
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-0904.4/11 4th draft

ATTY/TYPIST: LL:seg

BRIEF DESCRIPTION: Making 2009-2011 supplemental operating appropriations.

1 AN ACT Relating to fiscal matters; amending RCW 15.76.115,
2 18.04.105, 43.03.220, 43.03.230, 43.03.240, 43.03.250, 43.03.265,
3 43.21A.660, 43.21A.667, 43.79.460, 43.79.465, 43.83B.430, 43.105.080,
4 43.330.094, 43.336.050, 46.66.080, 43.350.070, 51.44.170, 66.08.235,
5 and 82.14.380; amending 2010 2nd sp.s. c 1 ss 109, 115, 117, 118, 201,
6 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 302,
7 303, 304, 307, 308, 309, 310, 501, 502, 503, 602, 603, and 801
8 (uncodified); amending 2010 1st sp.s. c 37 ss 103, 106, 107, 112, 118,
9 120, 121, 123, 124, 126, 127, 128, 130, 133, 134, 138, 141, 142, 146,
10 148, 150, 151, 153, 213, 215, 217, 218, 219, 220, 224, 225, 226, 401,
11 402, 504, 505, 506, 507, 508, 511, 610, 612, 613, 614, 615, 616, 617,
12 618, 619, 705, 707, and 711 (uncodified); amending 2010 1st sp.s. c 32
13 s 3 (uncodified); amending 2010 1st sp.s. c 31 s 1 (uncodified);
14 amending 2010 c 247 ss 205 and 211 (uncodified); amending 2009 c 564 s
15 711 (uncodified); adding new sections to 2009 c 564 (uncodified);
16 making appropriations; and declaring an emergency.

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

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

1 **Sec. 101.** 2010 1st sp.s. c 37 s 103 (uncodified) is amended to
2 read as follows:

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

4	General Fund--State Appropriation (FY 2010)	\$2,874,000
5	General Fund--State Appropriation (FY 2011)	((\$3,152,000))
6		<u>\$2,954,000</u>
7	TOTAL APPROPRIATION	((\$6,026,000))
8		<u>\$5,828,000</u>

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

11 (1) Notwithstanding the provisions of this section, the joint
12 legislative audit and review committee may adjust the due dates for
13 projects included on the committee's 2009-11 work plan as necessary to
14 efficiently manage workload.

15 (2) Within the amounts appropriated in this section, the committee
16 shall conduct a review of the effect of risk management practices on
17 tort payouts. This review shall include an analysis of the state's
18 laws, policies, procedures, and practices as they relate to the conduct
19 of post-incident reviews and the impact of such reviews on the state's
20 conduct and liability.

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

29 (4)) Within the amounts appropriated in this section, the
30 committee shall prepare an evaluation of the implementation of
31 legislation designed to improve communication, collaboration, and
32 expedited medicaid attainment with regard to persons released from
33 confinement who have mental health or chemical dependency disorders.
34 The review shall evaluate the implementation of: (a) Chapter 166, Laws
35 of 2004 (E2SSB 6358); (b) sections 507 and 508 of chapter 504, Laws of
36 2005 (E2SSB 5763); (c) sections 12 and 13 of chapter 503, Laws of 2005
37 (E2SHB 1290); and (d) section 8 of chapter 359, Laws of 2007 (2SHB
38 1088). The departments of corrections and social and health services,

1 the administrative office of the courts, institutions for mental
2 disease, city and county jails, city and county courts, county clerks,
3 and mental health and chemical dependency treatment providers shall
4 provide the committee with information necessary for the study.

5 ~~((+5))~~ (4) Within the amount appropriated in this section, the
6 joint legislative audit and review committee shall conduct a review of
7 the state's recreational boating programs. This review shall include
8 examination of the following:

- 9 (a) Revenue sources for state recreational boating programs;
- 10 (b) Expenditures for state boating programs;
- 11 (c) Methods of administrating state recreational boating programs,
12 including the roles of both state and local government entities; and
- 13 (d) Approaches other states have taken to funding and administering
14 their recreational boating programs.

15 The committee shall complete the review by October 31, 2010.

16 ~~((+6))~~ (5) Within the amount appropriated in this section, the
17 joint legislative audit and review committee shall examine the
18 operations of employment and day services as provided by the department
19 of social and health services, division of developmental disabilities
20 and administered by the counties. The examination shall include a
21 thorough review of the contracts for all services including, but not
22 limited to, employment services, day services, child development
23 services and other uses of state dollars for county administration of
24 services to the developmentally disabled. In its final report, due to
25 the legislature by September 1, 2010, the joint legislative audit and
26 review committee shall provide: A description of how funds are used
27 and the rates paid to vendors, and a recommendation on best practices
28 the agency may use for the development of a consistent, outcome-based
29 contract for services provided under contract with the counties.

30 ~~((+7))~~ (6) Within the amount appropriated in this section, the
31 joint legislative audit and review committee shall conduct a study of
32 the relationship between the cost of school districts and their
33 enrollment size. The study shall be completed by June 2010 and shall
34 include:

- 35 (a) An analysis of how categories of costs vary related to size,
36 including but not limited to facility costs, transportation costs,
37 educational costs, and administrative costs;

1 (b) A review of other factors that may impact costs, such as
2 revenues available from local levies and other sources, geographic
3 dispersion, demographics, level of services received from educational
4 service districts, and whether districts operate a high school;

5 (c) Case studies on the change in cost patterns occurring after
6 school district consolidations and for school districts operating under
7 state oversight condition specified in RCW 28A.505.110; and

8 (d) A review of available research on nonfinancial benefits and
9 impacts associated with school and school district size.

10 ~~((+8))~~ (7) \$200,000 of the general fund--state appropriation for
11 fiscal year 2011 is provided for the committee to contract with a
12 consultant specializing in medicaid programs nationwide to review
13 Washington state's medicaid program and report on cost containment
14 strategies for the 2011-13 biennial budget. The report is due to the
15 fiscal committees of the legislature by June 1, 2011.

16 ~~((+9))~~ (8) \$50,000 of the general fund--state appropriation for
17 fiscal year 2011 is provided solely for the joint legislative audit and
18 review committee to complete a report that includes the following: (a)
19 An analysis of the availability within eastern Washington of
20 helicopters that are privately owned or owned by nonstate governmental
21 entities that are sufficiently outfitted to participate in wildfire
22 suppression efforts of the department of natural resources; (b) a
23 comparison of the costs to the department of natural resources for
24 maintaining the existing helicopter fleet versus entering into
25 exclusive use contracts with the helicopters noted in (a) of this
26 subsection; and (c) an analysis that compares the use and funding of
27 helicopters utilized for wildfire suppression in the states of
28 California, Oregon, Idaho, and Montana. The committee shall submit the
29 report to the appropriate fiscal committees of the legislature and the
30 office of financial management no later than December 1, 2010.

31 ~~((+10))~~ (9)(a) The task force for reform of executive and
32 legislative procedures dealing with tax preferences is hereby
33 established. The task force must:

34 (i) Review current executive and legislative budget and policy
35 practices and procedures associated with the recommendation,
36 development, and consideration of tax preferences, assess the
37 effectiveness of budgeting requirements and practices, the general
38 rigor of justifications and evaluations typically provided during

1 legislative consideration of tax preferences, and the role and value of
2 methodologies currently used to measure the public benefits and costs,
3 including opportunity costs, of tax preferences, as defined in RCW
4 43.136.021.

5 (ii) Consider but not be limited to, the factors listed in RCW
6 43.136.055.

7 (b) The task force may make recommendations to improve the
8 effectiveness of the review process conducted by the citizen commission
9 on performance measurement of tax preferences process as described in
10 chapter 43.136 RCW. The task force may also recommend changes or
11 improvements in the manner in which both the executive branch and
12 legislative branch of state government address tax preferences
13 generally, including those in effect as well as those that may be
14 hereafter proposed, in order to protect the public interest and assure
15 transparency, fairness, and equity in the state tax code.

16 (c) The task force may recommend structural or procedural changes
17 that it feels will enhance both executive and legislative procedures
18 and ensure consistent and rigorous examination of such preferences.

19 (d) The task force must report its recommendations to the governor
20 and legislative fiscal committees by November 15, 2010.

21 (e) The task force has eleven voting members as follows:

22 (i) One member is the state treasurer;

23 (ii) One member is the chair of the joint legislative audit and
24 review committee;

25 (iii) One member is the director of financial management;

26 (iv) A member, four in all, of each of the two largest caucuses of
27 the senate and the two largest caucuses of the house of
28 representatives, appointed by the chair of each caucus; and

29 (v) An appointee who is not a legislator, four in all, of each of
30 the two largest caucuses of the senate and the two largest caucuses of
31 the house of representatives, appointed by the chair of each caucus.

32 (f) Persons appointed by the caucus chairs under (e)(v) of this
33 subsection should be individuals who have a basic understanding of
34 state tax policy, government operations, and public services.

35 (g) The task force must elect a chair from among its members.
36 Decisions of the task force must be made using the sufficient consensus
37 model. For the purposes of this subsection, "sufficient consensus"
38 means the point at which the substantial majority of the commission

1 favors taking a particular action. The chair may determine when a vote
2 must be taken. The task force must allow a minority report to be
3 included with a decision of the task force if requested by a member of
4 the task force.

5 (h) The joint legislative audit and review committee must provide
6 clerical, technical, and management personnel to the task force to
7 serve as the task force's staff. The staff of the legislative fiscal
8 committees, legislative counsel, and the office of financial management
9 must also provide technical assistance to the task force. The
10 department of revenue must provide necessary support and information to
11 the joint task force.

12 (i) The task force must meet at least once a quarter and may hold
13 additional meetings at the call of the chair or by a majority vote of
14 the members of the task force. The members of the task force must be
15 compensated in accordance with RCW 43.03.220 and reimbursed for travel
16 expenses in accordance with RCW 43.03.050 and 43.03.060.

17 **Sec. 102.** 2010 1st sp.s. c 37 s 106 (uncodified) is amended to
18 read as follows:

19 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

20	General Fund--State Appropriation (FY 2010)	\$8,652,000
21	General Fund--State Appropriation (FY 2011)	(\$8,506,000)
22		<u>\$7,971,000</u>
23	TOTAL APPROPRIATION	(\$17,158,000)
24		<u>\$16,623,000</u>

25 **Sec. 103.** 2010 1st sp.s. c 37 s 107 (uncodified) is amended to
26 read as follows:

27 **FOR THE STATUTE LAW COMMITTEE**

28	General Fund--State Appropriation (FY 2010)	\$4,611,000
29	General Fund--State Appropriation (FY 2011)	(\$4,864,000)
30		<u>\$4,558,000</u>
31	TOTAL APPROPRIATION	(\$9,475,000)
32		<u>\$9,169,000</u>

33 **Sec. 104.** 2010 1st sp.s. c 37 s 112 (uncodified) is amended to
34 read as follows:

1 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

2	General Fund--State Appropriation (FY 2010)	\$1,043,000
3	General Fund--State Appropriation (FY 2011)	(\$1,064,000)
4		<u>\$1,012,000</u>
5	TOTAL APPROPRIATION	(\$2,107,000)
6		<u>\$2,055,000</u>

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

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

17 **FOR THE ADMINISTRATOR FOR THE COURTS**

18	General Fund--State Appropriation (FY 2010)	\$52,644,000
19	General Fund--State Appropriation (FY 2011)	(\$49,760,000)
20		<u>\$46,620,000</u>
21	General Fund--Federal Appropriation	\$979,000
22	Judicial Information Systems Account--State	
23	Appropriation	\$33,406,000
24	Judicial Stabilization Trust Account--State	
25	Appropriation	\$6,598,000
26	TOTAL APPROPRIATION	(\$143,387,000)
27		<u>\$140,247,000</u>

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

30 (1) \$1,800,000 of the general fund--state appropriation for fiscal
31 year 2010 and ~~(\$1,687,000)~~ \$1,125,000 of the general fund--state
32 appropriation for fiscal year 2011 are provided solely for school
33 districts for petitions to juvenile court for truant students as
34 provided in RCW 28A.225.030 and 28A.225.035. The office of the
35 administrator for the courts shall develop an interagency agreement
36 with the superintendent of public instruction to allocate the funding
37 provided in this subsection. Allocation of this money to school

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

6 (2)(a) \$8,252,000 of the general fund--state appropriation for
7 fiscal year 2010 and (~~(\$7,734,000)~~) \$5,156,000 of the general fund--
8 state appropriation for fiscal year 2011 are provided solely for
9 distribution to county juvenile court administrators to fund the costs
10 of processing truancy, children in need of services, and at-risk youth
11 petitions. The administrator for the courts, in conjunction with the
12 juvenile court administrators, shall develop an equitable funding
13 distribution formula. The formula shall neither reward counties with
14 higher than average per-petition processing costs nor shall it penalize
15 counties with lower than average per-petition processing costs.

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

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

32 (4) \$5,700,000 of the judicial information systems account--state
33 appropriation is provided solely for modernization and integration of
34 the judicial information system.

35 (a) Of this amount, \$1,700,000 is for the development of a
36 comprehensive enterprise-level information technology strategy and
37 detailed business and operational plans in support of that strategy,

1 and \$4,000,000 is to continue to modernize and integrate current
2 systems and enhance case management functionality on an incremental
3 basis.

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

8 (c) The judicial information system committee shall review project
9 progress on a regular basis and may require quality assurance plans.
10 The judicial information systems committee shall provide a report to
11 the appropriate committees of the legislature no later than November 1,
12 2011, on the status of the judicial information system modernization
13 and integration, and the consistency of the project with the state's
14 architecture, infrastructure and statewide enterprise view of service
15 delivery.

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

27 (5) \$3,000,000 of the judicial information systems account--state
28 appropriation is provided solely for replacing computer equipment at
29 state courts, and at state judicial agencies. The administrator for
30 the courts shall prioritize equipment replacement purchasing and shall
31 fund those items that are most essential or critical. By October 1,
32 2010, the administrative office of the courts shall report to the
33 appropriate legislative fiscal committees on expenditures for equipment
34 under this subsection.

35 (6) \$12,000 of the judicial information systems account--state
36 appropriation is provided solely to implement Engrossed Substitute
37 House Bill No. 1954 (sealing juvenile records). If the bill is not

1 enacted by June 30, 2009, the amount provided in this subsection shall
2 lapse.

3 (7) \$106,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$106,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the twenty-third superior
6 court judge position in Pierce county. The funds appropriated in this
7 subsection shall be expended only if the judge is appointed and serving
8 on the bench.

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

16 (9) \$44,000 of the judicial information systems account--state
17 appropriation is provided solely to implement chapter 272, Laws of 2010
18 (SHB 2680; guardianship).

19 (10) \$274,000 of the general fund--state appropriation for fiscal
20 year 2011 is provided solely for the office of public guardianship to
21 provide guardianship services for low-income incapacitated persons.

22 (11) \$3,797,000 of the judicial information systems account--state
23 appropriation is provided solely for continued planning and
24 implementation of improvements to the court case management system.

25 (12) In accordance with RCW 43.135.055, the administrative office
26 of the courts is authorized to adopt and increase the fees set forth in
27 and previously authorized in section 6, chapter 491, Laws of 2009.

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

30 **FOR THE PUBLIC DISCLOSURE COMMISSION**

31	General Fund--State Appropriation (FY 2010)	\$2,249,000
32	General Fund--State Appropriation (FY 2011)	(\$2,212,000)
33		<u>\$1,969,000</u>
34	TOTAL APPROPRIATION	(\$4,461,000)
35		<u>\$4,218,000</u>

1 **Sec. 107.** 2010 1st sp.s. c 37 s 120 (uncodified) is amended to
2 read as follows:

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

4	General Fund--State Appropriation (FY 2010)	.. . . . .	\$275,000
5	General Fund--State Appropriation (FY 2011)	.. . . . .	(\$262,000)
6			<u>\$233,000</u>
7	TOTAL APPROPRIATION	.. . . . .	(\$537,000)
8			<u>\$508,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The office shall assist the department of
11 personnel on providing the government-to-government training sessions
12 for federal, state, local, and tribal government employees. The
13 training sessions shall cover tribal historical perspectives, legal
14 issues, tribal sovereignty, and tribal governments. Costs of the
15 training sessions shall be recouped through a fee charged to the
16 participants of each session. The department of personnel shall be
17 responsible for all of the administrative aspects of the training,
18 including the billing and collection of the fees for the training.

19 **Sec. 108.** 2010 1st sp.s. c 37 s 121 (uncodified) is amended to
20 read as follows:

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

22	General Fund--State Appropriation (FY 2010)	.. . . . .	\$216,000
23	General Fund--State Appropriation (FY 2011)	.. . . . .	(\$236,000)
24			<u>\$221,000</u>
25	TOTAL APPROPRIATION	.. . . . .	(\$452,000)
26			<u>\$437,000</u>

27 **Sec. 109.** 2010 1st sp.s. c 37 s 123 (uncodified) is amended to
28 read as follows:

29 **FOR THE STATE AUDITOR**

30	General Fund--State Appropriation (FY 2010)	.. . . . .	\$722,000
31	General Fund--State Appropriation (FY 2011)	.. . . . .	(\$717,000)
32			<u>\$638,000</u>
33	State Auditing Services Revolving		
34	Account--State Appropriation	.. . . . .	\$10,749,000
35	TOTAL APPROPRIATION	.. . . . .	(\$12,188,000)
36			<u>\$12,109,000</u>

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

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

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

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

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

1 general shall notify the director of financial management and the
2 chairs of the senate committee on ways and means and the house of
3 representatives committee on ways and means.

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

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

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

20 (6) \$53,000 of the legal services revolving account--state
21 appropriation is provided solely to implement Engrossed Second
22 Substitute House Bill No. 3026 (school district compliance with state
23 and federal civil rights laws).

24 **Sec. 112.** 2010 1st sp.s. c 37 s 126 (uncodified) is amended to
25 read as follows:

26 **FOR THE CASELOAD FORECAST COUNCIL**

27	General Fund--State Appropriation (FY 2010)	\$766,000
28	General Fund--State Appropriation (FY 2011)	(\$742,000)
29		<u>\$660,000</u>
30	TOTAL APPROPRIATION	(\$1,508,000)
31		<u>\$1,426,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$13,000 of the general fund--state
34 appropriation for fiscal year 2010 and \$7,000 of the general fund--
35 state appropriation for fiscal year 2011 are for the implementation of
36 Second Substitute House Bill No. 2106 (improving child welfare outcomes

1 through the phased implementation of strategic and proven reforms). If
2 the bill is not enacted by June 30, 2009, the amounts provided in this
3 subsection shall lapse.

4 **Sec. 113.** 2010 1st sp.s. c 37 s 127 (uncodified) is amended to
5 read as follows:

6 **FOR THE DEPARTMENT OF COMMERCE**

7	General Fund--State Appropriation (FY 2010)	\$49,670,000
8	General Fund--State Appropriation (FY 2011)	(\$40,577,000)
9		<u>\$35,924,000</u>
10	General Fund--Federal Appropriation	(\$381,918,000)
11		<u>\$385,491,000</u>
12	General Fund--Private/Local Appropriation	\$10,622,000
13	Public Works Assistance Account--State	
14	Appropriation	\$2,974,000
15	Tourism Development and Promotion Account--State	
16	Appropriation	(\$1,003,000)
17		<u>\$798,000</u>
18	Drinking Water Assistance Administrative	
19	Account--State Appropriation	\$433,000
20	Lead Paint Account--State Appropriation	\$35,000
21	Building Code Council Account--State Appropriation	\$688,000
22	Home Security Fund Account--State Appropriation	(\$25,486,000)
23		<u>\$24,486,000</u>
24	Affordable Housing for All Account--State	
25	Appropriation	\$11,896,000
26	Washington Auto Theft Prevention Authority	
27	Account--State Appropriation	\$300,000
28	Independent Youth Housing Account--State	
29	Appropriation	\$220,000
30	County Research Services Account--State Appropriation	\$469,000
31	Community Preservation and Development Authority	
32	Account--State Appropriation	\$350,000
33	Financial Fraud and Identity Theft Crimes Investigation	
34	and Prosecution Account--State Appropriation	\$1,166,000
35	Low-Income Weatherization Assistance Account--State	
36	Appropriation	\$6,882,000
37	City and Town Research Services Account--State	

1	Appropriation	\$2,246,000
2	Manufacturing Innovation and Modernization	
3	Account--State Appropriation	\$230,000
4	Community and Economic Development Fee	
5	Account--State Appropriation	\$6,922,000
6	Washington Housing Trust Account--State	
7	Appropriation	\$15,348,000
8	Prostitution Prevention and Intervention Account--	
9	State Appropriation	\$125,000
10	Public Facility Construction Loan Revolving	
11	Account--State Appropriation	\$754,000
12	TOTAL APPROPRIATION	((\$560,314,000))
13		<u>\$558,029,000</u>

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

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

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

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

34 (4) \$102,000 of the building code council account--state
35 appropriation is provided solely for the implementation of sections 3
36 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built
37 environment pollution). If sections 3 and 7 of the bill are not

1 enacted by June 30, 2009, the amounts provided in this subsection shall
2 lapse.

