriate state agencies to generate savings of \$30,000,000 from  
7 technology efficiencies from the state general fund. From  
8 appropriations in this act, the office of financial management shall  
9 reduce general fund--state allotments by (~~(\$24,841,000)~~) \$16,209,000  
10 for fiscal year 2011. The office of financial management shall,  
11 utilizing existing fund balance, reduce the data processing revolving  
12 account rates in an amount to reflect up to half of the reductions  
13 identified in this section. The office of financial management may use  
14 savings or existing fund balances from information technology accounts  
15 to achieve savings in this section. The allotment reductions shall be  
16 placed in unallotted status and remain unexpended. Nothing in this  
17 section is intended to impact revenue collection efforts by the  
18 department of revenue.

19       **Sec. 1607.** 2009 c 564 s 719 (uncodified) is amended to read as  
20 follows:

21       **FOR THE OFFICE OF FINANCIAL MANAGEMENT--O'BRIEN BUILDING IMPROVEMENT**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$1,435,000
23	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$1,435,000)</del> )
24		<u>\$1,884,000</u>
25	TOTAL APPROPRIATION . . . . .	( <del>(\$2,870,000)</del> )
26		<u>\$3,319,000</u>

27       The appropriations in this section are subject to the following  
28 conditions and limitations: The appropriations are provided solely for  
29 expenditure into the general administration services account for  
30 payment of principal, interest, and financing expenses associated with  
31 the certificate of participation for the O'Brien building improvement,  
32 project number 20081007.

33       NEW SECTION.       **Sec. 1608.** 2009 c 564 s 714 (uncodified) is  
34 repealed.

(End of part)

PART XVII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1701. 2010 1st sp.s. c 37 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance	
premium distributions . . . . .	(( <del>\$7,572,000</del> ))
	<u>\$7,888,000</u>
General Fund Appropriation for public utility	
district excise tax distributions . . . . .	(( <del>\$47,342,000</del> ))
	<u>\$45,125,000</u>
General Fund Appropriation for prosecuting	
attorney distributions . . . . .	(( <del>\$6,281,000</del> ))
	<u>\$5,804,000</u>
General Fund Appropriation for boating safety	
and education distributions . . . . .	(( <del>\$4,854,000</del> ))
	<u>\$3,954,000</u>
General Fund Appropriation for other tax	
distributions . . . . .	(( <del>\$50,000</del> ))
	<u>\$55,000</u>
General Fund Appropriation for habitat conservation	
program distributions . . . . .	(( <del>\$3,000,000</del> ))
	<u>\$2,642,000</u>
Death Investigations Account Appropriation for	
distribution to counties for publicly funded	
autopsies . . . . .	\$2,544,000
Aquatic Lands Enhancement Account Appropriation for	
harbor improvement revenue distribution . . . . .	\$170,000
Timber Tax Distribution Account Appropriation for	
distribution to "timber" counties . . . . .	(( <del>\$36,651,000</del> ))
	<u>\$31,519,000</u>
County Criminal Justice Assistance Appropriation . . . . .	(( <del>\$68,528,000</del> ))
	<u>\$66,216,000</u>
Municipal Criminal Justice Assistance	
Appropriation . . . . .	(( <del>\$27,175,000</del> ))

1		<u>\$25,510,000</u>
2	City-County Assistance Account Appropriation for local	
3	government financial assistance distribution . . .	(( <del>\$27,366,000</del> ))
4		<u>\$23,845,000</u>
5	Liquor Excise Tax Account Appropriation for liquor	
6	excise tax distribution . . . . .	(( <del>\$58,268,000</del> ))
7		<u>\$58,822,000</u>
8	Streamline Sales and Use Tax Account Appropriation for	
9	distribution to local taxing jurisdictions to	
10	mitigate the unintended revenue redistribution	
11	effect of the sourcing law changes . . . . .	(( <del>\$50,056,000</del> ))
12		<u>\$51,535,000</u>
13	Columbia River Water Delivery Account Appropriation	
14	for the Confederated Tribes of the Colville	
15	Reservation . . . . .	(( <del>\$7,315,000</del> ))
16		<u>\$7,257,000</u>
17	Columbia River Water Delivery Account Appropriation	
18	for the Spokane Tribe of Indians . . . . .	(( <del>\$4,644,000</del> ))
19		<u>\$4,704,000</u>
20	Liquor Revolving Account Appropriation for liquor	
21	profits distribution . . . . .	(( <del>\$68,741,000</del> ))
22		<u>\$64,670,000</u>
23	Liquor Revolving Account Appropriation for additional	
24	liquor profits distribution to local governments . . .	\$18,677,000
25	TOTAL APPROPRIATION . . . . .	(( <del>\$439,234,000</del> ))
26		<u>\$420,937,000</u>

27 The total expenditures from the state treasury under the  
28 appropriations in this section shall not exceed the funds available  
29 under statutory distributions for the stated purposes.

30 **Sec. 1702.** 2009 c 564 s 802 (uncodified) is amended to read as  
31 follows:

32 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**  
33 **ACCOUNT**

34	Impaired Driver Safety Account Appropriation . . . . .	(( <del>\$2,351,000</del> ))
35		<u>\$2,467,000</u>

36 The appropriation in this section is subject to the following  
37 conditions and limitations: The amount appropriated in this section



1 shall be distributed quarterly during the 2009-11 biennium in  
2 accordance with RCW 82.14.310. This funding is provided to counties  
3 for the costs of implementing criminal justice legislation including,  
4 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
5 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
6 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
7 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock  
8 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
9 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
10 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
11 215, Laws of 1998 (DUI provisions).

12 **Sec. 1703.** 2009 c 564 s 803 (uncodified) is amended to read as  
13 follows:

14 **FOR THE STATE TREASURER--FOR THE MUNICIPAL CRIMINAL JUSTICE ASSISTANCE**  
15 **ACCOUNT**

16 Impaired Driver Safety Account Appropriation . . . . . (~~(\$1,543,000)~~)  
17 \$1,645,000

18 The appropriation in this section is subject to the following  
19 conditions and limitations: The amount appropriated in this section  
20 shall be distributed quarterly during the 2009-11 biennium to all  
21 cities ratably based on population as last determined by the office of  
22 financial management. The distributions to any city that substantially  
23 decriminalizes or repeals its criminal code after July 1, 1990, and  
24 that does not reimburse the county for costs associated with criminal  
25 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
26 which the city is located. This funding is provided to cities for the  
27 costs of implementing criminal justice legislation including, but not  
28 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
29 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
30 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license  
31 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
32 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
33 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
34 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
35 Laws of 1998 (DUI provisions).

1 NEW SECTION. **Sec. 1704.** 2010 1st sp.s. c 37 s 802 (uncodified) is  
2 repealed.

3 **Sec. 1705.** 2011 c 5 s 801 (uncodified) is amended to read as  
4 follows:

5 **FOR THE STATE TREASURER--TRANSFERS**

6 State Treasurer's Service Account: For transfer to the  
7 state general fund, \$16,400,000 for fiscal year  
8 2010 and \$29,400,000 for fiscal year 2011 . . . . . \$45,800,000

9 Waste Reduction, Recycling and Litter Control Account:  
10 For transfer to the state general fund, \$3,000,000  
11 for fiscal year 2010 and \$3,000,000 for fiscal year  
12 2011 . . . . . \$6,000,000

13 State Toxics Control Account: For transfer to the  
14 state general fund, \$15,340,000 for fiscal year  
15 2010 and \$37,780,000 for fiscal year 2011 . . . . . \$53,120,000

16 Local Toxics Control Account: For transfer to the  
17 state general fund, \$37,060,000 for fiscal year  
18 2010 and \$65,759,000 for fiscal year 2011 . . . . . \$102,819,000

19 Education Construction Account: For transfer to the  
20 state general fund, \$105,228,000 for fiscal year  
21 2010 and \$106,451,000 for fiscal year 2011 . . . . . \$211,679,000

22 Aquatics Lands Enhancement Account: For transfer to  
23 the state general fund, \$8,520,000 for fiscal  
24 year 2010 and \$12,550,000 for fiscal year 2011 . . . . . \$21,070,000

25 Drinking Water Assistance Account: For transfer to  
26 the drinking water assistance repayment account . . . . . \$28,600,000

27 Economic Development Strategic Reserve Account: For  
28 transfer to the state general fund, \$2,500,000 for  
29 fiscal year 2010 and \$3,900,000 for fiscal year  
30 2011 . . . . . \$6,400,000

31 Tobacco Settlement Account: For transfer to the state  
32 general fund, in an amount not to exceed by more  
33 than \$26,000,000 the actual amount of the annual  
34 payment to the tobacco settlement account . . . . . \$204,098,000