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

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

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

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

35 (e) \$10,646,000 of the general fund--federal appropriation is
36 provided pursuant to the energy efficiency and conservation block grant
37 under the American reinvestment and recovery act. The department may

1 use up to \$3,000,000 of the amount provided in this subsection to
2 provide technical assistance for energy programs administered by the
3 agency under the American reinvestment and recovery act.

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

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

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

25 (9) \$500,000 of the general fund--state appropriation for fiscal
26 year 2010 and (~~(\$500,000)~~) \$447,000 of the general fund--state
27 appropriation for fiscal year 2011 are provided solely for a grant to
28 resolution Washington to building statewide capacity for alternative
29 dispute resolution centers and dispute resolution programs that
30 guarantee that citizens have access to low-cost resolution as an
31 alternative to litigation.

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

37 (11) By June 30, 2011, the department shall request information
38 that describes what jurisdictions have adopted, or are in the process

1 of adopting, plans that address RCW 36.70A.020 and helps achieve the
2 greenhouse gas emission reductions established in RCW 70.235.020. This
3 information request in this subsection applies to jurisdictions that
4 are required to review and if necessary revise their comprehensive
5 plans in accordance with RCW 36.70A.130.

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

12 (13) \$50,000 of the general fund--state appropriation for fiscal
13 year 2010 and (~~(\$50,000)~~) \$35,000 of the general fund--state
14 appropriation for fiscal year 2011 are provided solely for a grant for
15 the state's participation in the Pacific Northwest economic region.

16 (14) \$712,000 of the general fund--state appropriation for fiscal
17 year 2010 and (~~(\$712,000)~~) \$559,000 of the general fund--state
18 appropriation for fiscal year 2011 are provided solely to the office of
19 crime victims advocacy. These funds shall be contracted with the 39
20 county prosecuting attorneys' offices to support victim-witness
21 services. The funds must be prioritized to ensure a full-time victim-
22 witness coordinator in each county. The office may retain only the
23 amount currently allocated for this activity for administrative costs.

24 (15) \$306,000 of the general fund--state appropriation for fiscal
25 year 2010 and (~~(\$306,000)~~) \$274,000 of the general fund--state
26 appropriation for fiscal year 2011 are provided solely for a grant to
27 the retired senior volunteer program.

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

34 (17) \$371,000 of the general fund--state appropriation for fiscal
35 year 2010 and (~~(\$371,000)~~) \$250,000 of the general fund--state
36 appropriation for fiscal year 2011 are provided solely to the northwest
37 agriculture business center.

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

4 (19) \$212,000 of the general fund--federal appropriation is
5 provided solely for implementation of Second Substitute House Bill No.
6 1172 (development rights transfer). If the bill is not enacted by June
7 30, 2009, the amount provided in this subsection shall lapse.

8 (20) \$69,000 of the general fund--state appropriation for fiscal
9 year 2010 and (~~(\$66,000)~~) \$60,000 of the general fund--state
10 appropriation for fiscal year 2011 are provided solely for
11 implementation of Engrossed Second Substitute House Bill No. 2227
12 (evergreen jobs act). If the bill is not enacted by June 30, 2009, the
13 amounts provided in this subsection shall lapse.

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

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

33 (23) \$1,800,000 of the home security fund--state appropriation is
34 provided for transitional housing assistance or partial payments for
35 rental assistance under the independent youth housing program.

36 (24) \$5,000,000 of the home security fund--state appropriation is
37 provided solely for the operation, repair, and staffing of shelters in
38 the homeless family shelter program.

1 (25) \$253,000 of the general fund--state appropriation for fiscal
2 year 2010 and (~~(\$283,000)~~) \$253,000 of the general fund--state
3 appropriation for fiscal year 2011 are provided solely for the
4 Washington new Americans program.

5 (26) \$438,000 of the general fund--state appropriation for fiscal
6 year 2010 and (~~(\$438,000)~~) \$394,000 of the general fund--state
7 appropriation for fiscal year 2011 are provided solely for the
8 Washington asset building coalitions.

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

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

21 (~~(+32)---\$250,000~~) (29) \$237,000 of the general fund--state
22 appropriation for fiscal year 2011 is provided solely for the
23 department to administer a competitive grant program to fund economic
24 development activities designed to further regional cluster growth and
25 to integrate its sector-based and cluster-based strategies with its
26 support for the development of innovation partnership zones. Grant
27 recipients must provide matching funds equal to the size of the grant.
28 Grants may be awarded to support the formation of sector associations
29 or cluster associations, the identification of the technology and
30 commercialization needs of a sector or cluster, facilitating working
31 relationships between a sector association or cluster association and
32 an innovation partnership zone, expanding the operations of an
33 innovation partnership zone, and developing and implementing plans to
34 meet the technology development and commercialization needs of industry
35 sectors, industry clusters, and innovation partnership zones. The
36 projects receiving grants must not duplicate the purpose or efforts of
37 industry skill panels but priority must be given to applicants that

1 complement industry skill panels and will use the grant funds to build
2 linkages and joint projects.

3 ~~((33) \$100,000))~~ (30) \$62,000 of the general fund--state
4 appropriation for fiscal year 2011 is provided solely to:

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

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

14 ~~((34) \$1,000,000))~~ (31) \$400,000 of the general fund--state
15 appropriation for fiscal year 2011 is provided solely to implement the
16 provisions of chapter 13, Laws of 2010 (global health program).

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

21 (a) The department must:

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

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

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

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

37 (ii) Assist providers of entrepreneurial development and small

1 business assistance services in applying for federal and private
2 funding to support the entrepreneurial development and small business
3 assistance activities in the state;

4 (iii) Distribute awards for excellence in entrepreneurial training
5 and small business assistance; and

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

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

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

29 ((~~37~~—\$50,000)) (33) \$45,000 of the general fund--state
30 appropriation for fiscal year 2011 is provided solely for a grant to
31 HistoryLink.

32 **Sec. 114.** 2010 1st sp.s. c 37 s 128 (uncodified) is amended to
33 read as follows:

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

35	General Fund--State Appropriation (FY 2010)	\$711,000
36	General Fund--State Appropriation (FY 2011)	((\$772,000))
37		<u>\$723,000</u>

1 TOTAL APPROPRIATION ((~~\$1,483,000~~))
2 \$1,434,000

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

7 **Sec. 115.** 2010 1st sp.s. c 37 s 130 (uncodified) is amended to read
8 as follows:

9 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

10 Administrative Hearings Revolving
11 Account--State Appropriation ((~~\$33,978,000~~))
12 \$34,468,000

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

19 **Sec. 116.** 2010 1st sp.s. c 37 s 133 (uncodified) is amended to
20 read as follows:

21 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

22 General Fund--State Appropriation (FY 2010) \$250,000
23 General Fund--State Appropriation (FY 2011) ((~~\$255,000~~))
24 \$227,000
25 TOTAL APPROPRIATION ((~~\$505,000~~))
26 \$477,000

27 **Sec. 117.** 2010 1st sp.s. c 37 s 134 (uncodified) is amended to
28 read as follows:

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

30 General Fund--State Appropriation (FY 2010) \$243,000
31 General Fund--State Appropriation (FY 2011) ((~~\$236,000~~))
32 \$210,000
33 TOTAL APPROPRIATION ((~~\$479,000~~))
34 \$453,000

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

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

9 (6) (~~(\$1,200,000)~~) \$304,000 of the general fund--state
10 appropriation for fiscal year 2011 is provided solely for making the
11 necessary preparations for implementation of the working families tax
12 exemption pursuant to RCW 82.08.0206 in 2012.

13 **Sec. 119.** 2010 1st sp.s. c 37 s 138 (uncodified) is amended to
14 read as follows:

15 **FOR THE BOARD OF TAX APPEALS**

16	General Fund--State Appropriation (FY 2010)	\$1,346,000
17	General Fund--State Appropriation (FY 2011)	((\$1,318,000))
18		<u>\$1,195,000</u>
19	TOTAL APPROPRIATION	((\$2,664,000))
20		<u>\$2,541,000</u>

21 **Sec. 120.** 2010 1st sp.s. c 37 s 141 (uncodified) is amended to
22 read as follows:

23 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

24	General Fund--State Appropriation (FY 2010)	\$815,000
25	General Fund--State Appropriation (FY 2011)	((\$3,963,000))
26		<u>\$3,527,000</u>
27	General Fund--Federal Appropriation	\$2,956,000
28	Building Code Council Account--State Appropriation	((\$593,000))
29		<u>\$875,000</u>
30	General Fund--Private/Local Appropriation	\$84,000
31	General Administration Service Account--State	
32	Appropriation	((\$31,748,000))
33		<u>\$31,397,000</u>
34	TOTAL APPROPRIATION	((\$40,159,000))
35		<u>\$39,654,000</u>

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

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

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

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

30 (4) In accordance with RCW 46.08.172 and 43.135.055, the department
31 is authorized to increase parking fees in fiscal year 2011 as necessary
32 to meet the actual costs of conducting business.

33 **Sec. 121.** 2010 1st sp.s. c 37 s 142 (uncodified) is amended to
34 read as follows:

35 **FOR THE DEPARTMENT OF INFORMATION SERVICES**

36	General Fund--State Appropriation (FY 2010)	\$1,086,000
37	General Fund--State Appropriation (FY 2011)	((\$1,080,000))

1 (5) The department is prohibited from expending any amounts
2 appropriated in this section or any amounts from other funds managed by
3 the department for the purchase, restoration, installation, or
4 deployment of equipment for the new state data center authorized in
5 section 6031(8), chapter 497, Laws of 2009, or for preparing for a move
6 to the new data center. The department may continue planning
7 activities to develop cost effective solutions for information
8 technology management.

9 **Sec. 122.** 2010 1st sp.s. c 37 s 146 (uncodified) is amended to
10 read as follows:

11 **FOR THE LIQUOR CONTROL BOARD**

12 Liquor Control Board Construction and Maintenance

13 Account--State Appropriation	\$8,817,000
14 Liquor Revolving Account--State Appropriation	(\$156,580,000)
15	<u>\$156,691,000</u>
16 TOTAL APPROPRIATION	(\$165,397,000)
17	<u>\$165,508,000</u>

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

20 (1) \$1,306,000 of the liquor revolving account--state appropriation
21 is provided solely for the liquor control board to open five new state
22 stores.

23 (2) \$40,000 of the liquor revolving account--state appropriation is
24 provided solely for the liquor control board to open ten new contract
25 stores.

26 (3) ~~(\$3,059,000)~~ \$2,810,000 of the liquor revolving account--
27 state appropriation is provided solely for the liquor control board to
28 increase state and local revenues from new retail strategies including
29 opening nine state stores on Sunday, opening state liquor stores on
30 seven holidays, opening six mall locations during the holiday season,
31 and increasing lottery sales.

32 (4) \$173,000 of the liquor revolving account--state appropriation
33 is provided solely for the Engrossed House Bill No. 2040 (beer and wine
34 regulation commission). If the bill is not enacted by June 30, 2009,
35 the amount provided in this subsection shall lapse.

36 (5) \$130,000 of the liquor revolving account appropriation is
37 provided to implement chapter 141, Laws of 2010 (SSB 6329).

1 (6) Within the amounts appropriated in this section, the liquor
 2 control board shall monitor the tasting endorsement authorized by
 3 chapter 141, Laws of 2010 (SSB 6329) and report to the appropriate
 4 committees of the legislature by June 30, 2011, on the enforcement of
 5 the endorsement. The report must include the number of compliance
 6 checks conducted by the liquor board during tasting activities, whether
 7 the checks were conducted with the knowledge of the licensee, the
 8 number of compliance checks passed, the number and type of notices of
 9 violation issued, the penalties imposed for the violations, the number
 10 of complaints received about tasting activities, and other information
 11 related to the enforcement of the endorsement. If the bill is not
 12 enacted by June 30, 2010, the requirements of this subsection shall be
 13 null and void.

14 (7) The board shall prepare a plan to transition selected state
 15 liquor stores to contract stores. The plan must identify stores for
 16 transition that the board determines will result in the greatest
 17 efficiency and cost-effectiveness for the state. The plan must provide
 18 for the conversion of at least twenty state liquor stores to contract
 19 liquor stores and for that conversion to occur between July 1, 2011,
 20 and July 1, 2013. The plan must also include an analysis of the
 21 revenue generating capacity and costs for the stores before and after
 22 the conversion as well as an analysis of access to liquor by
 23 intoxicated and underage persons. The board shall submit the plan to
 24 the appropriate policy and fiscal committees of the legislature by
 25 November 1, 2010.

26 **Sec. 123.** 2010 1st sp.s. c 37 s 148 (uncodified) is amended to
 27 read as follows:

28 **FOR THE MILITARY DEPARTMENT**

29	General Fund--State Appropriation (FY 2010)	\$9,350,000
30	General Fund--State Appropriation (FY 2011)	(\$8,874,000)
31		<u>\$7,898,000</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	(\$377,096,000)
8		<u>\$376,120,000</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 account--
13 federal appropriation may be spent only on disasters declared by the
14 governor and with the approval of the office of financial management.
15 The military department shall submit a report to the office of
16 financial management and the legislative fiscal committees on October
17 1st and February 1st of each year detailing information on the disaster
18 response account, including: (a) The amount and type of deposits into
19 the account; (b) the current available fund balance as of the reporting
20 date; and (c) the projected fund balance at the end of the 2009-2011
21 biennium based on current revenue and expenditure patterns.

22 (2) \$307,000 of the Nisqually earthquake account--state
23 appropriation and \$1,067,000 of the Nisqually earthquake account--
24 federal appropriation are provided solely for response and recovery
25 costs associated with the February 28, 2001, earthquake. The military
26 department shall submit a report to the office of financial management
27 and the legislative fiscal committees on October 1st and February 1st
28 of each year detailing earthquake recovery costs, including: (a)
29 Estimates of total costs; (b) incremental changes from the previous
30 estimate; (c) actual expenditures; (d) estimates of total remaining
31 costs to be paid; and (e) estimates of future payments by biennium.
32 This information shall be displayed by fund, by type of assistance, and
33 by amount paid on behalf of state agencies or local organizations. The
34 military department shall also submit a report quarterly to the office
35 of financial management and the legislative fiscal committees detailing
36 information on the Nisqually earthquake account, including: (a) The
37 amount and type of deposits into the account; (b) the current available

1 fund balance as of the reporting date; and (c) the projected fund
2 balance at the end of the 2009-2011 biennium based on current revenue
3 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. 124.** 2010 1st sp.s. c 37 s 150 (uncodified) is amended to
22 read as 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)	(\$2,635,000)
26		<u>\$2,345,000</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	(\$8,815,000)
32		<u>\$8,525,000</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 \$31,694,000
2 TOTAL APPROPRIATION ((~~\$116,821,000~~))
3 \$66,821,000

4 NEW SECTION. **Sec. 128.** A new section is added to 2009 c 564
5 (uncodified) to read as follows:

6 In accordance with RCW 43.135.055, the utilities and transportation
7 commission is authorized to increase the fees set forth in and
8 previously authorized in section 147, chapter 37, Laws of 2010 1st
9 sp.s.

10 NEW SECTION. **Sec. 129.** A new section is added to 2009 c 564
11 (uncodified) to read as follows:

12 In accordance with RCW 43.135.055, the office of financial
13 management is authorized to adopt and increase the fees set forth in
14 and previously authorized in section 13, chapter 314, Laws of 2009.

(End of part)

PART II
HUMAN SERVICES

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

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

General Fund--State Appropriation (FY 2010)	. . . . .	\$315,002,000
General Fund--State Appropriation (FY 2011)	. . . . .	(\$293,707,000)
		<u>\$287,800,000</u>
General Fund--Federal Appropriation	. . . . .	(\$497,964,000)
		<u>\$494,161,000</u>
General Fund--Private/Local Appropriation	. . . . .	\$3,320,000
Home Security Fund Appropriation	. . . . .	(\$9,983,000)
		<u>\$8,224,000</u>
Domestic Violence Prevention Account--State		
Appropriation	. . . . .	(\$1,154,000)
		<u>\$1,077,000</u>
Education Legacy Trust Account--State Appropriation	. . . . .	\$725,000
TOTAL APPROPRIATION	. . . . .	(\$1,121,855,000)
		<u>\$1,110,309,000</u>

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

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

1 (2) \$369,000 of the general fund--state appropriation for fiscal
2 year 2010, (~~(\$366,000)~~) \$343,000 of the general fund--state
3 appropriation for fiscal year 2011, and (~~(\$316,000)~~) \$306,000 of the
4 general fund--federal appropriation are provided solely for up to three
5 nonfacility-based programs for the training, consultation, support, and
6 recruitment of biological, foster, and adoptive parents of children
7 through age three in need of special care as a result of substance
8 abuse by their mothers, except that each program may serve up to three
9 medically fragile nonsubstance-abuse-affected children. In selecting
10 nonfacility-based programs, preference shall be given to programs whose
11 federal or private funding sources have expired or that have
12 successfully performed under the existing pediatric interim care
13 program.

14 (3) \$2,500,000 of the general fund--state appropriation for fiscal
15 year 2010 and (~~(\$88,000)~~) \$46,000 of the general fund--state
16 appropriation for fiscal year 2011, and (~~(\$2,256,000)~~) \$2,098,000 of
17 the home security fund--state appropriation are provided solely for
18 secure crisis residential centers. Within appropriated amounts, the
19 department shall collaborate with providers to maintain no less than
20 forty-five beds that are geographically representative of the state.
21 The department shall examine current secure crisis residential staffing
22 requirements, flexible payment options, center specific waivers, and
23 other appropriate methods to accomplish this outcome.

24 (4) A maximum of (~~(\$73,209,000)~~) \$69,190,000 of the general fund--
25 state appropriations and (~~(\$54,596,000)~~) \$54,443,000 of the general
26 fund--federal appropriations for the 2009-11 biennium shall be expended
27 for behavioral rehabilitative services and these amounts are provided
28 solely for this purpose. The department shall work with behavioral
29 rehabilitative service providers to safely keep youth with emotional,
30 behavioral, or medical needs at home, with relatives, or with other
31 permanent placement resources and decrease the length of service
32 through improved emotional, behavioral, or medical outcomes for
33 children in behavioral rehabilitative services in order to achieve the
34 appropriated levels.

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

1 (b) The department and the contracted provider shall mutually agree
2 and establish an exit date for when the child is to exit the behavioral
3 rehabilitative service provider. The department and the contracted
4 provider should mutually agree, to the greatest extent possible, on a
5 viable placement for the child to go to once the child's treatment
6 process has been completed. The child shall exit only when the
7 emotional, behavioral, or medical condition has improved or if the
8 provider has not shown progress toward the outcomes specified in the
9 signed contract at the time of exit. This subsection (b) does not
10 prevent or eliminate the department's responsibility for removing the
11 child from the provider if the child's emotional, behavioral, or
12 medical condition worsens or is threatened.

13 (c) The department is encouraged to use performance-based contracts
14 with incentives directly tied to outcomes described in this section.
15 The contracts should incentivize contracted providers to accept the
16 hardest to serve children and incentivize improvement in children's
17 emotional, mental, and medical well-being within the established exit
18 date. The department is further encouraged to increase the use of
19 behavioral rehabilitative service group homes, wrap around services to
20 facilitate and support placement of youth at home with relatives, or
21 other permanent resources, and other means to control expenditures.

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

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

30 (6) (~~(\$14,187,000)~~) \$13,387,000 of the general fund--state
31 appropriation for fiscal year 2011 and \$6,231,000 of the general fund--
32 federal appropriation are provided solely for the department to provide
33 contracted prevention and early intervention services. The legislature
34 recognizes the need for flexibility as the department transitions to
35 performance-based contracts. The following services are included in
36 the prevention and early intervention block grant: Crisis family
37 intervention services, family preservation services, intensive family
38 preservation services, evidence-based programs, public health nurses,

1 and early family support services. The legislature intends for the
2 department to maintain and build on existing evidence-based and
3 research-based programs with the goal of utilizing contracted
4 prevention and intervention services to keep children safe at home and
5 to safely reunify families. Priority shall be given to proven
6 intervention models, including evidence-based prevention and early
7 intervention programs identified by the Washington state institute for
8 public policy and the department. The department shall include
9 information on the number, type, and outcomes of the evidence-based
10 programs being implemented in its reports on child welfare reform
11 efforts and shall provide the legislature and governor a report
12 regarding the allocation of resources in this subsection by September
13 30, 2010. The department shall expend federal funds under this
14 subsection in compliance with federal regulations.

15 (7) \$36,000 of the general fund--state appropriation for fiscal
16 year 2010, \$34,000 of the general fund--state appropriation for fiscal
17 year 2011, and \$29,000 of the general fund--federal appropriation are
18 provided solely for the implementation of chapter 465, Laws of 2007
19 (child welfare).

20 (8) \$125,000 of the general fund--state appropriation for fiscal
21 year 2010 and (~~(\$118,000)~~) \$62,000 of the general fund--state
22 appropriation for fiscal year 2011 are provided solely for continuum of
23 care services. \$100,000 of this amount is for Casey family partners
24 and \$25,000 of this amount is for volunteers of America crosswalk in
25 fiscal year 2010. (~~(\$95,000)~~) \$50,000 of this amount is for Casey
26 family partners and (~~(\$23,000)~~) \$12,000 of this amount is for
27 volunteers of America crosswalk in fiscal year 2011.

28 (9) \$1,904,000 of the general fund--state appropriation for fiscal
29 year 2010, (~~(\$1,717,000)~~) \$1,441,000 of the general fund--state
30 appropriation for fiscal year 2011, and \$335,000 of the general fund--
31 federal appropriation are provided solely to contract with medical
32 professionals for comprehensive safety assessments of high-risk
33 families and for foster care assessments. The safety assessments will
34 use validated assessment tools to guide intervention decisions through
35 the identification of additional safety and risk factors. The
36 department will maintain the availability of comprehensive foster care
37 assessments and follow up services for children in out-of-home care who
38 do not have permanent plans, comprehensive safety assessments for

1 families receiving in-home child protective services or family
2 voluntary services, and comprehensive safety assessments for families
3 with an infant age birth to fifteen days where the infant was, at
4 birth, diagnosed as substance exposed and the department received an
5 intake referral related to the infant due to the substance exposure.
6 The department must consolidate contracts, streamline administration,
7 and explore efficiencies to achieve savings.

8 (10) \$7,679,000 of the general fund--state appropriation for fiscal
9 year 2010, \$6,226,000 of the general fund--state appropriation for
10 fiscal year 2011, and \$4,658,000 of the general fund--federal
11 appropriation are provided solely for court-ordered supervised visits
12 between parents and dependent children and for sibling visits. The
13 department shall work collaboratively with the juvenile dependency
14 courts and revise the supervised visit reimbursement procedures to stay
15 within appropriations without impeding reunification outcomes between
16 parents and dependent children. The department shall report to the
17 legislative fiscal committees on September 30, 2010, and December 30,
18 2010, the number of children in foster care who receive supervised
19 visits, their frequency, length of time of each visit, and whether
20 reunification is attained.

21 (11) \$145,000 of the general fund--state appropriation for fiscal
22 year 2010, \$817,000 of the general fund--state appropriation for fiscal
23 year 2011, and (~~(\$724,000)~~) \$668,000 of the home security fund--state
24 appropriation is provided solely for street youth program services.

25 (12) \$1,522,000 of the general fund--state appropriation for fiscal
26 year 2010, \$1,256,000 of the general fund--state appropriation for
27 fiscal year 2011, and \$1,372,000 of the general fund--federal
28 appropriation are provided solely for the department to recruit foster
29 parents. The recruitment efforts shall include collaborating with
30 community-based organizations and current or former foster parents to
31 recruit foster parents.

32 (13) \$493,000 of the general fund--state appropriation for fiscal
33 year 2010, (~~(\$284,000)~~) \$102,000 of the general fund--state
34 appropriation for fiscal year 2011, \$466,000 of the general fund--
35 private/local appropriation, \$182,000 of the general fund--federal
36 appropriation, and \$725,000 of the education legacy trust account--
37 state appropriation are provided solely for children's administration
38 to contract with an educational advocacy provider with expertise in

1 foster care educational outreach. Funding is provided solely for
2 contracted education coordinators to assist foster children in
3 succeeding in K-12 and higher education systems. 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 (14) (~~(\$1,677,000)~~) \$1,273,000 of the home security fund account--
9 state appropriation is provided solely for HOPE beds.

10 (15) (~~(\$5,193,000)~~) \$4,052,000 of the home security fund account--
11 state appropriation is provided solely for the crisis residential
12 centers.

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

19 (17) Within the amounts appropriated in this section, the
20 department shall contract for a pilot project with family and community
21 networks in Whatcom county and up to four additional counties to
22 provide services. The pilot project shall be designed to provide a
23 continuum of services that reduce out-of-home placements and the
24 lengths of stay for children in out-of-home placement. The department
25 and the community networks shall collaboratively select the additional
26 counties for the pilot project and shall collaboratively design the
27 contract. Within the framework of the pilot project, the contract
28 shall seek to maximize federal funds. The pilot project in each county
29 shall include the creation of advisory and management teams which
30 include members from neighborhood-based family advisory committees,
31 residents, parents, youth, providers, and local and regional department
32 staff. The Whatcom county team shall facilitate the development of
33 outcome-based protocols and policies for the pilot project and develop
34 a structure to oversee, monitor, and evaluate the results of the pilot
35 projects. The department shall report the costs and savings of the
36 pilot project to the appropriate committees of the legislature by
37 November 1 of each year.

1 (18) \$157,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$148,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for the department to contract
4 with a nonprofit entity for a reunification pilot project in Whatcom
5 and Skagit counties. The contract for the reunification pilot project
6 shall include a rate of \$46.16 per hour for evidence-based
7 interventions, in combination with supervised visits, to provide 3,564
8 hours of services to reduce the length of stay for children in the
9 child welfare system. The contract shall also include evidence-based
10 intensive parenting skills building services and family support case
11 management services for 38 families participating in the reunification
12 pilot project. The contract shall include the flexibility for the
13 nonprofit entity to subcontract with trained providers.

14 (19) \$303,000 of the general fund--state appropriation for fiscal
15 year 2010, \$392,000 of the general fund--state appropriation for fiscal
16 year 2011, and \$241,000 of the general fund--federal appropriation are
17 provided solely to implement Engrossed Substitute House Bill No. 1961
18 (increasing adoptions act). If the bill is not enacted by June 30,
19 2009, the amounts provided in this subsection shall lapse.

20 (20) \$98,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$92,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the department to contract
23 with an agency that is working in partnership with, and has been
24 evaluated by, the University of Washington school of social work to
25 implement promising practice constellation hub models of foster care
26 support.

27 (21) The legislature intends for the department to reduce the time
28 a child remains in the child welfare system. The department shall
29 establish a measurable goal and report progress toward meeting that
30 goal to the legislature by January 15 of each fiscal year of the 2009-
31 11 fiscal biennium. To the extent that actual caseloads exceed those
32 assumed in this section, it is the intent of the legislature to address
33 those issues in a manner similar to all other caseload programs.

34 (22) \$715,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$671,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for services provided through
37 children's advocacy centers.

1 (23) \$10,000 of the general fund--state appropriation for fiscal
2 year 2011 and \$3,000 of the general fund--federal appropriation are
3 provided solely for implementation of chapter 224, Laws of 2010
4 (confinement alternatives). If the bill is not enacted by June 30,
5 2010, the amounts provided in this subsection shall lapse.

6 (24) \$1,867,000 of the general fund--state appropriation for fiscal
7 year 2010, \$1,677,000 of the general fund--state appropriation for
8 fiscal year 2011, and \$4,379,000 of the general fund--federal
9 appropriation are provided solely for the department to contract for
10 medicaid treatment child care (MTCC) services. Children's
11 administration case workers, local public health nurses and case
12 workers from the temporary assistance for needy families program shall
13 refer children to MTCC services, as long as the children meet the
14 eligibility requirements as outlined in the Washington state plan for
15 the MTCC services.

16 (25) The department shall contract for at least one pilot project
17 with adolescent services providers to deliver a continuum of short-term
18 crisis stabilization services. The pilot project shall include
19 adolescent services provided through secure crisis residential centers,
20 crisis residential centers, and hope beds. The department shall work
21 with adolescent service providers to maintain availability of
22 adolescent services and maintain the delivery of services in a
23 geographically representative manner. The department shall examine
24 current staffing requirements, flexible payment options, center-
25 specific licensing waivers, and other appropriate methods to achieve
26 savings and streamline the delivery of services. The legislature
27 intends for the pilot project to provide flexibility to the department
28 to improve outcomes and to achieve more efficient utilization of
29 existing resources, while meeting the statutory goals of the adolescent
30 services programs. The department shall provide an update to the
31 appropriate legislative committees and governor on the status of the
32 pilot project implementation by December 1, 2010.

33 (26) To ensure expenditures remain within available funds
34 appropriated in this section as required by RCW 74.13A.005 and
35 74.13A.020, the secretary shall not set the amount of any adoption
36 assistance payment or payments, made pursuant to RCW 26.33.320 and
37 74.13A.005 through 74.13A.080, to more than ninety percent of the
38 foster care maintenance payment for that child had he or she remained

1 in a foster family home during the same period. This subsection does
2 not apply to adoption assistance agreements in existence on the
3 effective date of this section.

4 (27) Receipts from fees per chapter 289, Laws of 2010, as deposited
5 into the prostitution prevention and intervention account for services
6 provided to sexually exploited children as defined in RCW 13.32A.030 in
7 secure and semi-secure crisis residential centers with access to staff
8 trained to meet their specific needs shall be used to expand capacity
9 for secure crisis residential centers and not supplant existing
10 funding.

11 (28) The appropriations in this section reflect reductions to the
12 foster care maintenance payment rates during fiscal year 2011.

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

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

17	General Fund--State Appropriation (FY 2010)	\$103,437,000
18	General Fund--State Appropriation (FY 2011)	((\$96,167,000))
19		<u>\$90,240,000</u>
20	General Fund--Federal Appropriation	\$1,715,000
21	General Fund--Private/Local Appropriation	\$1,899,000
22	Washington Auto Theft Prevention Authority Account--	
23	State Appropriation	\$3,896,000
24	Juvenile Accountability Incentive Account--Federal	
25	Appropriation	\$2,805,000
26	State Efficiency and Restructuring Account--State	
27	Appropriation	\$4,958,000
28	TOTAL APPROPRIATION	((\$214,877,000))
29		<u>\$208,950,000</u>

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

32 (1) \$353,000 of the general fund--state appropriation for fiscal
33 year 2010 and ((~~\$353,000~~)) \$331,000 of the general fund--state
34 appropriation for fiscal year 2011 are provided solely for deposit in
35 the county criminal justice assistance account for costs to the
36 criminal justice system associated with the implementation of chapter
37 338, Laws of 1997 (juvenile code revisions). The amounts provided in

1 this subsection are intended to provide funding for county adult court
2 costs associated with the implementation of chapter 338, Laws of 1997
3 and shall be distributed in accordance with RCW 82.14.310.

4 (2) \$3,408,000 of the general fund--state appropriation for fiscal
5 year 2010 and (~~(\$2,898,000)~~) \$2,716,000 of the general fund--state
6 appropriation for fiscal year 2011 are provided solely for the
7 implementation of chapter 338, Laws of 1997 (juvenile code revisions).
8 The amounts provided in this subsection are intended to provide funding
9 for county impacts associated with the implementation of chapter 338,
10 Laws of 1997 and shall be distributed to counties as prescribed in the
11 current consolidated juvenile services (CJS) formula.

12 (3) \$3,716,000 of the general fund--state appropriation for fiscal
13 year 2010 and (~~(\$3,716,000)~~) \$3,482,000 of the general fund--state
14 appropriation for fiscal year 2011 are provided solely to implement
15 community juvenile accountability grants pursuant to chapter 338, Laws
16 of 1997 (juvenile code revisions). Funds provided in this subsection
17 may be used solely for community juvenile accountability grants,
18 administration of the grants, and evaluations of programs funded by the
19 grants.

20 (4) \$1,427,000 of the general fund--state appropriation for fiscal
21 year 2010 and (~~(\$1,206,000)~~) \$1,130,000 of the general fund--state
22 appropriation for fiscal year 2011 are provided solely to implement
23 alcohol and substance abuse treatment programs for locally committed
24 offenders. The juvenile rehabilitation administration shall award
25 these moneys on a competitive basis to counties that submitted a plan
26 for the provision of services approved by the division of alcohol and
27 substance abuse. The juvenile rehabilitation administration shall
28 develop criteria for evaluation of plans submitted and a timeline for
29 awarding funding and shall assist counties in creating and submitting
30 plans for evaluation.

31 (5) \$3,066,000 of the general fund--state appropriation for fiscal
32 year 2010 and (~~(\$3,066,000)~~) \$2,873,000 of the general fund--state
33 appropriation for fiscal year 2011 are provided solely for grants to
34 county juvenile courts for the following programs identified by the
35 Washington state institute for public policy (institute) in its October
36 2006 report: "Evidence-Based Public Policy Options to Reduce Future
37 Prison Construction, Criminal Justice Costs and Crime Rates":
38 Functional family therapy, multi-systemic therapy, aggression

1 replacement training and interagency coordination programs, or other
2 programs with a positive benefit-cost finding in the institute's
3 report. County juvenile courts shall apply to the juvenile
4 rehabilitation administration for funding for program-specific
5 participation and the administration shall provide grants to the courts
6 consistent with the per-participant treatment costs identified by the
7 institute.

8 (6) \$1,287,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$1,287,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for expansion of the following
11 treatments and therapies in juvenile rehabilitation administration
12 programs identified by the Washington state institute for public policy
13 in its October 2006 report: "Evidence-Based Public Policy Options to
14 Reduce Future Prison Construction, Criminal Justice Costs and Crime
15 Rates": Multidimensional treatment foster care, family integrated
16 transitions, and aggression replacement training. The administration
17 may concentrate delivery of these treatments and therapies at a limited
18 number of programs to deliver the treatments in a cost-effective
19 manner.

20 (7)(a) For the fiscal year ending June 30, 2011, the juvenile
21 rehabilitation administration shall administer a block grant, rather
22 than categorical funding, of consolidated juvenile service funds,
23 community juvenile accountability act grants, the chemical dependency
24 disposition alternative funds, the mental health disposition
25 alternative, and the sentencing disposition alternative for the purpose
26 of serving youth adjudicated in the juvenile justice system. In making
27 the block grant, the juvenile rehabilitation administration shall
28 follow the following formula and will prioritize evidence-based
29 programs and disposition alternatives and take into account juvenile
30 courts program-eligible youth in conjunction with the number of youth
31 served in each approved evidence-based program or disposition
32 alternative: (i) Thirty-seven and one-half percent for the at-risk
33 population of youth ten to seventeen years old; (ii) fifteen percent
34 for moderate and high-risk youth; (iii) twenty-five percent for
35 evidence-based program participation; (iv) seventeen and one-half
36 percent for minority populations; (v) three percent for the chemical
37 dependency disposition alternative; and (vi) two percent for the mental
38 health and sentencing dispositional alternatives. Funding for the

1 special sex offender disposition alternative (SSODA) shall not be
2 included in the block grant, but allocated on the average daily
3 population in juvenile courts. Funding for the evidence-based
4 expansion grants shall be excluded from the block grant formula. Funds
5 may be used for promising practices when approved by the juvenile
6 rehabilitation administration and juvenile courts, through the
7 community juvenile accountability act committee, based on the criteria
8 established in consultation with Washington state institute for public
9 policy and the juvenile courts.

10 (b) It is the intent of the legislature that the juvenile
11 rehabilitation administration phase the implementation of the formula
12 provided in subsection (1) of this section by including a stop-loss
13 formula of three percent in fiscal year 2011, five percent in fiscal
14 year 2012, and five percent in fiscal year 2013. It is further the
15 intent of the legislature that the evidence-based expansion grants be
16 incorporated into the block grant formula by fiscal year 2013 and SSODA
17 remain separate unless changes would result in increasing the cost
18 benefit savings to the state as identified in (c) of this subsection.

19 (c) The juvenile rehabilitation administration and the juvenile
20 courts shall establish a block grant funding formula oversight
21 committee with equal representation from the juvenile rehabilitation
22 administration and the juvenile courts. The purpose of this committee
23 is to assess the ongoing implementation of the block grant funding
24 formula, utilizing data-driven decision making and the most current
25 available information. The committee will be cochaired by the juvenile
26 rehabilitation administration and the juvenile courts, who will also
27 have the ability to change members of the committee as needed to
28 achieve its purpose. Initial members will include one juvenile court
29 representative from the finance committee, the community juvenile
30 accountability act committee, the risk assessment quality assurance
31 committee, the executive board of the Washington association of
32 juvenile court administrators, the Washington state center for court
33 research, and a representative of the superior court judges
34 association; two representatives from the juvenile rehabilitation
35 administration headquarters program oversight staff, two
36 representatives of the juvenile rehabilitation administration regional
37 office staff, one representative of the juvenile rehabilitation
38 administration fiscal staff and a juvenile rehabilitation

1 administration division director. The committee may make changes to
2 the formula categories other than the evidence-based program and
3 disposition alternative categories if it is determined the changes will
4 increase statewide service delivery or effectiveness of evidence-based
5 program or disposition alternative resulting in increased cost benefit
6 savings to the state. Long-term cost benefit must be considered.
7 Percentage changes may occur in the evidence-based program or
8 disposition alternative categories of the formula should it be
9 determined the changes will increase evidence-based program or
10 disposition alternative delivery and increase the cost benefit to the
11 state. These outcomes will also be considered in determining when
12 evidence-based expansion or special sex offender disposition
13 alternative funds should be included in the block grant or left
14 separate.

15 (d) The juvenile courts and administrative office of the courts
16 shall be responsible for collecting and distributing information and
17 providing access to the data systems to the juvenile rehabilitation
18 administration and the Washington state institute for public policy
19 related to program and outcome data. The juvenile rehabilitation
20 administration and the juvenile courts will work collaboratively to
21 develop program outcomes that reinforce the greatest cost benefit to
22 the state in the implementation of evidence-based practices and
23 disposition alternatives.

24 (e) By December 1, 2010, the Washington state institute for public
25 policy shall report to the office of financial management and
26 appropriate committees of the legislature on the administration of the
27 block grant authorized in this subsection. The report shall include
28 the criteria used for allocating the funding as a block grant and the
29 participation targets and actual participation in the programs subject
30 to the block grant.

31 (8) \$3,700,000 of the Washington auto theft prevention authority
32 account--state appropriation is provided solely for competitive grants
33 to community-based organizations to provide at-risk youth intervention
34 services, including but not limited to, case management, employment
35 services, educational services, and street outreach intervention
36 programs. Projects funded should focus on preventing, intervening, and
37 suppressing behavioral problems and violence while linking at-risk
38 youth to pro-social activities. The department may not expend more

1 than \$1,850,000 per fiscal year. The costs of administration must not
2 exceed four percent of appropriated funding for each grant recipient.
3 Each entity receiving funds must report to the juvenile rehabilitation
4 administration on the number and types of youth served, the services
5 provided, and the impact of those services upon the youth and the
6 community.

7 (9) The appropriations in this section assume savings associated
8 with the transfer of youthful offenders age eighteen or older whose
9 sentences extend beyond age twenty-one to the department of corrections
10 to complete their sentences. Prior to transferring an offender to the
11 department of corrections, the juvenile rehabilitation administration
12 shall evaluate the offender to determine the offender's physical and
13 emotional suitability for transfer.

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

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

18 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

19	General Fund--State Appropriation (FY 2010)	\$273,648,000
20	General Fund--State Appropriation (FY 2011)	(\$278,530,000)
21		<u>\$264,186,000</u>
22	General Fund--Federal Appropriation	\$519,456,000
23	General Fund--Private/Local Appropriation	(\$16,674,000)
24		<u>\$16,951,000</u>
25	Hospital Safety Net Assessment Fund--State	
26	Appropriation	\$3,476,000
27	TOTAL APPROPRIATION	(\$1,091,784,000)
28		<u>\$1,077,717,000</u>

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

31 (a) \$113,689,000 of the general fund--state appropriation for
32 fiscal year 2010 and ~~(\$113,689,000)~~ \$101,089,000 of the general
33 fund--state appropriation for fiscal year 2011 are provided solely for
34 persons and services not covered by the medicaid program. This is a
35 reduction of \$11,606,000 each fiscal year from the nonmedicaid funding
36 that was allocated for expenditure by regional support networks during
37 fiscal year 2009 prior to supplemental budget reductions. This

1 \$11,606,000 reduction shall be distributed among regional support
2 networks proportional to each network's share of the total state
3 population. To the extent possible, levels of regional support network
4 spending shall be maintained in the following priority order: (i)
5 Crisis and commitment services; (ii) community inpatient services; and
6 (iii) residential care services, including personal care and emergency
7 housing assistance.

8 (b) \$10,400,000 of the general fund--state appropriation for fiscal
9 year 2010, (~~(\$9,100,000)~~) \$8,814,000 of the general fund--state
10 appropriation for fiscal year 2011, and \$1,300,000 of the general
11 fund--federal appropriation are provided solely for the department and
12 regional support networks to contract for implementation of high-
13 intensity program for active community treatment (PACT) teams. The
14 department shall work with regional support networks and the center for
15 medicare and medicaid services to integrate eligible components of the
16 PACT service delivery model into medicaid capitation rates no later
17 than January 2011, while maintaining consistency with all essential
18 elements of the PACT evidence-based practice model.

19 (c) \$6,500,000 of the general fund--state appropriation for fiscal
20 year 2010 and (~~(\$6,500,000)~~) \$6,091,000 of the general fund--state
21 appropriation for fiscal year 2011 are provided solely for the western
22 Washington regional support networks to provide either community- or
23 hospital campus-based services for persons who require the level of
24 care provided by the program for adaptive living skills (PALS) at
25 western state hospital.