35 Tobacco Settlement Account: For transfer to the life  
36 sciences discovery fund, in an amount not to exceed  
37 \$26,000,000 less than the actual amount of the

1       strategic contribution supplemental payment to  
2       the tobacco settlement account . . . . . \$39,170,000  
3   General Fund: For transfer to the streamline sales and  
4       use tax account, \$24,274,000 for fiscal year 2010  
5       and \$24,182,000 for fiscal year 2011 . . . . . \$48,456,000  
6   State Convention and Trade Center Account: For  
7       transfer to the state convention and trade center  
8       operations account, \$1,000,000 for fiscal year  
9       2010 and \$3,100,000 for fiscal year 2011 . . . . . \$4,100,000  
10   Tobacco Prevention and Control Account: For transfer  
11       to the state general fund, \$1,961,000 for fiscal  
12       year 2010 and \$3,000,000 for fiscal year 2011 . . . . . \$4,961,000  
13   Nisqually Earthquake Account: For transfer to the  
14       disaster response account for fiscal year 2010 . . . . . \$500,000  
15   Judicial Information Systems Account: For transfer  
16       to the state general fund, \$3,250,000 for fiscal  
17       year 2010 and \$3,250,000 for fiscal year 2011 . . . . . \$6,500,000  
18   Department of Retirement Systems Expense Account: For  
19       transfer to the state general fund, \$1,000,000 for  
20       fiscal year 2010 and \$1,500,000 for fiscal year  
21       2011 . . . . . \$2,500,000  
22   State Emergency Water Projects Account: For transfer  
23       to the state general fund, \$390,000 for fiscal  
24       year 2011 . . . . . \$390,000  
25   The Charitable, Educational, Penal, and Reformatory  
26       Institutions Account: For transfer to the state  
27       general fund, \$5,550,000 for fiscal year 2010 and  
28       \$4,450,000 for fiscal year 2011 . . . . . \$10,000,000  
29   Energy Freedom Account: For transfer to the state  
30       general fund, \$4,038,000 for fiscal year 2010 and  
31       \$2,978,000 for fiscal year 2011 . . . . . \$7,016,000  
32   Thurston County Capital Facilities Account: For  
33       transfer to the state general fund, \$8,604,000  
34       for fiscal year 2010 and \$5,156,000 for fiscal  
35       year 2011 . . . . . \$13,760,000  
36   Public Works Assistance Account: For transfer to the  
37       state general fund, \$279,640,000 for fiscal year  
38       2010 and \$229,560,000 for fiscal year 2011 . . . . . \$509,200,000

1 Budget Stabilization Account: For transfer to the  
2 state general fund for fiscal year 2010 . . . . . \$45,130,000  
3 Liquor Revolving Account: For transfer to the state  
4 general fund, \$31,000,000 for fiscal year 2010 and  
5 \$31,000,000 for fiscal year 2011 . . . . . \$62,000,000  
6 Public Works Assistance Account: For transfer to the  
7 city-county assistance account, \$5,000,000 on  
8 July 1, 2009, and \$5,000,000 on July 1, 2010 . . . . . \$10,000,000  
9 Public Works Assistance Account: For transfer to the  
10 drinking water assistance account, \$6,930,000  
11 for fiscal year 2010 and \$4,000,000 for fiscal  
12 year 2011 . . . . . \$10,930,000  
13 Shared Game Lottery Account: For transfer to the  
14 education legacy trust account, \$3,600,000 for  
15 fiscal year 2010 and \$2,400,000 for fiscal year  
16 2011 . . . . . \$6,000,000  
17 State Lottery Account: For transfer to the education  
18 legacy trust account, \$9,500,000 for fiscal year  
19 2010 and \$9,500,000 for fiscal year 2011 . . . . . \$19,000,000  
20 College Faculty Awards Trust Fund: For transfer  
21 to the state general fund for fiscal year 2010,  
22 an amount not to exceed the actual cash balance  
23 of the fund and \$1,957,000 for fiscal year 2011 . . . . . \$5,957,000  
24 Washington Distinguished Professorship Trust Fund:  
25 For transfer to the state general fund for fiscal  
26 year 2010, an amount not to exceed the actual cash  
27 balance of the fund and \$2,966,000 for fiscal year  
28 2011 . . . . . \$8,966,000  
29 Washington Graduate Fellowship Trust Account:  
30 For transfer to the state general fund for fiscal  
31 year 2010, an amount not to exceed the actual cash  
32 balance of the fund and \$1,008,000 for fiscal year  
33 2011 . . . . . \$3,008,000  
34 GET Ready for Math and Science Scholarship Account:  
35 For transfer to the state general fund for  
36 fiscal year 2010, an amount not to exceed  
37 the actual cash balance not comprised of or  
38 needed to match private contributions . . . . . \$1,800,000

1 Financial Services Regulation Account: For transfer  
2 to the state general fund, \$2,000,000 for fiscal  
3 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$9,000,000  
4 Data Processing Revolving Fund: For transfer to  
5 the state general fund, \$5,632,000 for fiscal  
6 year 2010 and \$4,159,000 for fiscal year 2011 . . . . . \$9,791,000  
7 Public Service Revolving Account: For transfer to  
8 the state general fund, \$8,000,000 for fiscal  
9 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$15,000,000  
10 Water Quality Capital Account: For transfer to the  
11 state general fund, \$278,000 for fiscal year 2011 . . . . . \$278,000  
12 Performance Audits of Government Account: For  
13 transfer to the state general fund, \$10,000,000  
14 for fiscal year 2010 and \$7,000,000  
15 for fiscal year 2011 . . . . . \$17,000,000  
16 Job Development Account: For transfer to the  
17 state general fund, \$20,930,000 for fiscal  
18 year 2010 . . . . . \$20,930,000  
19 Savings Incentive Account: For transfer to the  
20 state general fund, \$10,117,000 for fiscal  
21 year 2010 and \$32,075,000 for fiscal year  
22 2011 . . . . . \$42,192,000  
23 Education Savings Account: For transfer to the  
24 state general fund, \$90,690,000  
25 for fiscal year 2010 and \$53,384,000 for fiscal  
26 year 2011 . . . . . \$144,074,000  
27 Cleanup Settlement Account: For transfer to the  
28 state efficiency and restructuring account for  
29 fiscal year 2011 . . . . . \$39,480,000  
30 Disaster Response Account: For transfer to the  
31 state drought preparedness account, \$4,000,000  
32 for fiscal year 2010 . . . . . \$4,000,000  
33 Washington State Convention and Trade Center Account:  
34 For transfer to the state general fund, \$10,000,000  
35 for fiscal year 2011. The transfer in this section  
36 shall occur on June 30, 2011, only if by that date  
37 the Washington state convention and trade center is  
38 not transferred to a public facilities district

1       pursuant to Substitute Senate Bill No. 6889  
2       (convention and trade center) . . . . . \$10,000,000  
3   Institutional Welfare/Betterment Account: For transfer  
4       to the state general fund, \$2,000,000 for fiscal  
5       year 2010 and \$2,000,000 for fiscal year 2011 . . . . . \$4,000,000  
6   Future Teacher Conditional Scholarship Account: For  
7       transfer to the state general fund, \$2,150,000  
8       for fiscal year 2010 and \$2,150,000 for fiscal  
9       year 2011 . . . . . \$4,300,000  
10   Fingerprint Identification Account: For transfer  
11       to the state general fund, \$800,000 for fiscal  
12       year 2011 . . . . . \$800,000  
13   Prevent or Reduce Owner-Occupied Foreclosure  
14       Program Account: For transfer to the financial  
15       education public-private partnership account for  
16       fiscal year 2010, an amount not to exceed the actual  
17       cash balance of the fund as of June 30, 2010 . . . . . \$300,000  
18   Nisqually Earthquake Account: For transfer to the  
19       state general fund for fiscal year 2011 . . . . . \$696,000  
20   Disaster Response Account: For transfer to the state  
21       general fund for fiscal year 2011 . . . . . \$14,500,000  
22   Washington Auto Theft Prevention Account: For  
23       transfer to the state general fund, \$1,500,000  
24       for fiscal year 2011 . . . . . \$1,500,000  
25   Tourism Enterprise Account: For transfer to the  
26       state general fund, \$590,000 for fiscal year  
27       2011 . . . . . \$590,000  
28   Tourism Development and Promotion Account: For  
29       transfer to the state general fund, \$205,000  
30       for fiscal year 2011 . . . . . \$205,000  
31   Life Sciences Discovery Fund: For transfer to  
32       the basic health plan stabilization account . . . . . \$6,000,000  
33   Life Sciences Discovery Fund: For transfer to  
34       the state general fund for fiscal year 2011 . . . . . \$2,200,000  
35   Industrial Insurance Premium Refund Account: For  
36       transfer to the state general fund, \$4,500,000  
37       for fiscal year 2011 . . . . . \$4,500,000  
38   Distressed County Assistance Account: For transfer