26 (d) The number of nonforensic beds allocated for use by regional
27 support networks at eastern state hospital shall be 192 per day. The
28 number of nonforensic beds allocated for use by regional support
29 networks at western state hospital shall be 617 per day during the
30 first quarter of fiscal year 2010, (~~and~~) 587 per day through the
31 second quarter of fiscal year 2011, and 557 per day thereafter. Beds
32 in the program for adaptive living skills (PALS) are not included in
33 the preceding bed allocations. The department shall separately charge
34 regional support networks for persons served in the PALS program.

35 (e) From the general fund--state appropriations in this subsection,
36 the secretary of social and health services shall assure that regional
37 support networks reimburse the aging and disability services

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

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

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

13 (h) \$750,000 of the general fund--state appropriation for fiscal
14 year 2010 and (~~(\$750,000)~~) \$703,000 of the general fund--state
15 appropriation for fiscal year 2011 are provided solely to continue
16 performance-based incentive contracts to provide appropriate community
17 support services for individuals with severe mental illness who were
18 discharged from the state hospitals as part of the expanding community
19 services initiative. These funds will be used to enhance community
20 residential and support services provided by regional support networks
21 through other state and federal funding.

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

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

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

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

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

37 At least annually, the Spokane regional support network shall

1 assess the effectiveness of these services in reducing utilization at
2 eastern state hospital, identify services that are not optimally
3 effective, and modify those services to improve their effectiveness.

4 (j) The department shall return to the Spokane regional support
5 network fifty percent of the amounts assessed against the network
6 during the last six months of calendar year 2009 for state hospital
7 utilization in excess of its contractual limit. The regional support
8 network shall use these funds for operation during its initial months
9 of a new sixteen-bed evaluation and treatment facility that will enable
10 the network to reduce its use of the state hospital, and for diversion
11 and community support services for persons with dementia who would
12 likely otherwise require care at the state hospital.

13 (k) The department is directed to identify and implement program
14 efficiencies and benefit changes in its delivery of medicaid managed-
15 care services that are sufficient to operate within the state and
16 federal appropriations in this section. Such actions may include but
17 are not limited to methods such as adjusting the care access standards;
18 improved utilization management of ongoing, recurring, and high-
19 intensity services; and increased uniformity in provider payment rates.
20 The department shall ensure that the capitation rate adjustments
21 necessary to accomplish these efficiencies and changes are distributed
22 uniformly and equitably across all regional support networks statewide.
23 The department is directed to report to the relevant legislative fiscal
24 and policy committees at least thirty days prior to implementing rate
25 adjustments reflecting these changes.

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

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

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

18 (o) The legislature intends and expects that regional support
19 networks and contracted community mental health agencies shall make all
20 possible efforts to, at a minimum, maintain current compensation levels
21 of direct care staff. Such efforts shall include, but not be limited
22 to, identifying local funding that can preserve client services and
23 staff compensation, achieving administrative reductions at the regional
24 support network level, and engaging stakeholders on cost-savings ideas
25 that maintain client services and staff compensation. For purposes of
26 this section, "direct care staff" means persons employed by community
27 mental health agencies whose primary responsibility is providing direct
28 treatment and support to people with mental illness, or whose primary
29 responsibility is providing direct support to such staff in areas such
30 as client scheduling, client intake, client reception, client records-
31 keeping, and facilities maintenance.

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

1 additional medicaid match, but only to the extent that the application
2 of such funds to medicaid services does not diminish the level of
3 crisis and commitment, community inpatient, residential care, and
4 outpatient services presently available to persons not eligible for
5 medicaid.

6 (2) INSTITUTIONAL SERVICES

7	General Fund--State Appropriation (FY 2010)	\$119,423,000
8	General Fund--State Appropriation (FY 2011)	(\$118,010,000)
9		<u>\$112,514,000</u>
10	General Fund--Federal Appropriation	(\$153,425,000)
11		<u>\$152,195,000</u>
12	General Fund--Private/Local Appropriation	(\$64,614,000)
13		<u>\$63,873,000</u>
14	TOTAL APPROPRIATION	(\$455,472,000)
15		<u>\$448,005,000</u>

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

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

21 (b) \$231,000 of the general fund--state appropriation for fiscal
22 year 2008 and ~~(\$231,000)~~ \$216,000 of the general fund--state
23 appropriation for fiscal year 2009 are provided solely for a community
24 partnership between western state hospital and the city of Lakewood to
25 support community policing efforts in the Lakewood community
26 surrounding western state hospital. The amounts provided in this
27 subsection (2)(b) are for the salaries, benefits, supplies, and
28 equipment for one full-time investigator, one full-time police officer,
29 and one full-time community service officer at the city of Lakewood.

30 (c) \$45,000 of the general fund--state appropriation for fiscal
31 year 2010 and ~~(\$45,000)~~ \$42,000 of the general fund--state
32 appropriation for fiscal year 2011 are provided solely for payment to
33 the city of Lakewood for police services provided by the city at
34 western state hospital and adjacent areas.

35 (d) ~~(\$200,000)~~ \$187,000 of the general fund--state appropriation
36 for fiscal year 2011 is provided solely for support of the psychiatric
37 security review panel established pursuant to Senate Bill No. 6610. If

1 Senate Bill No. 6610 is not enacted by June 30, 2010, the amount
2 provided in this subsection shall lapse.

3 (3) SPECIAL PROJECTS

4	General Fund--State Appropriation (FY 2010)	\$1,819,000
5	General Fund--State Appropriation (FY 2011)	(\$2,092,000)
6		<u>\$1,961,000</u>
7	General Fund--Federal Appropriation	\$2,142,000
8	TOTAL APPROPRIATION	(\$6,053,000)
9		<u>\$5,922,000</u>

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

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

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

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

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

31 (e) ~~(\$60,000)~~ \$56,000 of the general fund--state appropriation
32 for fiscal year 2011 is provided solely for implementation of sections
33 2 and 3, chapter 280, Laws of 2010. The department shall use these
34 funds to contract with the Washington state institute for public policy
35 for completion of an assessment of (i) the extent to which the number
36 of persons involuntarily committed for 3, 14, and 90 days is likely to
37 increase as a result of the revised commitment standards; (ii) the
38 availability of community treatment capacity to accommodate that

1 increase; (iii) strategies for cost-effectively leveraging state,
2 local, and private resources to increase community involuntary
3 treatment capacity; and (iv) the extent to which increases in
4 involuntary commitments are likely to be offset by reduced utilization
5 of correctional facilities, publicly-funded medical care, and state
6 psychiatric hospitalizations.

7 (4) PROGRAM SUPPORT

8	General Fund--State Appropriation (FY 2010)	\$4,078,000
9	General Fund--State Appropriation (FY 2011)	(\$3,958,000)
10		<u>\$3,722,000</u>
11	General Fund--Federal Appropriation	\$7,207,000
12	TOTAL APPROPRIATION	(\$15,243,000)
13		<u>\$15,007,000</u>

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

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

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
25 **DISABILITIES PROGRAM**

26 (1) COMMUNITY SERVICES

27	General Fund--State Appropriation (FY 2010)	\$307,348,000
28	General Fund--State Appropriation (FY 2011)	(\$337,658,000)
29		<u>\$321,777,000</u>
30	General Fund--Federal Appropriation	(\$902,043,000)
31		<u>\$890,336,000</u>
32	TOTAL APPROPRIATION	(\$1,547,049,000)
33		<u>\$1,519,461,000</u>

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

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

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

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

19 (c) Amounts appropriated in this section are sufficient to develop
20 and implement the use of a consistent, statewide outcome-based vendor
21 contract for employment and day services by April 1, 2011. The rates
22 paid to vendors under this contract shall also be made consistent. In
23 its description of activities the agency shall include activity
24 listings and dollars appropriated for: Employment services, day
25 services, child development services and county administration of
26 services to the developmentally disabled. The department shall begin
27 reporting to the office of financial management on these activities
28 beginning in fiscal year 2010.

29 (d) \$302,000 of the general fund--state appropriation for fiscal
30 year 2010, \$831,000 of the general fund--state appropriation for fiscal
31 year 2011, and \$1,592,000 of the general fund--federal appropriation
32 are provided solely for health care benefits pursuant to a collective
33 bargaining agreement negotiated with the exclusive bargaining
34 representative of individual providers established under RCW
35 74.39A.270.

36 (e)(i) \$682,000 of the general fund--state appropriation for fiscal
37 year 2010, \$1,651,000 of the general fund--state appropriation for
38 fiscal year 2011, and \$1,678,000 of the general fund--federal

1 appropriation are provided solely for the state's contribution to the
2 training partnership, as provided in RCW 74.39A.360, pursuant to a
3 collective bargaining agreement negotiated with the exclusive
4 bargaining representative of individual providers established under RCW
5 74.39A.270.

6 (ii) The federal portion of the amounts in this subsection (g) is
7 contingent upon federal approval of participation in contributions to
8 the trust and shall remain unallotted and placed in reserve status
9 until the office of financial management and the department of social
10 and health services receive federal approval.

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

13 (f) Within the amounts appropriated in this subsection (1), the
14 department shall implement all necessary rules to facilitate the
15 transfer to a department home and community-based services (HCBS)
16 waiver of all eligible individuals who (i) currently receive services
17 under the existing state-only employment and day program or the
18 existing state-only residential program, and (ii) otherwise meet the
19 waiver eligibility requirements. The amounts appropriated are
20 sufficient to ensure that all individuals currently receiving services
21 under the state-only employment and day and state-only residential
22 programs who are not transferred to a department HCBS waiver will
23 continue to receive services.

24 (g) In addition to other reductions, the appropriations in this
25 subsection 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 direct client services or
29 direct service delivery or programs.

30 (h) The department shall not pay a home care agency licensed under
31 chapter 70.127 RCW for personal care services provided by a family
32 member, pursuant to Substitute House Bill No. 2361 (modifying state
33 payments for in-home care).

34 (i) Within the appropriations of this section, the department shall
35 reduce all seventeen payment levels of the seventeen-level payment
36 system from the fiscal year 2009 levels for boarding homes, boarding
37 homes contracted as assisted living, and adult family homes. Excluded
38 from the reductions are exceptional care rate add-ons. The long-term

1 care program may develop add-ons to pay exceptional care rates to adult
2 family homes and boarding homes with specialty contracts to provide
3 support for the following specifically eligible clients:

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

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

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

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

14 (j) The amounts appropriated in this subsection reflect a reduction
15 in funds available for employment and day services. In administering
16 this reduction the department shall negotiate with counties and their
17 vendors so that this reduction, to the greatest extent possible, is
18 achieved by reducing vendor rates and allowable contract administrative
19 charges (overhead) and not through reductions to direct client services
20 or direct service delivery or programs.

21 (k) As part of the needs assessment instrument, the department may
22 collect data on family income for minor children with developmental
23 disabilities and all individuals who are receiving state-only funded
24 services. The department may ensure that this information is collected
25 as part of the client assessment process.

26 (l) \$116,000 of the general fund--state appropriation for fiscal
27 year 2010, (~~(\$2,689,000)~~) \$2,133,000 of the general fund--state
28 appropriation for fiscal year 2011, and \$1,772,000 of the general
29 fund--federal appropriation are provided solely for employment services
30 and required waiver services. Priority consideration for this new
31 funding shall be young adults with developmental disabilities living
32 with their family who need employment opportunities and assistance
33 after high school graduation. Services shall be provided for both
34 waiver and nonwaiver clients. (~~(Fifty percent of the general fund
35 appropriation shall be utilized for graduates served on a home and
36 community based services waiver and fifty percent of the general fund
37 appropriation shall be used for nonwaiver clients.)~~)

1 (m) \$81,000 of the general fund--state appropriation for fiscal
2 year 2010, \$599,000 of the general fund--state appropriation for fiscal
3 year 2011, and \$1,111,000 of the general fund--federal appropriation
4 are provided solely for the department to provide employment and day
5 services for eligible students who are currently on a waiver and will
6 graduate from high school during fiscal years 2010 and 2011.

7 (n) The automatic award of additional hours of personal care for
8 people with special meal preparation or incontinence needs is
9 eliminated. Authorization of service hours will be based upon the
10 individual's assessed needs.

11 (o) \$207,000 of the general fund--state appropriation for fiscal
12 year 2011 and \$301,000 of the general fund--federal appropriation are
13 provided solely to resume enrollments beginning February 1, 2011, into
14 the children's intensive in-home behavior supports placements.

15 (p) \$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)	(\$64,404,000)
23		<u>\$62,551,000</u>
24	General Fund--Federal Appropriation	(\$207,986,000)
25		<u>\$205,440,000</u>
26	General Fund--Private/Local Appropriation	(\$22,441,000)
27		<u>\$22,357,000</u>
28	TOTAL APPROPRIATION	(\$356,253,000)
29		<u>\$351,770,000</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)	(\$1,369,000)
19		<u>\$1,341,000</u>
20	General Fund--Federal Appropriation	(\$1,301,000)
21		<u>\$1,263,000</u>
22	TOTAL APPROPRIATION	(\$4,077,000)
23		<u>\$4,011,000</u>

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

31 (4) SPECIAL PROJECTS

32	General Fund--Federal Appropriation	(\$9,631,000)
33		<u>\$10,171,000</u>

34 The appropriations in this subsection are subject to the following
35 conditions and limitations: The appropriations in this subsection are
36 available solely for the infant toddler early intervention program and
37 the money follows the person program as defined by this federal grant.

1 **Sec. 205.** 2010 2nd sp.s. c 1 s 205 (uncodified) is amended to read
2 as 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)	(((\$639,163,000))
7		<u>\$605,422,000</u>
8	General Fund--Federal Appropriation	(((\$1,954,300,000))
9		<u>\$1,916,555,000</u>
10	General Fund--Private/Local Appropriation	\$18,013,000
11	Traumatic Brain Injury Account--State Appropriation	\$4,136,000
12	TOTAL APPROPRIATION	(((\$3,232,449,000))
13		<u>\$3,160,963,000</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 ~~(((\$166.24))~~ \$161.86 for fiscal
19 year 2011, including the rate add-on described in subsection (12) of
20 this section. There will be no adjustments for economic trends and
21 conditions in fiscal years 2010 and 2011. The economic trends and
22 conditions factor or factors defined in the biennial appropriations act
23 shall not be compounded with the economic trends and conditions factor
24 or factors defined in any other biennial appropriations acts before
25 applying it to the component rate allocations established in accordance
26 with chapter 74.46 RCW. When no economic trends and conditions factor
27 for either fiscal year is defined in a biennial appropriations act, no
28 economic trends and conditions factor or factors defined in any earlier
29 biennial appropriations act shall be applied solely or compounded to
30 the component rate allocations established in accordance with chapter
31 74.46 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, (~~(\$4,239,000)~~) \$3,972,000 of the general fund--state
12 appropriation for fiscal year 2011, and \$10,190,000 of the general
13 fund--federal appropriation are provided solely for the continued
14 operation of community residential and support services for persons who
15 are older adults or who have co-occurring medical and behavioral
16 disorders and who have been discharged or diverted from a state
17 psychiatric hospital. These funds shall be used to serve individuals
18 whose treatment needs constitute substantial barriers to community
19 placement, who no longer require active psychiatric treatment at an
20 inpatient hospital level of care, and who no longer meet the criteria
21 for inpatient involuntary commitment. Coordination of these services
22 will be done in partnership between the mental health program and the
23 aging and disability services 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 (~~(\$1,877,000)~~) \$1,759,000 of the general fund--state

1 appropriation for fiscal year 2011 are provided solely for operation of
2 the volunteer services program. Funding shall be prioritized towards
3 serving populations traditionally served by long-term care services to
4 include 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, (~~(\$781,000)~~) \$732,000 of the general fund--state
38 appropriation for fiscal year 2011, and \$1,293,000 of the general

1 fund--federal appropriation are provided solely to implement Engrossed
2 House Bill No. 2194 (extraordinary medical placement for offenders).
3 The department shall work in partnership with the department of
4 corrections to identify services and find placements for offenders who
5 are released through the extraordinary medical placement program. The
6 department shall collaborate with the department of corrections to
7 identify and track cost savings to the department of corrections,
8 including medical cost savings and to identify and track expenditures
9 incurred by the aging and disability services program for community
10 services and by the medical assistance program for medical expenses.
11 A joint report regarding the identified savings and expenditures shall
12 be provided to the office of financial management and the appropriate
13 fiscal committees of the legislature by November 30, 2010. If this
14 bill is not enacted by June 30, 2009, the amounts provided in this
15 subsection 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.)) The
20 department shall eliminate the adult day health program under the state
21 plan 1915(i) option and reestablish it under the long-term care
22 community options program entry system (COPES) 1915(c) waiver.~~

23 (25) ~~(\$1,000,000))~~ \$937,000 of the general fund--state
24 appropriation for fiscal year 2011 is provided solely for the
25 department to contract for the provision of an individual provider
26 referral registry.

27 (26) ~~(\$100,000))~~ \$94,000 of the general fund--state appropriation
28 for fiscal year 2011 and \$100,000 of the general fund--federal
29 appropriation are provided solely for the department to contract with
30 a consultant to evaluate and make recommendations on a pay-for-
31 performance payment subsidy system. The department shall organize one
32 workgroup meeting with the consultant where nursing home stakeholders
33 may provide input on pay-for-performance ideas. The consultant shall
34 review pay-for-performance strategies used in other states to sustain
35 and enhance quality-improvement efforts in nursing facilities. The
36 evaluation shall include a review of the centers for medicare and
37 medicaid services demonstration project to explore the feasibility of

1 pay-for-performance systems in medicare certified nursing facilities.
2 The consultant shall develop a report to include:

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

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

6 (c) A summary and review of suggestions for pay-for-performance
7 strategies provided by nursing home stakeholders in Washington state;
8 and

9 (d) An evaluation of the effectiveness of a variety of performance
10 measures.

11 (27) \$4,100,000 of the general fund--state appropriation for fiscal
12 year 2010, \$4,174,000 of the general fund--state appropriation for
13 fiscal year 2011, and \$8,124,000 of the general fund--federal
14 appropriation are provided for the operation of the management services
15 division of the aging and disability services administration. This
16 includes but is not limited to the budget, contracts, accounting,
17 decision support, information technology, and rate development
18 activities for programs administered by the aging and disability
19 services administration. Nothing in this subsection is intended to
20 exempt the management services division of the aging and disability
21 services administration from reductions directed by the secretary.
22 However, funds provided in this subsection shall not be transferred
23 elsewhere within the department nor used for any other purpose.

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

28 (29) In accordance with RCW 43.135.055, the department is
29 authorized to adopt and increase the fees set forth in and previously
30 authorized in section 206(19), chapter 37, Laws of 2010 1st sp.s.

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

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

35	General Fund--State Appropriation (FY 2010)	\$564,242,000
36	General Fund--State Appropriation (FY 2011)	((\$565,617,000))
37		<u>\$550,474,000</u>

1 management and the legislative fiscal committees detailing information
2 on the amount expended from general fund--state and general fund--
3 federal by activity.

4 (2) The department and the office of financial management shall
5 electronically report quarterly the expenditures, maintenance of effort
6 allotments, expenditure amounts, and caseloads for the WorkFirst
7 program to the legislative fiscal committees.

8 (3) \$16,783,000 of the general fund--state appropriation for fiscal
9 year 2011 and \$62,000,000 of the general fund--federal appropriation
10 are provided solely for all components of the WorkFirst program in
11 order to maintain services to January 2011. The legislature intends to
12 work with the governor to design and implement fiscal and programmatic
13 modifications to provide for the sustainability of the program. The
14 funding in this subsection assumes that no other expenditure reductions
15 will be made prior to January 2011 other than those assumed in the
16 appropriation levels in this act.

17 (4) \$94,322,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$84,904,000 of the general fund--state appropriation for
19 fiscal year 2011, net of recoveries, are provided solely for cash
20 assistance and other services to recipients in the cash program
21 pursuant to chapter 8, Laws of 2010 1st sp. sess. (security lifeline
22 act), including persons in the unemployable, expedited, and aged,
23 blind, and disabled components of the program. It is the intent of the
24 legislature that the lifeline incapacity determination and progressive
25 evaluation process regulations be carefully designed to accurately
26 identify those persons who have been or will be incapacitated for at
27 least ninety days. The incapacity determination and progressive
28 evaluation process regulations in effect on January 1, 2010, cannot be
29 amended until at least September 30, 2010; except that provisions
30 related to the use of administrative review teams may be amended, and
31 obsolete terminology and functional assessment language may be updated
32 on or after July 1, 2010, in a manner that only minimally impacts the
33 outcome of incapacity evaluations. After September 30, 2010, the
34 incapacity determination and progressive evaluation process regulations
35 may be amended only if the reports under (a) and (b) of this subsection
36 have been submitted, and find that expenditures will exceed the
37 appropriated level by three percent or more.