1 to the state general fund, \$205,000 for  
2 fiscal year 2011 . . . . . \$ 205,000  
3 State Drought Preparedness Account: For transfer to  
4 the state general fund, \$4,000,000 for fiscal  
5 year 2011 . . . . . \$4,000,000  
6 Freshwater Aquatic Algae Control Account: For  
7 transfer to the state general fund, \$400,000 for  
8 fiscal year 2011 . . . . . \$400,000  
9 Freshwater Aquatic Weeds Account: For transfer to  
10 the state general fund, \$300,000 for fiscal  
11 year 2011 . . . . . \$300,000  
12 Liquor Control Board Construction and Maintenance  
13 Account: For transfer to the state general fund  
14 for fiscal year 2011 . . . . . \$3,000,000  
15 Perpetual Surveillance and Maintenance Account: For  
16 transfer to the state general fund, \$40,000,000  
17 for fiscal year 2011 . . . . . \$40,000,000  
18 Cleanup Settlement Account: For transfer to the  
19 state general fund, \$90,000,000 for fiscal  
20 year 2011 . . . . . \$90,000,000  
21 Institution of Higher Education Operating Fees  
22 Account from the Washington State University:  
23 For transfer to the state general fund, \$7,358,000  
24 for fiscal year 2011 . . . . . \$7,358,000  
25 Institution of Higher Education Operating Fees Account  
26 from the University of Washington: For transfer  
27 to the state general fund, \$11,320,000 for fiscal  
28 year 2011 . . . . . \$11,320,000  
29 Institution of Higher Education Operating Fees Account  
30 from the Eastern Washington University: For transfer  
31 to the state general fund, \$1,673,000 for fiscal  
32 year 2011 . . . . . \$1,673,000  
33 Institution of Higher Education Operating Fees Account  
34 from the Central Washington University: For transfer  
35 to the state general fund, \$1,662,000 for fiscal  
36 year 2011 . . . . . \$1,662,000  
37 Institution of Higher Education Operating Fees Account  
38 from the Western Washington University: For transfer

1       to the state general fund, \$2,084,000 for fiscal  
2       year 2011 . . . . . \$2,084,000  
3   Institution of Higher Education Operating Fees Account  
4       from The Evergreen State College: For transfer  
5       to the state general fund, \$903,000 for fiscal  
6       year 2011 . . . . . \$903,000

(End of part)



**PART XVIII**  
**MISCELLANEOUS**

**Sec. 1801.** RCW 43.200.080 and 2003 1st sp.s. c 21 s 1 are each amended to read as follows:

The director of ecology shall, in addition to the powers and duties otherwise imposed by law, have the following special powers and duties:

(1) To fulfill the responsibilities of the state under the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington. The department of ecology may sublease to private or public entities all or a portion of the land for specific purposes or activities which are determined, after public hearing, to be in agreement with the terms of the lease and in the best interests of the citizens of the state consistent with any criteria that may be developed as a requirement by the legislature;

(2) To assume the responsibilities of the state under the perpetual care agreement between the state of Washington and the federal government executed July 29, 1965 and the sublease between the state of Washington and the site operator of the Hanford low-level radioactive waste disposal facility. In order to finance perpetual surveillance and maintenance under the agreement and ensure site closure under the sublease, the department of ecology shall impose and collect fees from parties holding radioactive materials for waste management purposes. The fees shall be established by rule adopted under chapter 34.05 RCW and shall be an amount determined by the department of ecology to be necessary to defray the estimated liability of the state. Such fees shall reflect equity between the disposal facilities of this and other states. A site closure account and a perpetual surveillance and maintenance account is hereby created in the state treasury. The site closure account shall be exclusively available to reimburse, to the extent that moneys are available in the account, the site operator for its costs plus a reasonable profit as agreed by the operator and the state, or to reimburse the state licensing agency and any agencies under contract to the state licensing agency for their costs in final closure and decommissioning of the Hanford low-level radioactive waste

1 disposal facility. If a balance remains in the account after  
2 satisfactory performance of closure and decommissioning, this balance  
3 shall be transferred to the perpetual surveillance and maintenance  
4 account. The perpetual surveillance and maintenance account shall be  
5 used exclusively by the state to meet post-closure surveillance and  
6 maintenance costs, or for otherwise satisfying surveillance and  
7 maintenance obligations. Appropriations are required to permit  
8 expenditures and payment of obligations from the site closure account  
9 and the perpetual surveillance and maintenance account. All moneys,  
10 including earnings from the investment of balances in the site closure  
11 and the perpetual surveillance and maintenance account, less the  
12 allocation to the state treasurer's service fund, pursuant to RCW  
13 43.08.190 accruing under the authority of this section shall be  
14 directed to the site closure account until December 31, 1992.  
15 Thereafter receipts including earnings from the investment of balances  
16 in the site closure and the perpetual surveillance and maintenance  
17 account, less the allocation to the state treasurer's service fund,  
18 pursuant to RCW 43.08.190 shall be directed to the site closure account  
19 and the perpetual surveillance and maintenance account as specified by  
20 the department. Additional moneys specifically appropriated by the  
21 legislature or received from any public or private source may be placed  
22 in the site closure account and the perpetual surveillance and  
23 maintenance account. ~~((During the 2003-2005 fiscal biennium, the  
24 legislature may transfer up to thirteen million eight hundred thousand  
25 dollars from the site closure account to the general fund))~~ During the  
26 2009-2011 fiscal biennium, the legislature may transfer from the  
27 perpetual surveillance and maintenance account to the state general  
28 fund such amounts as reflect the fund balance of the account;

29 (3)(a) Subject to the conditions in (b) of this subsection, on July  
30 1, 2008, and each July 1st thereafter, the treasurer shall transfer  
31 from the perpetual surveillance and maintenance account to the site  
32 closure account the sum of nine hundred sixty-six thousand dollars.  
33 The nine hundred sixty-six thousand dollars transferred on July 1,  
34 2009, and thereafter shall be adjusted to a level equal to the  
35 percentage increase in the United States implicit price deflator for  
36 personal consumption. The last transfer under this section shall occur  
37 on July 1, 2033.

1 (b) The transfer in (a) of this subsection shall occur only if  
2 written agreement is reached between the state department of ecology  
3 and the United States department of energy pursuant to section 6 of the  
4 perpetual care agreement dated July 29, 1965, between the United States  
5 atomic energy commission and the state of Washington. If agreement  
6 cannot be reached between the state department of ecology and the  
7 United States department of energy by June 1, 2008, the treasurer shall  
8 transfer the funds from the general fund to the site closure account  
9 according to the schedule in (a) of this subsection.

10 (c) If for any reason the Hanford low level radioactive waste  
11 disposal facility is closed to further disposal operations during or  
12 after the 2003-2005 biennium and before 2033, then the amount remaining  
13 to be repaid from the 2003-2005 transfer of thirteen million eight  
14 hundred thousand dollars from the site closure account shall be  
15 transferred by the treasurer from the general fund to the site closure  
16 account to fund the closure and decommissioning of the facility. The  
17 treasurer shall transfer to the site closure account in full the amount  
18 remaining to be repaid upon written notice from the secretary of health  
19 that the department of health has authorized closure or that disposal  
20 operations have ceased. The treasurer shall complete the transfer  
21 within sixty days of written notice from the secretary of health.

22 (d) To the extent that money in the site closure account together  
23 with the amount of money identified for repayment to the site closure  
24 account, pursuant to (a) through (c) of this subsection, equals or  
25 exceeds the cost estimate approved by the department of health for  
26 closure and decommissioning of the facility, the money in the site  
27 closure account together with the amount of money identified for  
28 repayment to the site closure account shall constitute adequate  
29 financial assurance for purposes of the department of health financial  
30 assurance requirements;

31 (4) To assure maintenance of such insurance coverage by state  
32 licensees, lessees, or sublessees as will adequately, in the opinion of  
33 the director, protect the citizens of the state against nuclear  
34 accidents or incidents that may occur on privately or state-controlled  
35 nuclear facilities;

36 (5) To institute a user permit system and issue site use permits,  
37 consistent with regulatory practices, for generators, packagers, or  
38 brokers using the Hanford low-level radioactive waste disposal