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

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

16 (i) A copy of the proposed changes and a concise description of the
17 changes;

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

21 (iii) An estimate of the number of persons who, on a monthly basis
22 through June 2013, would be denied lifeline benefits if the regulations
23 were adopted, expressed as a number, as a percentage of total
24 applicants, and as a percentage of the number of persons granted
25 lifeline benefits in each month;

26 (iv) An estimate of the number of persons who, on a monthly basis
27 through June 2013, would have their lifeline benefits terminated
28 following an eligibility review if the regulations were adopted,
29 expressed as a number, as a percentage of the number of persons who
30 have had an eligibility review in each month, and as a percentage of
31 the total number of persons currently receiving lifeline-unemployable
32 benefits in each month; and

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

36 (c) Within these amounts:

37 (i) The department shall aggressively pursue opportunities to
38 transfer lifeline clients to general assistance expedited coverage and

1 to facilitate client applications for federal supplemental security
2 income when the client's incapacities indicate that he or she would be
3 likely to meet the federal disability criteria for supplemental
4 security income. The department shall initiate and file the federal
5 supplemental security income interim agreement as quickly as possible
6 in order to maximize the recovery of federal funds;

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

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

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

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

34 (vi) The appropriations in this subsection reflect a change in the
35 earned income disregard policy for lifeline clients. It is the intent
36 of the legislature that the department shall adopt the temporary
37 assistance for needy families earned income policy for the lifeline
38 program.

1 (5) \$750,000 of the general fund--state appropriation for fiscal
2 year 2010 (~~((and \$750,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2011 are))~~) is provided solely for naturalization services.

4 (6)~~((a))~~ \$3,550,000 of the general fund--state appropriation for
5 fiscal year 2010 is provided solely for refugee employment services, of
6 which \$2,650,000 is provided solely for the department to pass through
7 to statewide refugee assistance organizations for limited English
8 proficiency pathway services; and ~~(((\$3,550,000))~~) \$2,050,000 of the
9 general fund--state appropriation for fiscal year 2011 is provided
10 solely for refugee employment services, of which ~~(((\$2,650,000))~~)
11 \$1,540,000 is provided solely for the department to pass through to
12 statewide refugee assistance organizations for limited English
13 proficiency pathway services.

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

18 (7) The appropriations in this section reflect reductions in the
19 appropriations for the economic services administration's
20 administrative expenses. It is the intent of the legislature that
21 these reductions shall be achieved, to the greatest extent possible, by
22 reducing those administrative costs that do not affect direct client
23 services or direct service delivery or program.

24 (8) \$855,000 of the general fund--state appropriation for fiscal
25 year 2011, \$719,000 of the general fund--federal appropriation, and
26 \$2,907,000 of the general fund--private/local appropriation are
27 provided solely for the implementation of the opportunity portal, the
28 food stamp employment and training program, and the disability lifeline
29 program under Second Substitute House Bill No. 2782 (security lifeline
30 act). If the bill is not enacted by June 30, 2010, the amounts
31 provided in this subsection shall lapse.

32 (9) ~~(((\$200,000))~~) \$100,000 of the general fund--state appropriation
33 for fiscal year 2011 is provided solely for the department to award
34 grants to small mutual assistance or small community-based
35 organizations that contract with the department for immigrant and
36 refugee assistance services. The funds shall be awarded to provide
37 funding for community groups to provide transitional assistance,

1 language skills, and other resources to improve refugees' economic
2 self-sufficiency through the effective use of social services,
3 financial services, and medical assistance.

4 (10) The department shall continue to operate the state food
5 assistance program for legal immigrants. Pursuant to RCW 74.08A.120,
6 the benefit may be reduced, or the department may adopt rules
7 pertaining to immigrant status, or both, to remain within amounts
8 appropriated within this section.

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

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
12 **SUBSTANCE ABUSE PROGRAM**

13	General Fund--State Appropriation (FY 2010)	\$81,982,000
14	General Fund--State Appropriation (FY 2011)	(\$82,379,000)
15		<u>\$77,065,000</u>
16	General Fund--Federal Appropriation	(\$148,018,000)
17		<u>\$151,574,000</u>
18	General Fund--Private/Local Appropriation	\$2,718,000
19	Criminal Justice Treatment Account--State	
20	Appropriation	\$17,743,000
21	Problem Gambling Account--State Appropriation	\$1,456,000
22	TOTAL APPROPRIATION	(\$334,296,000)
23		<u>\$332,538,000</u>

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

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

31 (2) Within the amounts appropriated in this section, the department
32 shall continue to provide for chemical dependency treatment services
33 for adult medicaid eligible and general assistance-unemployable
34 patients.

35 (3) In addition to other reductions, the appropriations in this
36 section reflect reductions targeted specifically to state government
37 administrative costs. These administrative reductions shall be

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

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

9 (5) \$3,500,000 of the general fund--federal appropriation (from the
10 substance abuse prevention and treatment federal block grant) is
11 provided solely for the continued funding of existing county drug and
12 alcohol use prevention programs.

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

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

17	General Fund--State Appropriation (FY 2010)	\$1,697,203,000
18	General Fund--State Appropriation (FY 2011)	(\$1,752,373,000)
19		<u>\$1,740,730,000</u>
20	General Fund--Federal Appropriation	(\$6,047,652,000)
21		<u>\$6,040,021,000</u>
22	General Fund--Private/Local Appropriation	(\$37,249,000)
23		<u>\$38,448,000</u>
24	Emergency Medical Services and Trauma Care Systems	
25	Trust Account--State Appropriation	\$15,075,000
26	Tobacco Prevention and Control Account--	
27	State Appropriation	\$4,464,000
28	Hospital Safety Net Assessment Fund--State	
29	Appropriation	\$260,036,000
30	TOTAL APPROPRIATION	(\$9,814,052,000)
31		<u>\$9,795,977,000</u>

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

34 (1) Based on quarterly expenditure reports and caseload forecasts,
35 if the department estimates that expenditures for the medical
36 assistance program will exceed the appropriations, the department shall

1 take steps including but not limited to reduction of rates or
2 elimination of optional services to reduce expenditures so that total
3 program costs do not exceed the annual appropriation authority.

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

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

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

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

1 (6) (~~(\$1,110,000)~~) \$649,000 of the general fund--federal
2 appropriation and (~~(\$1,105,000)~~) \$644,000 of the general fund--state
3 appropriation for fiscal year 2011 are provided solely for grants to
4 rural hospitals. The department shall distribute the funds under a
5 formula that provides a relatively larger share of the available
6 funding to hospitals that (a) serve a disproportionate share of low-
7 income and medically indigent patients, and (b) have relatively smaller
8 net financial margins, to the extent allowed by the federal medicaid
9 program.

10 (7) (~~(\$9,818,000)~~) \$5,729,000 of the general fund--state
11 appropriation for fiscal year 2011, and (~~(\$9,865,000)~~) \$5,776,000 of
12 the general fund--federal appropriation are provided solely for grants
13 to nonrural hospitals. The department shall distribute the funds under
14 a formula that provides a relatively larger share of the available
15 funding to hospitals that (a) serve a disproportionate share of low-
16 income and medically indigent patients, and (b) have relatively smaller
17 net financial margins, to the extent allowed by the federal medicaid
18 program.

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

1 fiscal year of the biennium shall be compared to a baseline amount.
2 The baseline amount will be determined by the total of (a) the
3 inpatient claim payment amounts that would have been paid during the
4 fiscal year had the hospital not been in the CPE program based on the
5 reimbursement rates developed, implemented, and consistent with
6 policies approved in the 2009-11 biennial operating appropriations act
7 (chapter 564, Laws of 2009) and in effect on July 1, 2009, (b) one half
8 of the indigent assistance disproportionate share hospital payment
9 amounts paid to and retained by each hospital during fiscal year 2005,
10 and (c) all of the other disproportionate share hospital payment
11 amounts paid to and retained by each hospital during fiscal year 2005
12 to the extent the same disproportionate share hospital programs exist
13 in the 2009-11 biennium. If payments during the fiscal year exceed the
14 hospital's baseline amount, no additional payments will be made to the
15 hospital except the federal portion of allowable disproportionate share
16 hospital payments for which the hospital can certify allowable match.
17 If payments during the fiscal year are less than the baseline amount,
18 the hospital will be paid a state grant equal to the difference between
19 payments during the fiscal year and the applicable baseline amount.
20 Payment of the state grant shall be made in the applicable fiscal year
21 and distributed in monthly payments. The grants will be recalculated
22 and redistributed as the baseline is updated during the fiscal year.
23 The grant payments are subject to an interim settlement within eleven
24 months after the end of the fiscal year. A final settlement shall be
25 performed. To the extent that either settlement determines that a
26 hospital has received funds in excess of what it would have received as
27 described in this subsection, the hospital must repay the excess
28 amounts to the state when requested. \$20,403,000 of the general fund--
29 state appropriation for fiscal year 2010, of which \$6,570,000 is
30 appropriated in section 204(1) of this act, and \$29,480,000 of the
31 general fund--state appropriation for fiscal year 2011, of which
32 \$6,570,000 is appropriated in section 204(1) of this act, are provided
33 solely for state grants for the participating hospitals. CPE hospitals
34 will receive the inpatient and outpatient reimbursement rate
35 restorations in section 9 and rate increases in section 10(1)(b) of
36 Engrossed Second Substitute House Bill No. 2956 (hospital safety net
37 assessment) funded through the hospital safety net assessment fund

1 rather than through the baseline mechanism specified in this
2 subsection.

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

6 (10) \$93,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$93,000 of the general fund--federal appropriation are
8 provided solely for the department to pursue a federal Medicaid waiver
9 pursuant to Second Substitute Senate Bill No. 5945 (Washington health
10 partnership plan). If the bill is not enacted by June 30, 2009, the
11 amounts provided in this subsection shall lapse.

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

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

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

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

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

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

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

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

1 the procedures necessary to comply with federal guidelines, and the
2 administrative resource requirements necessary to implement the
3 program. The department will create a process for expansion of the
4 program to other qualifying providers as soon as it is determined
5 feasible by both the department and providers but no later than June
6 30, 2010.

7 (18) \$9,075,000 of the general fund--state appropriation for fiscal
8 year 2010, \$8,588,000 of the general fund--state appropriation for
9 fiscal year 2011, and \$39,747,000 of the general fund--federal
10 appropriation are provided solely for development and implementation of
11 a replacement system for the existing medicaid management information
12 system. The amounts provided in this subsection are conditioned on the
13 department satisfying the requirements of section 902 of this act.

14 (19) \$506,000 of the general fund--state appropriation for fiscal
15 year 2011 and \$657,000 of the general fund--federal appropriation are
16 provided solely for the implementation of Second Substitute House Bill
17 No. 1373 (children's mental health). If the bill is not enacted by
18 June 30, 2009, the amounts provided in this subsection shall lapse.

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

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

31 (22) \$425,000 of the general fund--state appropriation for fiscal
32 year 2010 and \$790,000 of the general fund--federal appropriation are
33 provided solely to continue children's health coverage outreach and
34 education efforts under RCW 74.09.470. These efforts shall rely on
35 existing relationships and systems developed with local public health
36 agencies, health care providers, public schools, the women, infants,
37 and children program, the early childhood education and assistance
38 program, child care providers, newborn visiting nurses, and other

1 community-based organizations. The department shall seek public-
2 private partnerships and federal funds that are or may become available
3 to provide on-going support for outreach and education efforts under
4 the federal children's health insurance program reauthorization act of
5 2009.

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

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

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

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

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

23 (28) The department shall target funding for maternity support
24 services towards pregnant women with factors that lead to higher rates
25 of poor birth outcomes, including hypertension, a preterm or low birth
26 weight birth in the most recent previous birth, a cognitive deficit or
27 developmental disability, substance abuse, severe mental illness,
28 unhealthy weight or failure to gain weight, tobacco use, or African
29 American or Native American race. The department shall prioritize
30 evidence-based practices for delivery of maternity support services.
31 To the extent practicable, the department shall develop a mechanism to
32 increase federal funding for maternity support services by leveraging
33 local public funding for those services.

34 (29) \$260,036,000 of the hospital safety net assessment fund--state
35 appropriation and \$255,448,000 of the general fund--federal
36 appropriation are provided solely for the implementation of Engrossed
37 Second Substitute House Bill No. 2956 (hospital safety net assessment).

1 If the bill is not enacted by June 30, 2010, the amounts provided in
2 this subsection shall lapse.

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

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

25 (32) \$73,000 of the general fund--state appropriation for fiscal
26 year 2011 and \$50,000 of the general fund--federal appropriation is
27 provided solely for supplemental services that will be provided to
28 offenders in lieu of a prison sentence pursuant to chapter 224, Laws of
29 2010 (Substitute Senate Bill No. 6639).

30 (33) Sufficient amounts are provided in this section to provide
31 full benefit dual eligible beneficiaries with medicare part D
32 prescription drug copayment coverage in accordance with RCW 74.09.520
33 until December 31, 2010. \$1,000,000 of the general fund--state
34 appropriation for fiscal year 2011 is provided solely for targeted
35 coverage of medicare part D prescription drug copayments for full
36 benefit dual eligible beneficiaries in accordance with RCW 74.09.520
37 starting January 1, 2011. The department shall target the coverage to

1 clients for whom the copayments would have the greatest financial
2 impact.

3 (34) 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 providers, direct client
8 services, or direct service delivery or programs.

9 (35) \$331,000 of the general fund--state appropriation for fiscal
10 year 2010, \$331,000 of the general fund--state appropriation for fiscal
11 year 2011, and \$1,228,000 of the general fund--federal appropriation
12 are provided solely for the department to support the activities of the
13 Washington poison center. The department shall seek federal authority
14 to receive matching funds from the federal government through the
15 children's health insurance program.

16 (36) \$528,000 of the general fund--state appropriation and
17 \$2,955,000 of the general fund--federal appropriation are provided
18 solely for the implementation of the lifeline program under chapter 8,
19 Laws of 2010 1st sp. sess. (security lifeline act).

20 (37) Reductions in dental services are to be achieved by focusing
21 on the fastest growing areas of dental care. Reductions in
22 preventative care, particularly for children, will be avoided to the
23 extent possible.

24 (38) \$1,307,000 of the general fund--state appropriation for fiscal
25 year 2011 and \$1,770,000 of the general fund--federal appropriation are
26 provided solely to continue to provide dental services in calendar year
27 2011 for qualifying adults with developmental disabilities. Services
28 shall include preventive, routine, and emergent dental care, and
29 support for continued operation of the dental education in care of
30 persons with disabilities (DECOD) program at the University of
31 Washington.

32 (39) The department shall develop the capability to implement apple
33 health for kids express lane eligibility enrollments for children
34 receiving basic food assistance by June 30, 2011.

35 (40)(a) The department, in coordination with the health care
36 authority, shall actively continue to negotiate a medicaid section 1115
37 waiver with the federal centers for medicare and medicaid services that

1 would provide federal matching funds for services provided to persons
2 enrolled in the basic health plan under chapter 70.47 RCW and the
3 medical care services program under RCW 74.09.035.

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

10 (41) \$704,000 of the general fund--state appropriation for fiscal
11 year 2010, \$812,000 of the general fund--state appropriation for fiscal
12 year 2011, and \$1,516,000 of the general fund--federal appropriation
13 are provided solely for maintaining employer-sponsored insurance
14 program staff, coordination of benefits unit staff, the payment
15 integrity audit team, and family planning nursing.

16 (42) Every effort shall be made to maintain current employment
17 levels and achieve administrative savings through vacancies and
18 employee attrition. Efficiencies shall be implemented as soon as
19 possible in order to minimize actual reduction in force. The
20 department shall implement a management strategy that minimizes
21 disruption of service and negative impacts on employees.

22 (43) \$1,199,000 of the general fund--private/local appropriation
23 for fiscal year 2011 and \$1,671,000 of the general fund--federal
24 appropriation are provided solely to support medical airlift services.

25 (44) \$5,000,000 of the general fund--state appropriation for fiscal
26 year 2011 and \$7,191,000 of the general fund--federal appropriation are
27 provided solely for payments to federally qualified health clinics and
28 rural health centers under a new alternative payment methodology.

29 (45) \$200,000 of the general fund--state appropriation for fiscal
30 year 2011 and \$369,000 of the general fund--federal appropriation are
31 provided solely for pilot projects implementing and evaluating
32 telephonic and video remote technologies for providing medical
33 interpretation services. The department may contract for electronic
34 scheduling services to connect interpreters with patients and
35 providers. The department shall create one pilot in eastern Washington
36 and one pilot in western Washington.

1 possible a maximum ratio of grant moneys provided and administrative
2 costs.

3 (5) Amounts appropriated in this section reflect a reduction to the
4 council on children and families. The council on children and families
5 shall reevaluate staffing levels and administrative costs to ensure to
6 the extent possible a maximum ratio of grant moneys provided and
7 administrative costs.

8 **Sec. 212.** 2010 1st sp.s. c 37 s 213 (uncodified) is amended to
9 read as follows:

10 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
11 **AGENCIES PROGRAM**

12	General Fund--State Appropriation (FY 2010)	\$61,985,000
13	General Fund--State Appropriation (FY 2011)	(\$61,461,000)
14		<u>\$63,793,000</u>
15	General Fund--Federal Appropriation	(\$56,572,000)
16		<u>\$56,855,000</u>
17	TOTAL APPROPRIATION	(\$180,018,000)
18		<u>\$182,633,000</u>

19 **Sec. 213.** 2010 2nd sp.s. c 1 s 212 (uncodified) is amended to read
20 as follows:

21 **FOR THE STATE HEALTH CARE AUTHORITY**

22	General Fund--State Appropriation (FY 2010)	\$208,258,000
23	General Fund--State Appropriation (FY 2011)	(\$129,087,000)
24		<u>\$105,028,000</u>
25	General Fund--Federal Appropriation	(\$34,727,000)
26		<u>\$24,518,000</u>
27	State Health Care Authority Administration Account--	
28	State Appropriation	\$34,880,000
29	Medical Aid Account--State Appropriation	\$527,000
30	TOTAL APPROPRIATION	(\$407,479,000)
31		<u>\$373,211,000</u>

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

34 (1) Within amounts appropriated in this section and sections 205
35 and 206 of this act, the health care authority shall continue to
36 provide an enhanced basic health plan subsidy for foster parents

1 licensed under chapter 74.15 RCW and workers in state-funded home care
2 programs. Under this enhanced subsidy option, foster parents eligible
3 to participate in the basic health plan as subsidized enrollees and
4 home care workers with family incomes below 200 percent of the federal
5 poverty level shall be allowed to enroll in the basic health plan at
6 the minimum premium amount charged to enrollees with incomes below
7 sixty-five percent of the federal poverty level.

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

13 (3) The administrator shall take at least the following actions to
14 assure that persons participating in the basic health plan are eligible
15 for the level of assistance they receive: (a) Require submission of
16 (i) income tax returns, and recent pay history, from all applicants, or
17 (ii) other verifiable evidence of earned and unearned income from those
18 persons not required to file income tax returns; (b) check employment
19 security payroll records at least once every twelve months on all
20 enrollees; (c) require enrollees whose income as indicated by payroll
21 records exceeds that upon which their subsidy is based to document
22 their current income as a condition of continued eligibility; (d)
23 require enrollees for whom employment security payroll records cannot
24 be obtained to document their current income at least once every six
25 months; (e) not reduce gross family income for self-employed persons by
26 noncash-flow expenses such as, but not limited to, depreciation,
27 amortization, and home office deductions, as defined by the United
28 States internal revenue service; and (f) pursue repayment and civil
29 penalties from persons who have received excessive subsidies, as
30 provided in RCW 70.47.060(9).

31 (4)(a) In order to maximize the funding appropriated for the basic
32 health plan, the health care authority is directed to make
33 modifications that will reduce the total number of subsidized enrollees
34 to approximately 65,000 by January 1, 2010. In addition to the reduced
35 enrollment, other modifications may include changes in enrollee premium
36 obligations, changes in benefits, enrollee cost-sharing, and
37 termination of the enrollment of individuals concurrently enrolled in

1 a medical assistance program as provided in Substitute House Bill No.
2 2341.

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

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

14 (5) \$250,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$250,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely for the implementation of
17 Substitute Senate Bill No. 5360 (community collaboratives). If the
18 bill is not enacted by June 30, 2009, the amounts provided in this
19 section shall lapse.

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

24 (7) \$20,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$63,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for the implementation of chapter
27 220, Laws of 2010 (accountable care organizations).

28 (8) After February 28, 2011, the authority shall restrict
29 enrollment in the basic health plan to persons who qualify for services
30 under 1115 medicaid demonstration project number 11-W-00254/10.

31 (9) After April 30, 2011, the authority shall discontinue the basic
32 health plan.

33 **Sec. 214.** 2010 1st sp.s. c 37 s 215 (uncodified) is amended to
34 read as follows:

35 **FOR THE HUMAN RIGHTS COMMISSION**

36	General Fund--State Appropriation (FY 2010)	\$2,638,000
37	General Fund--State Appropriation (FY 2011)	(\$2,511,000)

1 \$2,353,000
 2 General Fund--Federal Appropriation \$1,584,000
 3 TOTAL APPROPRIATION (~~(\$6,733,000)~~)
 4 \$6,575,000

5 **Sec. 215.** 2010 1st sp.s. c 37 s 217 (uncodified) is amended to
 6 read as follows:

7 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

8 General Fund--State Appropriation (FY 2010) \$17,273,000
 9 General Fund--State Appropriation (FY 2011) (~~(\$17,843,000)~~)
 10 \$16,721,000
 11 General Fund--Federal Appropriation \$143,000
 12 General Fund--Private/Local Appropriation (~~(\$1,303,000)~~)
 13 \$1,378,000
 14 Death Investigations Account--State Appropriation \$148,000
 15 Municipal Criminal Justice Assistance Account--
 16 State Appropriation \$460,000
 17 Washington Auto Theft Prevention Authority Account--
 18 State Appropriation \$5,844,000
 19 TOTAL APPROPRIATION (~~(\$43,014,000)~~)
 20 \$41,967,000

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

23 (1) \$1,191,000 of the general fund--state appropriation for fiscal
 24 year 2010 (~~(and \$1,191,000 of the general fund--state appropriation for~~
 25 ~~fiscal year 2011 are))~~ is provided solely for the Washington
 26 association of sheriffs and police chiefs to continue to develop,
 27 maintain, and operate the jail booking and reporting system (JBRS) and
 28 the statewide automated victim information and notification system
 29 (SAVIN) and \$411,000 of the general fund--state appropriation for
 30 fiscal year 2011 is provided solely to develop, maintain, and operate
 31 the statewide automated victim identification and notification system
 32 (SAVIN).

33 (2) \$5,000,000 of the general fund--state appropriation for fiscal
 34 year 2010 and \$5,000,000 of the general fund--state appropriation for
 35 fiscal year 2011, are provided to the Washington association of
 36 sheriffs and police chiefs solely to verify the address and residency

1 of registered sex offenders and kidnapping offenders under RCW
2 9A.44.130. The Washington association of sheriffs and police chiefs
3 shall:

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

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

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

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

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

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

27 (3) \$30,000 of the general fund--state appropriation for fiscal
28 year 2010 is provided solely for the implementation of Second
29 Substitute House Bill No. 2078 (persons with developmental disabilities
30 in correctional facilities or jails). If the bill is not enacted by
31 June 30, 2009, the amount provided in this subsection shall lapse.

32 (4) \$171,000 of the general fund--local appropriation is provided
33 solely to purchase ammunition for the basic law enforcement academy.
34 Jurisdictions with one hundred or more full-time commissioned officers
35 shall reimburse to the criminal justice training commission the costs
36 of ammunition, based on the average cost of ammunition per cadet, for
37 cadets that they enroll in the basic law enforcement academy.

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

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

7 **Sec. 216.** 2010 1st sp.s. c 37 s 218 (uncodified) is amended to
8 read as follows:

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

10	General Fund--State Appropriation (FY 2010)	\$24,975,000
11	General Fund--State Appropriation (FY 2011)	(\$19,336,000)
12		<u>\$18,120,000</u>
13	General Fund--Federal Appropriation	(\$10,100,000)
14		<u>\$11,316,000</u>
15	Asbestos Account--State Appropriation	\$923,000
16	Electrical License Account--State Appropriation	\$36,977,000
17	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
18	Worker and Community Right-to-Know Account--	
19	State Appropriation	\$1,987,000
20	Public Works Administration Account--State	
21	Appropriation	\$6,021,000
22	Manufactured Home Installation Training Account--	
23	State Appropriation	\$143,000
24	Accident Account--State Appropriation	\$250,509,000
25	Accident Account--Federal Appropriation	\$13,621,000
26	Medical Aid Account--State Appropriation	\$249,232,000
27	Medical Aid Account--Federal Appropriation	\$3,186,000
28	Plumbing Certificate Account--State Appropriation	\$1,704,000
29	Pressure Systems Safety Account--State Appropriation	\$4,144,000
30	TOTAL APPROPRIATION	\$622,886,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (3) INSTITUTIONAL SERVICES

18	General Fund--State Appropriation (FY 2010)	\$3,318,000
19	General Fund--State Appropriation (FY 2011)	(\$2,371,000)
20		<u>\$1,793,000</u>
21	General Fund--Federal Appropriation	(\$50,353,000)
22		<u>\$50,931,000</u>
23	General Fund--Private/Local Appropriation	\$34,189,000
24	TOTAL APPROPRIATION	\$90,231,000

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

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

36 **Sec. 219.** 2010 2nd sp.s. c 1 s 213 (uncodified) is amended to read
37 as follows:

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

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

31 (3) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is
32 authorized to establish fees by the amount necessary to fully support
33 the cost of activities related to the administration of long-term care
34 worker certification. The department is further authorized to increase
35 fees by the amount necessary to implement the regulatory requirements
36 of the following bills: House Bill No. 1414 (health care assistants),
37 House Bill No. 1740 (dental residency licenses), and House Bill No.
38 1899 (retired active physician licenses).

1 (4) \$764,000 of the health professions account--state appropriation
2 is provided solely for the medical quality assurance commission to
3 maintain disciplinary staff and associated costs sufficient to reduce
4 the backlog of disciplinary cases and to continue to manage the
5 disciplinary caseload of the commission.

6 (5) \$57,000 of the general fund--state appropriation for fiscal
7 year 2010 and (~~(\$58,000)~~) \$54,000 of the general fund--state
8 appropriation for fiscal year 2011 are provided solely for the
9 midwifery licensure and regulatory program to offset a reduction in
10 revenue from fees. The department shall convene the midwifery advisory
11 committee on a quarterly basis to address issues related to licensed
12 midwifery. The appropriations in this section assume that the current
13 application and renewal fee for midwives shall be increased by fifty
14 dollars and all other fees for midwives be adjusted accordingly.

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

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

29 (8) The department shall eliminate outreach activities for the
30 health care directives registry and use the remaining amounts to
31 maintain the contract for the registry and minimal staffing necessary
32 to administer the basic entry functions for the registry.

33 (9) Funding in this section reflects a temporary reduction of
34 resources for the 2009-11 fiscal biennium for the state board of health
35 to conduct health impact reviews.

36 (10) Pursuant to RCW 43.135.055 and 43.70.125, the department is
37 authorized to adopt rules to establish a fee schedule to apply to
38 applicants for initial certification surveys of health care facilities

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

11 (11) Funding for family planning grants for fiscal year 2011 is
12 reduced in the expectation that federal funding shall become available
13 to expand coverage of services for individuals through programs at the
14 department of social and health services. In the event that such
15 funding is not provided, the legislature intends to continue funding
16 through a supplemental appropriation at fiscal year 2010 levels.
17 (~~(\$4,500,000)~~) \$4,360,000 of the general fund--state appropriation is
18 provided solely for the department of health-funded family planning
19 clinic grants due to federal funding not becoming available.

20 (12) \$16,000,000 of the tobacco prevention and control account--
21 state appropriation is provided solely for local health jurisdictions
22 to conduct core public health functions as defined in RCW 43.70.514.

23 (13) \$100,000 of the health professions account appropriation is
24 provided solely for implementation of Substitute House Bill No. 1414
25 (health care assistants). If the bill is not enacted by June 30, 2009,
26 the amount provided in this subsection shall lapse.

27 (14) \$42,000 of the health professions account--state appropriation
28 is provided solely to implement Substitute House Bill No. 1740
29 (dentistry license issuance). If the bill is not enacted by June 30,
30 2009, the amount provided in this section shall lapse.

31 (15) \$23,000 of the health professions account--state appropriation
32 is provided solely to implement Second Substitute House Bill No. 1899
33 (retired active physician licenses). If the bill is not enacted by
34 June 30, 2009, the amount provided in this section shall lapse.

35 (16) \$12,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$67,000 of the general fund--private/local appropriation
37 are provided solely to implement House Bill No. 1510 (birth

1 certificates). If the bill is not enacted by June 30, 2009, the amount
2 provided in this section shall lapse.

3 (17) \$31,000 of the health professions account is provided for the
4 implementation of Second Substitute Senate Bill No. 5850 (human
5 trafficking). If the bill is not enacted by June 2009, the amount
6 provided in this subsection shall lapse.

7 (18) \$282,000 of the health professions account is provided for the
8 implementation of Substitute Senate Bill No. 5752 (dentists cost
9 recovery). If the bill is not enacted by June 2009, the amount
10 provided in this subsection shall lapse.

11 (19) \$106,000 of the health professions account is provided for the
12 implementation of Substitute Senate Bill No. 5601 (speech language
13 assistants). If the bill is not enacted by June 2009, the amount
14 provided in this subsection shall lapse.

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

20 (21) \$390,000 of the health professions account--state
21 appropriation is provided solely to implement chapter 169, Laws of 2010
22 (nursing assistants). The amount provided in this subsection is from
23 fee revenue authorized by Engrossed Substitute Senate Bill No. 6582.

24 (22) \$10,000 of the health professions account--state appropriation
25 for fiscal year 2010 and \$40,000 of the health professions
26 account--state appropriation for fiscal year 2011 are provided solely
27 for the department to study cost effective options for collecting
28 demographic data related to the health care professions workforce to be
29 submitted to the legislature by December 1, 2010.

30 (23) \$66,000 of the health professions account--state appropriation
31 is provided solely to implement chapter 209, Laws of 2010 (pain
32 management).

33 (24) \$10,000 of the health professions account--state appropriation
34 is provided solely to implement chapter 92, Laws of 2010
35 (cardiovascular invasive specialists).

36 (25) \$23,000 of the general fund--state appropriation is provided
37 solely to implement chapter 182, Laws of 2010 (tracking ephedrine,
38 etc.).

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

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

11 (28) \$400,000 of the state toxics control account--state
12 appropriation is provided solely for granting to a willing local public
13 entity to provide emergency water supplies or water treatment for
14 households with individuals at high public health risk from nitrate-
15 contaminated wells in the lower Yakima basin.

16 (29) \$100,000 of the state toxics control account--state
17 appropriation is provided solely for an interagency contract to the
18 department of ecology to grant to agencies involved in improving
19 groundwater quality in the lower Yakima Valley. These agencies will
20 develop a local plan for improving water quality and reducing nitrate
21 contamination. The department of ecology will report to the
22 appropriate committees of the legislature and to the office of
23 financial management no later than December 1, 2010, summarizing
24 progress towards developing and implementing this plan.

25 (30) In accordance with RCW 43.135.055, the department is
26 authorized to adopt and increase all fees set forth in and previously
27 authorized in section 221(2), chapter 37, Laws of 2010 1st sp.s.

28 **Sec. 220.** 2010 2nd sp.s. c 1 s 214 (uncodified) is amended to read
29 as follows:

30 **FOR THE DEPARTMENT OF CORRECTIONS**

31 (1) ADMINISTRATION AND SUPPORT SERVICES

32 General Fund--State Appropriation (FY 2010)	\$55,772,000
33 General Fund--State Appropriation (FY 2011)	\$51,929,000
34 TOTAL APPROPRIATION	\$107,701,000

35 The appropriations in this subsection are subject to the following
36 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 long-
15 term needs of adults and juveniles with mental disorders who have a
16 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)	(\$562,483,000)
22		<u>\$562,084,000</u>
23	General Fund--Federal Appropriation	(\$186,719,000)
24		<u>\$186,651,000</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	(\$1,248,163,000)
30		<u>\$1,247,696,000</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, (~~(\$7,467,000)~~) \$7,953,000 of the general fund--state
38 appropriation for fiscal year 2011, and \$2,336,000 of the general fund-

1 private/local appropriation are provided solely for in-prison evidence-
2 based programs and for the reception diagnostic center program as part
3 of the offender 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)	(\$134,744,000)
11		<u>\$134,419,000</u>
12	TOTAL APPROPRIATION	(\$285,473,000)
13		<u>\$285,148,000</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 ~~(\$3,166,000)~~ \$2,680,000 of the general fund--state
31 appropriation for fiscal year 2011 are provided solely for evidence-
32 based community programs and for community justice centers as part of
33 the offender 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)	\$2,441,000
12	TOTAL APPROPRIATION	\$5,015,000

13 The appropriations in this subsection are subject to the following
14 conditions and limitations: \$132,000 of the general fund--state
15 appropriation for fiscal year 2010 and \$132,000 of the general fund--
16 state appropriation for fiscal year 2011 are provided solely for
17 transfer to the jail industries board. The board shall use the amounts
18 provided only for administrative expenses, equipment purchases, and
19 technical assistance associated with advising cities and counties in
20 developing, promoting, and implementing consistent, safe, and efficient
21 offender work programs.

22 (5) INTERAGENCY PAYMENTS

23	General Fund--State Appropriation (FY 2010)	\$40,728,000
24	General Fund--State Appropriation (FY 2011)	\$38,629,000
25	TOTAL APPROPRIATION	\$79,357,000

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

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

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

35 (6) Funding in this section may not be used to purchase radios or
36 base station repeaters related to the movement to narrowband
37 frequencies, or for reprogramming existing narrowband radios.

1 department of corrections; local governments; prosecutors; defense
2 attorneys; victim advocate groups; law enforcement; the Washington
3 federation of state employees; and other interested entities. The
4 sentencing guidelines commission shall report its recommendations to
5 the governor and the legislature by December 1, 2009.

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

10 (b) The commission shall submit the analysis described in section
11 15 of Engrossed Substitute Senate Bill No. 5288 no later than December
12 1, 2011.

13 (3) Within the amounts appropriated in this section, the sentencing
14 guidelines commission shall survey the practices of other states
15 relating to offenders who violate any conditions of their community
16 custody. In conducting the survey, the sentencing guidelines
17 commission shall perform a review of the research studies to determine
18 if a mandatory minimum confinement policy is an evidence-based
19 practice, investigate the implementation of such a policy in other
20 states, and estimate the fiscal impacts of implementing such a policy
21 in Washington state. The sentencing guidelines commission shall report
22 its findings to the governor and the legislature by December 1, 2010.

23 **Sec. 223.** 2010 1st sp.s. c 37 s 226 (uncodified) is amended to
24 read as follows:

25 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

26	General Fund--State Appropriation (FY 2010)	\$2,054,000
27	General Fund--State Appropriation (FY 2011)	(\$5,053,000)
28		<u>\$4,735,000</u>
29	General Fund--Federal Appropriation	\$324,135,000
30	General Fund--Private/Local Appropriation	\$33,640,000
31	Unemployment Compensation Administration Account--	
32	Federal Appropriation	(\$362,740,000)
33		<u>\$348,000,000</u>
34	Administrative Contingency Account--State Appropriation . . .	\$345,000
35	Employment Service Administrative Account--State	
36	Appropriation	\$37,775,000
37	TOTAL APPROPRIATION	(\$765,742,000)

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

(1) \$59,829,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) and (f) of the social security act (Reed act). This amount is authorized to continue current unemployment insurance functions and department services to employers and job seekers.

(2) (~~(\$32,067,000)~~) \$17,327,000 of the unemployment compensation administration account--federal appropriation is provided from amounts made available to the state by section 903(d) and (f) of the social security act (Reed act). This amount is authorized to fund the replacement of the unemployment insurance tax information system (TAXIS) for the employment security department. This section is subject to section 902 of this act. After the effective date of this section, the employment security department may not incur further obligations for the replacement of the unemployment insurance tax information system (TAXIS). Nothing in this act prohibits the department from meeting obligations incurred prior to the effective date of this section.

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

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

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

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

(7) (~~(\$7,000,000)~~) \$2,000,000 of the general fund--state appropriation for fiscal year 2010 (~~(is)~~) and \$4,682,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for

1 the implementation of Senate Bill No. 5809 (WorkForce employment and
2 training).

3 (8) \$444,000 of the unemployment compensation administration
4 account--federal appropriation is provided solely for the
5 implementation of Substitute Senate Bill No. 6524 (unemployment
6 insurance penalties and contribution rates) from funds made available
7 to the state by section 903 (d) or (f) of the social security act (Reed
8 12 act). If the bill is not enacted by June 30, 2010, the amount
9 provided in this subsection shall lapse.

10 (9) \$232,000 of the unemployment compensation administration
11 account--federal appropriation from funds made available to the state
12 by section 903(c) or (f) of the social security act (Reed act) is
13 provided solely for the implementation of Substitute House Bill No.
14 2789 (underground economic activity). If the bill is not enacted by
15 June 30, 2010, the amount provided in this subsection shall lapse.

(End of Part)

PART III
NATURAL RESOURCES

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

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2010)	\$58,552,000
General Fund--State Appropriation (FY 2011)	\$46,925,000
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	\$3,649,000
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	\$12,467,000
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	(\$612,000)
	<u>\$582,000</u>
Worker and Community Right-to-Know Account--State Appropriation	\$1,663,000
State Toxics Control Account--State Appropriation	\$106,642,000
State Toxics Control Account--Private/Local Appropriation	\$379,000
Local Toxics Control Account--State Appropriation	\$24,690,000
Water Quality Permit Account--State Appropriation	\$37,018,000

1	Underground Storage Tank Account--State	
2	Appropriation	\$3,270,000
3	Biosolids Permit Account--State Appropriation	\$1,866,000
4	Hazardous Waste Assistance Account--State	
5	Appropriation	\$5,880,000
6	Air Pollution Control Account--State Appropriation	(\$2,111,000)
7		<u>\$1,565,000</u>
8	Oil Spill Prevention Account--State Appropriation	\$10,599,000
9	Air Operating Permit Account--State Appropriation	\$2,758,000
10	Freshwater Aquatic Weeds Account--State Appropriation	\$1,693,000
11	Oil Spill Response Account--State Appropriation	\$7,077,000
12	Metals Mining Account--State Appropriation	\$14,000
13	Water Pollution Control Revolving Account--State	
14	Appropriation	\$535,000
15	Water Pollution Control Revolving Account--Federal	
16	Appropriation	\$2,210,000
17	Water Rights Processing Account--State Appropriation	\$68,000
18	TOTAL APPROPRIATION	(\$437,612,000)
19		<u>\$437,036,000</u>

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

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

27 (2) \$240,000 of the woodstove education and enforcement account--
28 state appropriation is provided solely for citizen outreach efforts to
29 improve understanding of burn curtailments, the proper use of wood
30 heating devices, and public awareness of the adverse health effects of
31 woodsmoke pollution.

32 (3) \$3,000,000 of the general fund--private/local appropriation is
33 provided solely for contracted toxic-site cleanup actions at sites
34 where multiple potentially liable parties agree to provide funding.

35 (4) \$3,600,000 of the local toxics account--state appropriation is
36 provided solely for the standby emergency rescue tug stationed at Neah
37 Bay.

1 (5) \$811,000 of the state toxics account--state appropriation is
2 provided solely for oversight of toxic cleanup at facilities that
3 treat, store, and dispose of hazardous wastes.

4 (6) \$1,456,000 of the state toxics account--state appropriation is
5 provided solely for toxic cleanup at sites where willing parties
6 negotiate prepayment agreements with the department and provide
7 necessary funding.

8 (7) \$558,000 of the state toxics account--state appropriation and
9 \$3,000,000 of the local toxics account--state appropriation are
10 provided solely for grants and technical assistance to Puget Sound-area
11 local governments engaged in updating shoreline master programs.

12 (8) \$950,000 of the state toxics control account--state
13 appropriation is provided solely for measuring water and habitat
14 quality to determine watershed health and assist salmon recovery,
15 beginning in fiscal year 2011.

16 (9) RCW 70.105.280 authorizes the department to assess reasonable
17 service charges against those facilities that store, treat, incinerate,
18 or dispose of dangerous or extremely hazardous waste that involves both
19 a nonradioactive hazardous component and a radioactive component.
20 Service charges may not exceed the costs to the department in carrying
21 out the duties in RCW 70.105.280. The current service charges do not
22 meet the costs of the department to carry out its duties. Pursuant to
23 RCW 43.135.055 and 70.105.280, the department is authorized to increase
24 the service charges no greater than 18 percent for fiscal year 2010 and
25 no greater than 15 percent for fiscal year 2011. Such service charges
26 shall include all costs of public participation grants awarded to
27 qualified entities by the department pursuant to RCW 70.105D.070(5) for
28 facilities at which such grants are recognized as a component of a
29 community relations or public participation plan authorized or required
30 as an element of a consent order, federal facility agreement or agreed
31 order entered into or issued by the department pursuant to any federal
32 or state law governing investigation and remediation of releases of
33 hazardous substances. Public participation grants funded by such
34 service charges shall be in addition to, and not in place of, any other
35 grants made pursuant to RCW 70.105D.070(5). Costs for the public
36 participation grants shall be billed individually to the mixed waste
37 facility associated with the grant.

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

7 (11) \$63,000 of the state toxics control account--state
8 appropriation is provided solely for implementation of Substitute
9 Senate Bill No. 5797 (solid waste handling permits). If the bill is
10 not enacted by June 30, 2009, the amount provided in this subsection
11 shall lapse.