1 facility. The costs of administering the user permit system shall be  
2 borne by the applicants for site use permits. The site use permit fee  
3 shall be set at a level that is sufficient to fund completely the  
4 executive and legislative participation in activities related to the  
5 Northwest Interstate Compact on Low-Level Radioactive Waste Management;

6 (6) To make application for or otherwise pursue any federal funds  
7 to which the state may be eligible, through the federal resource  
8 conservation and recovery act or any other federal programs, for the  
9 management, treatment or disposal, and any remedial actions, of wastes  
10 that are both radioactive and hazardous at all Hanford low-level  
11 radioactive waste disposal facilities; and

12 (7) To develop contingency plans for duties and options for the  
13 department and other state agencies related to the Hanford low-level  
14 radioactive waste disposal facility based on various projections of  
15 annual levels of waste disposal. These plans shall include an analysis  
16 of expected revenue to the state in various taxes and funds related to  
17 low-level radioactive waste disposal and the resulting implications  
18 that any increase or decrease in revenue may have on state agency  
19 duties or responsibilities. The plans shall be updated annually.

20 **Sec. 1802.** RCW 70.105D.130 and 2010 1st sp.s. c 37 s 947 are each  
21 amended to read as follows:

22 (1) The cleanup settlement account is created in the state  
23 treasury. The account is not intended to replace the state toxics  
24 control account established under RCW 70.105D.070. All receipts from  
25 the sources identified in subsection (2) of this section must be  
26 deposited into the account. Moneys in the account may be spent only  
27 after appropriation. Expenditures from the account may be used only as  
28 identified in subsection (4) of this section.

29 (2) The following receipts must be deposited into the cleanup  
30 settlement account:

31 (a) Receipts from settlements or court orders that direct payment  
32 to the account and resolve a person's liability or potential liability  
33 under this chapter for either or both of the following:

34 (i) Conducting future remedial action at a specific facility, if it  
35 is not feasible to require the person to conduct the remedial action  
36 based on the person's financial insolvency, limited ability to pay, or  
37 insignificant contribution under RCW 70.105D.040(4)(a);

1 (ii) Assessing or addressing the injury to natural resources caused  
2 by the release of a hazardous substance from a specific facility; and

3 (b) Receipts from investment of the moneys in the account.

4 (3) If a settlement or court order does not direct payment of  
5 receipts described in subsection (2)(a) of this section into the  
6 cleanup settlement account, then the receipts from any payment to the  
7 state must be deposited into the state toxics control account.

8 (4) Expenditures from the cleanup settlement account may only be  
9 used to conduct remedial actions at the specific facility or to assess  
10 or address the injury to natural resources caused by the release of  
11 hazardous substances from that facility for which the moneys were  
12 deposited in the account. Conducting remedial actions or assessing or  
13 addressing injury to natural resources includes direct expenditures and  
14 indirect expenditures such as department oversight costs. During the  
15 2009-2011 fiscal biennium, the legislature may transfer excess fund  
16 balances in the account into the state efficiency and restructuring  
17 account and the state general fund. Transfers of excess fund balances  
18 made under this section shall be made only to the extent amounts  
19 transferred with required repayments do not impair the ten-year  
20 spending plan administered by the department of ecology for  
21 environmental remedial actions dedicated for any designated clean-up  
22 site associated with the Everett smelter and Tacoma smelter, including  
23 plumes, or former Asarco mine sites. The cleanup settlement account  
24 must be repaid with interest under provisions of the state efficiency  
25 and restructuring account.

26 (5) The department shall track moneys received, interest earned,  
27 and moneys expended separately for each facility.

28 (6) After the department determines that all remedial actions at a  
29 specific facility, and all actions assessing or addressing injury to  
30 natural resources caused by the release of hazardous substances from  
31 that facility, are completed, including payment of all related costs,  
32 any moneys remaining for the specific facility must be transferred to  
33 the state toxics control account established under RCW 70.105D.070.

34 (7) The department shall provide the office of financial management  
35 and the fiscal committees of the legislature with a report by October  
36 31st of each year regarding the activity within the cleanup settlement  
37 account during the previous fiscal year.

1        NEW SECTION.    **Sec. 1803.**    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. 1804.**    This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and takes effect  
8 immediately, except for section 946 of this act which takes effect June  
9 30, 2011.

(End of part)

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1           Correct the title.

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