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

18 (13) \$150,000 of the general fund--state appropriation for fiscal
19 year 2010 and (~~(\$150,000)~~) \$141,000 of the general fund--state
20 appropriation for fiscal year 2011 are provided solely for watershed
21 planning implementation grants to continue ongoing efforts to develop
22 and implement water agreements in the Nooksack Basin and the Bertrand
23 watershed. These amounts are intended to support project
24 administration; monitoring; negotiations in the Nooksack watershed
25 between tribes, the department, and affected water users; continued
26 implementation of a flow augmentation project; plan implementation in
27 the Fishtrap watershed; and the development of a water bank.

28 (14) \$215,000 of the general fund--state appropriation for fiscal
29 year 2010 and (~~(\$235,000)~~) \$220,000 of the general fund--state
30 appropriation for fiscal year 2011 are provided solely to provide
31 watershed planning implementation grants for WRIA 32 to implement
32 Substitute House Bill No. 1580 (pilot local water management program).
33 If the bill is not enacted by June 30, 2009, the amounts provided in
34 this subsection shall lapse.

35 (15) \$200,000 of the general fund--state appropriation for fiscal
36 year 2010 and (~~(\$200,000)~~) \$187,000 of the general fund--state
37 appropriation for fiscal year 2011 are provided solely for the purpose

1 of supporting the trust water rights program and processing trust water
2 right transfer applications that improve instream flow.

3 (16)(a) The department shall convene a stock water working group
4 that includes: Legislators, four members representing agricultural
5 interests, three members representing environmental interests, the
6 attorney general or designee, the director of the department of ecology
7 or designee, the director of the department of agriculture or designee,
8 and affected federally recognized tribes shall be invited to send
9 participants.

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

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

16 (17) \$73,000 of the water quality permit account--state
17 appropriation is provided solely to implement Substitute House Bill No.
18 1413 (water discharge fees). If the bill is not enacted by June 30,
19 2009, the amount provided in this subsection shall lapse.

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

25 (19) The department shall track any changes in costs, wages, and
26 benefits that would have resulted if House Bill No. 1716 (public
27 contract living wages), as introduced in the 2009 regular session of
28 the legislature, were enacted and made applicable to contracts and
29 related subcontracts entered into, renewed, or extended during the
30 2009-11 biennium. The department shall submit a report to the house of
31 representatives commerce and labor committee and the senate labor,
32 commerce, and consumer protection committee by December 1, 2011. The
33 report shall include data on any aggregate changes in wages and
34 benefits that would have resulted during the 2009-11 biennium.

35 (20) Within amounts appropriated in this section the department
36 shall develop recommendations by December 1, 2009, for a convenient and
37 effective mercury-containing light recycling program for residents,
38 small businesses, and small school districts throughout the state. The

1 department shall consider options including but not limited to, a
2 producer-funded program, a recycler-supported or recycle fee program,
3 a consumer fee at the time of purchase, general fund appropriations, or
4 a currently existing dedicated account. The department shall involve
5 and consult with stakeholders including persons who represent
6 retailers, waste haulers, recyclers, mercury-containing light
7 manufacturers or wholesalers, cities, counties, environmental
8 organizations and other interested parties. The department shall
9 report its findings and recommendations for a recycling program for
10 mercury-containing lights to the appropriate committees of the
11 legislature by December 1, 2009.

12 (21) \$140,000 of the freshwater aquatic algae control account--
13 state appropriation is provided solely for grants to cities, counties,
14 tribes, special purpose districts, and state agencies for capital and
15 operational expenses used to manage and study excessive saltwater algae
16 with an emphasis on the periodic accumulation of sea lettuce on Puget
17 Sound beaches.

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

29 (23) \$220,000 of the site closure account--state appropriation is
30 provided solely for litigation expenses associated with the lawsuit
31 filed by energy solutions, inc., against the Northwest interstate
32 compact on low-level radioactive waste management and its executive
33 director.

34 (24) \$68,000 of the water rights processing account--state
35 appropriation is provided solely for implementation of Engrossed Second
36 Substitute Senate Bill No. 6267 (water rights processing). If the bill
37 is not enacted by June 30, 2010, the amount provided in this subsection
38 shall lapse.

1 (25) \$10,000 of the state toxics control account--state
2 appropriation is provided solely for implementation of Engrossed
3 Substitute Senate Bill No. 5543 (mercury-containing lights). If the
4 bill is not enacted by June 30, 2010, the amount provided in this
5 subsection shall lapse.

6 (26) \$300,000 of the state toxics control account--state
7 appropriation is provided solely for piloting and evaluating two
8 coordinated, multijurisdictional permitting teams for nontransportation
9 projects.

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

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

27 (28) In accordance with RCW 43.135.055, the department is
28 authorized to increase the fees set forth in and previously authorized
29 in section 302(10), chapter 564, Laws of 2009.

30 (29) In accordance with RCW 43.135.055, the department is
31 authorized to adopt and increase the fees set forth in and previously
32 authorized in sections 3, 5, 7, and 12, chapter 285, Laws of 2010.

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

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

36	General Fund--State Appropriation (FY 2010)	\$23,176,000
37	General Fund--State Appropriation (FY 2011)	\$18,309,000

1 fiscal committees no later than September 30, 2009, a list of leases
2 the commission proposes be managed by the department of general
3 administration.

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

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

7	General Fund--State Appropriation (FY 2010)	\$1,486,000
8	General Fund--State Appropriation (FY 2011)	\$1,312,000
9	General Fund--Federal Appropriation	((\$10,322,000))
10		<u>\$10,427,000</u>
11	General Fund--Private/Local Appropriation	\$250,000
12	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
13	Firearms Range Account--State Appropriation	\$39,000
14	Recreation Resources Account--State Appropriation	((\$2,710,000))
15		<u>\$2,738,000</u>
16	NOVA Program Account--State Appropriation	((\$1,049,000))
17		<u>\$1,059,000</u>
18	TOTAL APPROPRIATION	((\$17,446,000))
19		<u>\$17,589,000</u>

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

22 (1) \$204,000 of the general fund--state appropriation for fiscal
23 year 2010 and ~~((\$244,000))~~ \$194,000 of the general fund--state
24 appropriation for fiscal year 2011 are provided solely for the
25 implementation of Substitute House Bill No. 2157 (salmon recovery). If
26 the bill is not enacted by June 30, 2009, the amounts provided in this
27 subsection shall lapse.

28 (2) The recreation and conservation office, under the direction of
29 the salmon recovery funding board, shall assess watershed and regional-
30 scale capacity issues relating to the support and implementation of
31 salmon recovery. The assessment shall examine priority setting and
32 incentives to further promote coordination to ensure that effective and
33 efficient mechanisms for delivery of salmon recovery funding board
34 funds are being utilized. The salmon recovery funding board shall
35 distribute its operational funding to the appropriate entities based on
36 this assessment.

1 (3) The recreation and conservation office shall negotiate an
 2 agreement with the Puget Sound partnership to consolidate or share
 3 certain administrative functions currently performed by each agency
 4 independently. The agencies shall proportionately share the costs of
 5 such shared functions. Examples of shared functions may include, but
 6 are not limited to, support for personnel, information technology,
 7 grant and contract management, invasive species work, legislative
 8 coordination, and policy and administrative support of various boards
 9 and councils.

10 **Sec. 304.** 2010 2nd sp.s. c 1 s 307 (uncodified) is amended to read
 11 as follows:

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

13	General Fund--State Appropriation (FY 2010)	\$41,263,000
14	General Fund--State Appropriation (FY 2011)	\$30,560,000
15	General Fund--Federal Appropriation	(\$85,799,000)
16		<u>\$88,799,000</u>
17	General Fund--Private/Local Appropriation	\$47,211,000
18	Off Road Vehicle Account--State Appropriation	\$413,000
19	Aquatic Lands Enhancement Account--State Appropriation . . .	\$6,739,000
20	Recreational Fisheries Enhancement--State	
21	Appropriation	\$3,472,000
22	Warm Water Game Fish Account--State Appropriation	\$2,861,000
23	Eastern Washington Pheasant Enhancement Account--	
24	State Appropriation	\$851,000
25	Aquatic Invasive Species Enforcement Account--State	
26	Appropriation	\$207,000
27	Aquatic Invasive Species Prevention Account-- State	
28	Appropriation	\$833,000
29	Wildlife Account--State Appropriation	(\$86,878,000)
30		<u>\$86,998,000</u>
31	Wildlife Account--Federal Appropriation	\$101,000
32	Wildlife Account--Private/Local Appropriation	\$39,000
33	Game Special Wildlife Account--State Appropriation	\$2,367,000
34	Game Special Wildlife Account--Federal Appropriation	\$3,426,000
35	Game Special Wildlife Account--Private/Local	
36	Appropriation	\$487,000
37	Wildlife Rehabilitation Account--State Appropriation	\$269,000

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. 305.** 2010 2nd sp.s. c 1 s 308 (uncodified) is amended to read
11 as 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)	(\$33,387,000)
15		<u>\$37,321,000</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	(\$568,000)
35		<u>\$478,000</u>
36	NOVA Program Account--State Appropriation	\$974,000
37	Derelict Vessel Removal Account--State Appropriation	\$1,749,000

1	Agricultural College Trust Management Account--	
2	State Appropriation	\$1,941,000
3	TOTAL APPROPRIATION	((\$272,722,000))
4		<u>\$276,566,000</u>

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

7 (1) \$1,355,000 of the general fund--state appropriation for fiscal
8 year 2010 and ((~~\$349,000~~)) \$327,000 of the general fund--state
9 appropriation for fiscal year 2011 are provided solely for deposit into
10 the agricultural college trust management account and are provided
11 solely to manage approximately 70,700 acres of Washington State
12 University's agricultural college trust lands.

13 (2) \$22,670,000 of the general fund--state appropriation for fiscal
14 year 2010, ((~~\$11,128,000~~)) \$15,089,000 of the general fund--state
15 appropriation for fiscal year 2011, and \$5,000,000 of the disaster
16 response account--state appropriation are provided solely for emergency
17 fire suppression. None of the general fund and disaster response
18 account amounts provided in this subsection may be used to fund agency
19 indirect and administrative expenses. Agency indirect and
20 administrative costs shall be allocated among the agency's remaining
21 accounts and appropriations. The department of natural resources shall
22 submit a quarterly report to the office of financial management and the
23 legislative fiscal committees detailing information on current and
24 planned expenditures from the disaster response account. This work
25 shall be done in coordination with the military department.

26 (3) \$5,000,000 of the forest and fish support account--state
27 appropriation is provided solely for adaptive management, monitoring,
28 and participation grants to tribes. If federal funding for this
29 purpose is reinstated, the amount provided in this subsection shall
30 lapse.

31 (4) \$600,000 of the derelict vessel removal account--state
32 appropriation is provided solely for removal of derelict and abandoned
33 vessels that have the potential to contaminate Puget Sound.

34 (5) \$666,000 of the general fund--federal appropriation is provided
35 solely to implement House Bill No. 2165 (forest biomass energy
36 project). If the bill is not enacted by June 30, 2009, the amount
37 provided in this subsection shall lapse.

1 (6) \$5,000 of the general fund--state appropriation for fiscal year
2 2010 and \$5,000 of the general fund--state appropriation for fiscal
3 year 2011 are provided solely to implement Substitute House Bill No.
4 1038 (specialized forest products). If the bill is not enacted by June
5 30, 2009, the amounts provided in this subsection shall lapse.

6 (7) \$440,000 of the state general fund--state appropriation for
7 fiscal year 2010 and \$440,000 of the state general fund--state
8 appropriation for fiscal year 2011 are provided solely for forest work
9 crews that support correctional camps and are contingent upon
10 continuing operations of Naselle youth camp at the level provided in
11 fiscal year 2008. The department shall consider using up to \$2,000,000
12 of the general fund--federal appropriation to support and utilize
13 correctional camp crews to implement natural resource projects approved
14 by the federal government for federal stimulus funding.

15 (8) The department of natural resources shall dispose of the King
16 Air aircraft it currently owns. Before disposal and within existing
17 funds, the department shall transfer specialized equipment for fire
18 surveillance to the department of fish and wildlife's Partenavia
19 aircraft. Disposal of the aircraft must occur no later than June 30,
20 2010, and the proceeds from the sale of the aircraft shall be deposited
21 into the forest and fish support account. ~~((No later than June 30,~~
22 ~~2011, the department shall lease facilities in eastern Washington~~
23 ~~sufficient to house the necessary aircraft, mechanics, and pilots used~~
24 ~~for forest fire prevention and suppression.))~~

25 (9) \$30,000 of the general fund--state appropriation for fiscal
26 year 2010 and ~~((~~\$30,000~~))~~ \$28,000 of the general fund--state
27 appropriation for fiscal year 2011 are provided solely for
28 implementation of Engrossed Second Substitute Bill No. 5560 (agency
29 climate leadership). If the bill is not enacted by June 30, 2009, the
30 amounts provided in this subsection shall lapse.

31 (10) \$1,030,000 of the aquatic lands enhancement account--state
32 appropriation for fiscal year 2011 is provided solely for continuing
33 scientific studies already underway as part of the adaptive management
34 process. Funds may not be used to initiate new studies unless the
35 department secures new federal funding for the adaptive management
36 process.

37 (11) Within available funds, the department of natural resources
38 shall review the statutory method for determining aquatic lands lease

1 rates for private marinas, public marinas not owned and operated by
2 port districts, yacht clubs, and other entities leasing state land for
3 boat moorage. The review shall consider alternative methods for
4 determining rents for these entities for a fair distribution of rent,
5 consistent with the department management mandates for state aquatic
6 lands.

7 (12) (~~(\$40,000)~~) \$37,000 of the general fund--state appropriation
8 for fiscal year 2011 and \$100,000 of the aquatic lands enhancement
9 account--state appropriation are provided solely to install up to
10 twenty mooring buoys in Eagle Harbor and to remove abandoned boats,
11 floats, and other trespassing structures.

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

22 (14) \$41,000 of the forest development account--state
23 appropriation, \$44,000 of the resources management cost account--state
24 appropriation, and \$2,000 of the agricultural college trust management
25 account--state appropriation are provided solely for the implementation
26 of Second Substitute House Bill No. 2481 (DNR forest biomass
27 agreements). If the bill is not enacted by June 30, 2010, the amount
28 provided in this subsection shall lapse.

29 **Sec. 306.** 2010 2nd sp.s. c 1 s 309 (uncodified) is amended to read
30 as follows:

31 **FOR THE DEPARTMENT OF AGRICULTURE**

32	General Fund--State Appropriation (FY 2010)	\$12,320,000
33	General Fund--State Appropriation (FY 2011)	((\$15,830,000))
34		<u>\$15,391,000</u>
35	General Fund--Federal Appropriation	((\$20,947,000))
36		<u>\$21,047,000</u>
37	General Fund--Private/Local Appropriation	\$193,000

1 Aquatic Lands Enhancement Account--State
2 Appropriation (~~(\$2,551,000)~~)
3 \$2,564,000
4 State Toxics Control Account--State Appropriation \$4,724,000
5 Water Quality Permit Account--State Appropriation \$61,000
6 TOTAL APPROPRIATION (~~(\$56,626,000)~~)
7 \$56,300,000

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

10 (1) \$350,000 of the aquatic lands enhancement account appropriation
11 is provided solely for funding to the Pacific county noxious weed
12 control board to eradicate remaining spartina in Willapa Bay.

13 (2) \$19,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$6,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely to implement Substitute Senate
16 Bill No. 5797 (solid waste handling permits). If the bill is not
17 enacted by June 30, 2009, the amounts provided in this subsection shall
18 lapse.

19 (3) The department is authorized to establish or increase the
20 following fees in the 2009-11 biennium as necessary to meet the actual
21 costs of conducting business: Christmas tree grower licensing, nursery
22 dealer licensing, plant pest inspection and testing, and commission
23 merchant licensing.

24 (4) (~~(\$5,420,000)~~) \$5,179,000 of the general fund--state
25 appropriation for fiscal year 2011 and \$2,782,000 of the general fund--
26 federal appropriation are provided solely for implementation of
27 Substitute Senate Bill No. 6341 (food assistance/department of
28 agriculture). Within amounts appropriated in this subsection, \$65,000
29 of the general fund--state appropriation for fiscal year 2011 is
30 provided solely for a contract with a food distribution program for
31 communities in the southwestern portion of the state and for workers
32 impacted by timber and salmon fishing closures and reductions. The
33 department may not charge administrative overhead or expenses to this
34 contract. If the bill is not enacted by June 30, 2010, the amounts
35 provided in this subsection shall lapse.

36 (5) The department shall, if public or private funds are available,
37 partner with eligible public and private entities with experience in
38 food collection and distribution to review funding sources for eight

1 full-time volunteers in the AmeriCorps VISTA program to conduct
2 outreach to local growers, agricultural donors, and community
3 volunteers. Public and private partners shall also be utilized to
4 coordinate gleaning unharvested tree fruits and fresh produce for
5 distribution to individuals throughout Washington state.

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

9 (7) The legislature intends to suspend the transfer of the state
10 general fund to the fair fund pursuant to RCW 15.76.115 during each
11 fiscal year of the 2011-2013 fiscal biennium.

12 **Sec. 307.** 2010 2nd sp.s. c 1 s 310 (uncodified) is amended to read
13 as follows:

14 **FOR THE PUGET SOUND PARTNERSHIP**

15	General Fund--State Appropriation (FY 2010)	\$3,143,000
16	General Fund--State Appropriation (FY 2011)	(\$2,684,000)
17		<u>\$2,184,000</u>
18	General Fund--Federal Appropriation	(\$7,214,000)
19		<u>\$8,096,000</u>
20	Aquatic Lands Enhancement Account--State Appropriation	\$493,000
21	State Toxics Control Account--State Appropriation	\$794,000
22	TOTAL APPROPRIATION	(\$14,328,000)
23		<u>\$14,710,000</u>

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

26 (1) \$305,000 of the general fund--state appropriation for fiscal
27 year 2010 is provided solely for measuring water and habitat quality to
28 determine watershed health and assist salmon recovery.

29 (2) \$794,000 of the state toxics control account--state
30 appropriation is provided solely for activities that contribute to
31 Puget Sound protection and recovery, including provision of independent
32 advice and assessment of the state's oil spill prevention,
33 preparedness, and response programs, including review of existing
34 activities and recommendations for any necessary improvements. The
35 partnership may carry out this function through an existing committee,
36 such as the ecosystem coordination board or the leadership council, or

1 may appoint a special advisory council. Because this is a unique
2 statewide program, the partnership may invite participation from
3 outside the Puget Sound region.

4 (3) Within the amounts appropriated in this section, the Puget
5 Sound partnership shall facilitate an ongoing monitoring consortium to
6 integrate monitoring efforts for storm water, water quality, watershed
7 health, and other indicators to enhance monitoring efforts in Puget
8 Sound.

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

12 (5) \$839,000 of the general fund--state appropriation for fiscal
13 year 2010 and (~~(\$764,000)~~) \$264,000 of the general fund--state
14 appropriation for fiscal year 2011 are provided solely to support
15 public education and volunteer programs. The partnership is directed
16 to distribute the majority of funding as grants to local organizations,
17 local governments, and education, communication, and outreach network
18 partners. The partnership shall track progress for this activity
19 through the accountability system of the Puget Sound partnership.

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

(End of part)

PART IV
TRANSPORTATION

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

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2010)	\$1,436,000
General Fund--State Appropriation (FY 2011)	(\$1,524,000)
	<u>\$1,322,000</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	(\$53,948,000)
	<u>\$53,746,000</u>

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

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

(2) \$1,352,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5391 (tattoo and body piercing). If the bill is not enacted by June 30, 2009, the amount provided in this subsection shall lapse.

(3) \$358,000 of the business and professions account--state appropriation is provided solely to implement Senate Bill No. 6126

1 (professional athletics). If the bill is not enacted by June 30, 2009,
2 the amount provided in this subsection shall lapse.

3 (4) \$151,000 of the real estate research account appropriation is
4 provided solely to implement chapter 156, Laws of 2010 (real estate
5 broker licensure fees).

6 (5) \$158,000 of the architects' license account--state
7 appropriation is provided solely to implement chapter 129, Laws of 2010
8 (architect licensing).

9 (6) \$60,000 of the master license account--state appropriation is
10 provided solely to implement chapter 174, Laws of 2010 (vaccine
11 association). The amount provided in this subsection shall be from fee
12 revenue authorized in chapter 174, Laws of 2010.

13 **Sec. 402.** 2010 1st sp.s. c 37 s 402 (uncodified) is amended to
14 read as follows:

15 **FOR THE STATE PATROL**

16	General Fund--State Appropriation (FY 2010)	\$38,977,000
17	General Fund--State Appropriation (FY 2011)	(\$36,059,000)
18		<u>\$33,292,000</u>
19	General Fund--Federal Appropriation	\$15,793,000
20	General Fund--Private/Local Appropriation	\$4,986,000
21	Death Investigations Account--State Appropriation	\$5,580,000
22	Enhanced 911 Account--State Appropriation	\$603,000
23	County Criminal Justice Assistance Account--State	
24	Appropriation	\$3,146,000
25	Municipal Criminal Justice Assistance Account--State	
26	Appropriation	\$1,255,000
27	Fire Service Trust Account--State Appropriation	\$131,000
28	Disaster Response Account--State Appropriation	\$8,002,000
29	Fire Service Training Account--State Appropriation	\$8,821,000
30	Aquatic Invasive Species Enforcement Account--State	
31	Appropriation	\$54,000
32	State Toxics Control Account--State Appropriation	\$509,000
33	Fingerprint Identification Account--State	
34	Appropriation	\$10,454,000
35	TOTAL APPROPRIATION	(\$134,370,000)
36		<u>\$131,603,000</u>

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

3 (1) \$200,000 of the fire service training account--state
4 appropriation is provided solely for two FTEs in the office of the
5 state director of fire protection to exclusively review K-12
6 construction documents for fire and life safety in accordance with the
7 state building code. It is the intent of this appropriation to provide
8 these services only to those districts that are located in counties
9 without qualified review capabilities.

10 (2) \$8,000,000 of the disaster response account--state
11 appropriation is provided solely for Washington state fire service
12 resource mobilization costs incurred in response to an emergency or
13 disaster authorized under RCW 43.43.960 and 43.43.964. The state
14 patrol shall submit a report quarterly to the office of financial
15 management and the legislative fiscal committees detailing information
16 on current and planned expenditures from this account. This work shall
17 be done in coordination with the military department.

18 (3) The 2010 legislature will review the use of king air planes by
19 the executive branch and the adequacy of funding in this budget
20 regarding maintaining and operating the planes to successfully
21 accomplish their mission.

22 (4) The appropriations in this section reflect reductions in the
23 appropriations for the agency's administrative expenses. It is the
24 intent of the legislature that these reductions shall be achieved, to
25 the greatest extent possible, by reducing those administrative costs
26 that do not affect direct client services or direct service delivery or
27 programs.

28 (5) \$400,000 of the fire service training account--state
29 appropriation is provided solely for the firefighter apprenticeship
30 training program.

31 (6) \$48,000 of the fingerprint identification account--state
32 appropriation is provided solely to implement Substitute House Bill No.
33 1621 (consumer loan companies). If the bill is not enacted by June 30,
34 2009, the amounts provided in this subsection shall lapse.

35 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,
36 the state patrol is authorized to increase the following fees in fiscal
37 year 2011 as necessary to meet the actual costs of conducting business

1 and the appropriation levels in this section: Collision records
2 requests; fire training academy courses; and fire training academy dorm
3 accommodations.

4 (8) \$24,000 of the fingerprint identification account--state
5 appropriation is provided solely for implementation of chapter 47, Laws
6 of 2010 (criminal background checks).

(End of part)

PART V
EDUCATION

Sec. 501. 2010 2nd sp.s. c 1 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2010)	\$35,415,000
General Fund--State Appropriation (FY 2011)	(\$29,696,000)
	<u>\$30,196,000</u>
General Fund--Federal Appropriation	\$87,081,000
TOTAL APPROPRIATION	(\$152,192,000)
	<u>\$152,692,000</u>

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

(1) A maximum of \$23,096,000 of the general fund--state appropriation for fiscal year 2010 and ~~(\$19,570,000)~~ \$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) (~~(\$500,000)~~) \$1,000,000 of the general fund--state
18 appropriation for fiscal year 2011 is provided solely for contracting
19 with a college scholarship organization with expertise in conducting
20 outreach to students concerning eligibility for the Washington college
21 bound scholarship consistent with chapter 405, Laws of 2007.

22 (r) \$24,000 of the general fund--state appropriation for fiscal
23 year 2010 is provided solely for implementation of Substitute Senate
24 Bill No. 6759 (requiring a plan for a voluntary program of early
25 learning as a part of basic education). If the bill is not enacted by
26 June 30, 2010, the amounts provided in this subsection (1)(r) shall
27 lapse.

28 (s) \$950,000 of the general fund--state appropriation for fiscal
29 year 2010 is provided solely for office of the attorney general costs
30 related to *McCleary v. State of Washington*.

31 (2) \$12,320,000 of the general fund--state appropriation for fiscal
32 year 2010, \$10,127,000 of the general fund--state appropriation for
33 fiscal year 2011, and \$55,890,000 of the general fund--federal
34 appropriation are for statewide programs.

35 (a) HEALTH AND SAFETY

36 (i) \$2,541,000 of the general fund--state appropriation for fiscal
37 year 2010 and \$2,381,000 of the general fund--state appropriation for
38 fiscal year 2011 are provided solely for a corps of nurses located at

1 educational service districts, as determined by the superintendent of
2 public instruction, to be dispatched to the most needy schools to
3 provide direct care to students, health education, and training for
4 school staff.

5 (ii) \$100,000 of the general fund--state appropriation for fiscal
6 year 2010 and \$94,000 of the general fund--state appropriation for
7 fiscal year 2011 are provided solely for a school safety training
8 program provided by the criminal justice training commission. The
9 commission, in collaboration with the school safety center advisory
10 committee, shall provide the school safety training for all school
11 administrators and school safety personnel, including school safety
12 personnel hired after the effective date of this section.

13 (iii) \$9,670,000 of the general fund--federal appropriation is
14 provided for safe and drug free schools and communities grants for drug
15 and violence prevention activities and strategies.

16 (iv) \$96,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$90,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for the school safety center in
19 the office of the superintendent of public instruction subject to the
20 following conditions and limitations:

21 (A) The safety center shall: Disseminate successful models of
22 school safety plans and cooperative efforts; provide assistance to
23 schools to establish a comprehensive safe school plan; select models of
24 cooperative efforts that have been proven successful; act as an
25 information dissemination and resource center when an incident occurs
26 in a school district either in Washington or in another state;
27 coordinate activities relating to school safety; review and approve
28 manuals and curricula used for school safety models and training; and
29 develop and maintain a school safety information web site.

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

33 (v) \$70,000 of the general fund--state appropriation for fiscal
34 year 2010 is provided solely for the youth suicide prevention program.

35 (vi) \$50,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$47,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for a nonviolence and leadership
38 training program provided by the institute for community leadership.

1 (b) TECHNOLOGY

2 (i) \$1,842,000 of the general fund--state appropriation for fiscal
3 year 2010 and \$1,635,000 of the general fund--state appropriation for
4 fiscal year 2011 are provided solely for K-20 telecommunications
5 network technical support in the K-12 sector to prevent system failures
6 and avoid interruptions in school utilization of the data processing
7 and video-conferencing capabilities of the network. These funds may be
8 used to purchase engineering and advanced technical support for the
9 network.

10 (ii) \$1,475,000 of the general fund--state appropriation for fiscal
11 year 2010, \$1,045,000 of the general fund--state appropriation for
12 fiscal year 2011, and \$435,000 of the general fund--federal
13 appropriation are provided solely for implementing a comprehensive data
14 system to include financial, student, and educator data. The office of
15 the superintendent of public instruction will convene a data governance
16 group to create a comprehensive needs-requirement document, conduct a
17 gap analysis, and define operating rules and a governance structure for
18 K-12 data collections.

19 (c) GRANTS AND ALLOCATIONS

20 (i) \$1,329,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$664,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the special services pilot
23 project to include up to seven participating districts. The office of
24 the superintendent of public instruction shall allocate these funds to
25 the district or districts participating in the pilot program according
26 to the provisions of RCW 28A.630.016.

27 (ii) \$750,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$750,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the Washington state achievers
30 scholarship program. The funds shall be used to support community
31 involvement officers that recruit, train, and match community volunteer
32 mentors with students selected as achievers scholars.

33 (iii) \$25,000 of the general fund--state appropriation for fiscal
34 year 2010 is provided solely for developing and disseminating
35 curriculum and other materials documenting women's role in World War
36 II.

37 (iv) \$175,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$87,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for incentive grants for districts
2 and pilot projects to develop preapprenticeship programs. Incentive
3 grant awards up to \$10,000 each shall be used to support the program's
4 design, school/business/labor agreement negotiations, and recruiting
5 high school students for preapprenticeship programs in the building
6 trades and crafts.

7 (v) \$2,898,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$2,924,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely for the dissemination of the
10 navigation 101 curriculum to all districts. The funding shall support
11 electronic student planning tools and software for analyzing the impact
12 of navigation 101 on student performance, as well as grants to a
13 maximum of one hundred school districts each year, based on progress
14 and need for the implementation of the navigation 101 program. The
15 implementation grants shall be awarded to a cross-section of school
16 districts reflecting a balance of geographic and demographic
17 characteristics. Within the amounts provided, the office of the
18 superintendent of public instruction will create a navigation 101
19 accountability model to analyze the impact of the program.

20 (vi) \$627,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$225,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for implementation of a statewide
23 program for comprehensive dropout prevention, intervention, and
24 retrieval.

25 (vii) \$40,000 of the general fund--state appropriation for fiscal
26 year 2010 is provided solely for program initiatives to address the
27 educational needs of Latino students and families. Using the full
28 amounts of the appropriations under this subsection (2)(c)(vii), the
29 office of the superintendent of public instruction shall contract with
30 the Seattle community coalition of compaña quetzal to provide for three
31 initiatives: (A) Early childhood education; (B) parent leadership
32 training; and (C) high school success and college preparation programs.

33 (viii) \$60,000 of the general fund--state appropriation for fiscal
34 year 2010 is provided solely for a pilot project to encourage bilingual
35 high school students to pursue public school teaching as a profession.
36 Using the full amounts of the appropriation under this subsection, the
37 office of the superintendent of public instruction shall contract with
38 the Latino/a educational achievement project (LEAP) to work with school

1 districts to identify and mentor not fewer than fifty bilingual
2 students in their junior year of high school, encouraging them to
3 become bilingual instructors in schools with high English language
4 learner populations. Students shall be mentored by bilingual teachers
5 and complete a curriculum developed and approved by the participating
6 districts.

7 (ix) \$145,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$37,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely to the office of the
10 superintendent of public instruction to enhance the reading skills of
11 students with dyslexia by implementing the findings of the dyslexia
12 pilot program. Funds shall be used to provide information and training
13 to classroom teachers and reading specialists, for development of a
14 dyslexia handbook, and to take other statewide actions to improve the
15 reading skills of students with dyslexia. The training program shall
16 be delivered regionally through the educational service districts.

17 (x) \$97,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$48,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely to support vocational student
20 leadership organizations.

21 (xi) \$100,000 of the general fund--state appropriation for fiscal
22 year 2011 is provided solely for drop-out prevention programs at the
23 office of the superintendent of public instruction including the jobs
24 for America's graduates (JAG) program.

25 **Sec. 502.** 2010 2nd sp.s. c 1 s 502 (uncodified) is amended to read
26 as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
28 **APPORTIONMENT**

29	General Fund--State Appropriation (FY 2010)	\$5,126,153,000
30	General Fund--State Appropriation (FY 2011)	((\$4,912,103,000))
31		<u>\$4,872,953,000</u>
32	General Fund--Federal Appropriation	\$208,098,000
33	TOTAL APPROPRIATION	((\$10,246,354,000))
34		<u>\$10,207,204,000</u>

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

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

4 (b) The appropriations in this section include federal funds
5 provided through section 101 of Public Law No. 111-226 (education jobs
6 fund), which shall be used to support general apportionment program
7 funding. In distributing general apportionment allocations under this
8 section for the 2010-11 school year, the superintendent shall include
9 the entire allocation from the federal funds provided through section
10 101 of Public Law No. 111-226 (education jobs fund) as part of each
11 district's general apportionment allocation.

12 (2) Allocations for certificated staff salaries for the 2009-10 and
13 2010-11 school years shall be determined using formula-generated staff
14 units calculated pursuant to this subsection. Staff allocations for
15 small school enrollments in (e) through (g) of this subsection shall be
16 reduced for vocational full-time equivalent enrollments. Staff
17 allocations for small school enrollments in grades K-6 shall be the
18 greater of that generated under (a) of this subsection, or under (d)
19 and (e) of this subsection. Certificated staffing allocations shall be
20 as follows:

21 (a) On the basis of each 1,000 average annual full-time equivalent
22 enrollments, excluding full-time equivalent enrollment otherwise
23 recognized for certificated staff unit allocations under (d) through
24 (g) of this subsection:

25 (i) Four certificated administrative staff units per thousand full-
26 time equivalent students in grades K-12;

27 (ii) For the 2009-10 school year (~~and the portion of the 2010-11~~
28 ~~school year from September 1, 2010, through January 31, 2011~~):

29 (A)(I) For districts that enroll fewer than 25 percent of their
30 total full-time equivalent student enrollment in grades K through three
31 in digital or online learning programs as defined in WAC 392-121-182,
32 as in effect on November 1, 2009, fifty-three and two-tenths
33 certificated instructional staff units per thousand full-time
34 equivalent students in grades K through three.

35 (II) For all other districts, a minimum of forty-nine certificated
36 instructional staff units per 1,000 full-time equivalent (FTE) students
37 in grades K through three, with additional certificated instructional

1 staff units to equal the documented staffing level in grades K through
2 three, up to a maximum of fifty-three and two-tenths certificated
3 instructional staff units per 1,000 FTE students.

4 (B)(I) For districts that enroll fewer than 25 percent of their
5 total full-time equivalent student enrollment in grade four in digital
6 or online learning programs defined in WAC 392-121-182 as in effect on
7 November 1, 2009: For the 2009-10 school year, fifty-three and two-
8 tenths certificated instructional staff units per thousand full-time
9 equivalent students in grade four(~~(, and for the portion of the 2010-11~~
10 ~~school year from September 1, 2010, through January 31, 2011, forty-~~
11 ~~seven and forty three one hundredths certificated instructional staff~~
12 ~~units per thousand full-time equivalent students in grade four))).~~

13 (II) For all other districts:

14 For the 2009-10 school year, a minimum of forty-six certificated
15 instructional staff units per 1,000 full-time equivalent (FTE) students
16 in grade four, and additional certificated instructional staff units to
17 equal the documented staffing level in grade four, up to a maximum of
18 fifty-three and two-tenths certificated instructional staff units per
19 1,000 FTE students(~~(-~~

20 ~~For the portion of the 2010-11 school year from September 1, 2010,~~
21 ~~through January 31, 2011, a minimum of forty six certificated~~
22 ~~instructional staff units per 1,000 full-time equivalent (FTE) students~~
23 ~~in grade four, and additional certificated instructional staff units to~~
24 ~~equal the documented staffing level in grade four, up to a maximum of~~
25 ~~forty seven and forty three one hundredths certificated instructional~~
26 ~~staff units per 1,000 FTE students))~~);

27 (iii) For the (~~portion of the~~) 2010-11 school year (~~(beginning~~
28 ~~February 1, 2010))~~):

29 (A) Forty-nine certificated instructional staff units per thousand
30 full-time equivalent students in grades kindergarten through three;

31 (B) Forty-six certificated instructional staff units per thousand
32 full-time equivalent students in grade 4;

33 (iv) (~~All allocations for instructional staff units per thousand~~
34 ~~full-time equivalent students above forty nine in grades kindergarten~~
35 ~~through three and forty six in grade four shall occur in apportionments~~
36 ~~in the monthly periods prior to February 1, 2011~~;

37 (~~v~~)) Forty-six certificated instructional staff units per thousand
38 full-time equivalent students in grades 5-12;

1 (~~(vi)~~) (v) Certificated staff allocations in this subsection
2 (2)(a) exceeding the statutory minimums established in RCW 28A.150.260
3 shall not be considered part of basic education;

4 (b) For school districts with a minimum enrollment of 250 full-time
5 equivalent students whose full-time equivalent student enrollment count
6 in a given month exceeds the first of the month full-time equivalent
7 enrollment count by 5 percent, an additional state allocation of 110
8 percent of the share that such increased enrollment would have
9 generated had such additional full-time equivalent students been
10 included in the normal enrollment count for that particular month;

11 (c)(i) On the basis of full-time equivalent enrollment in:

12 (A) Vocational education programs approved by the superintendent of
13 public instruction, a maximum of 0.92 certificated instructional staff
14 units and 0.08 certificated administrative staff units for each 19.5
15 full-time equivalent vocational students;

16 (B) Middle school vocational STEM programs approved by the
17 superintendent of public instruction, a maximum of 0.92 certificated
18 instructional staff units and 0.8 certificated administrative staff
19 units for each 19.5 full-time equivalent vocational students; and

20 (C) Skills center programs meeting the standards for skills center
21 funding established in January 1999 by the superintendent of public
22 instruction with a waiver allowed for skills centers in current
23 operation that are not meeting this standard until the 2010-11 school
24 year, 0.92 certificated instructional staff units and 0.08 certificated
25 administrative units for each 16.67 full-time equivalent vocational
26 students;

27 (ii) Vocational full-time equivalent enrollment shall be reported
28 on the same monthly basis as the enrollment for students eligible for
29 basic support, and payments shall be adjusted for reported vocational
30 enrollments on the same monthly basis as those adjustments for
31 enrollment for students eligible for basic support; and

32 (iii) Indirect cost charges by a school district to vocational-
33 secondary programs and vocational middle-school shall not exceed 15
34 percent of the combined basic education and vocational enhancement
35 allocations of state funds;

36 (d) For districts enrolling not more than twenty-five average
37 annual full-time equivalent students in grades K-8, and for small
38 school plants within any school district which have been judged to be

1 remote and necessary by the state board of education and enroll not
2 more than twenty-five average annual full-time equivalent students in
3 grades K-8:

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

9 (ii) For those enrolling students in grades 7 or 8, 1.68
10 certificated instructional staff units and 0.32 certificated
11 administrative staff units for enrollment of not more than five
12 students, plus one-tenth of a certificated instructional staff unit for
13 each additional student enrolled;

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

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

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

26 (f) For districts operating no more than two high schools with
27 enrollments of less than three hundred average annual full-time
28 equivalent students, for enrollment in grades 9-12 in each such school,
29 other than alternative schools:

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

35 (ii) For all other small high schools under this subsection, nine
36 certificated instructional staff units and one-half of a certificated
37 administrative staff unit for the first sixty average annual full time
38 equivalent students, and additional staff units based on a ratio of

1 0.8732 certificated instructional staff units and 0.1268 certificated
2 administrative staff units per each additional forty-three and one-half
3 average annual full time equivalent students.

4 Units calculated under (f)(ii) of this subsection shall be reduced
5 by certificated staff units at the rate of forty-six certificated
6 instructional staff units and four certificated administrative staff
7 units per thousand vocational full-time equivalent students;

8 (g) For each nonhigh school district having an enrollment of more
9 than seventy annual average full-time equivalent students and less than
10 one hundred eighty students, operating a grades K-8 program or a grades
11 1-8 program, an additional one-half of a certificated instructional
12 staff unit; and

13 (h) For each nonhigh school district having an enrollment of more
14 than fifty annual average full-time equivalent students and less than
15 one hundred eighty students, operating a grades K-6 program or a grades
16 1-6 program, an additional one-half of a certificated instructional
17 staff unit.

18 (3) Allocations for classified salaries for the 2009-10 and 2010-11
19 school years shall be calculated using formula-generated classified
20 staff units determined as follows:

21 (a) For enrollments generating certificated staff unit allocations
22 under subsection (2)(e) through (h) of this section, one classified
23 staff unit for each 2.94 certificated staff units allocated under such
24 subsections;

25 (b) For all other enrollment in grades K-12, including vocational
26 full-time equivalent enrollments, one classified staff unit for each
27 58.75 average annual full-time equivalent students; and

28 (c) For each nonhigh school district with an enrollment of more
29 than fifty annual average full-time equivalent students and less than
30 one hundred eighty students, an additional one-half of a classified
31 staff unit.

32 (4) Fringe benefit allocations shall be calculated at a rate of
33 14.43 percent in the 2009-10 school year and 14.43 percent in the 2010-
34 11 school year for certificated salary allocations provided under
35 subsection (2) of this section, and a rate of 16.59 percent in the
36 2009-10 school year and 16.59 percent in the 2010-11 school year for
37 classified salary allocations provided under subsection (3) of this
38 section.

1 (5) Insurance benefit allocations shall be calculated at the
2 maintenance rate specified in section 504(2) of this act, based on the
3 number of benefit units determined as follows:

4 (a) The number of certificated staff units determined in subsection
5 (2) of this section; and

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

12 (6)(a) For nonemployee-related costs associated with each
13 certificated staff unit allocated under subsection (2)(a), (b), and (d)
14 through (g) of this section, there shall be provided a maximum of
15 \$10,179 per certificated staff unit in the 2009-10 school year and a
16 maximum of \$10,424 per certificated staff unit in the 2010-11 school
17 year.

18 (b) For nonemployee-related costs associated with each vocational
19 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
20 section, there shall be provided a maximum of \$24,999 per certificated
21 staff unit in the 2009-10 school year and a maximum of \$25,399 per
22 certificated staff unit in the 2010-11 school year.

23 (c) For nonemployee-related costs associated with each vocational
24 certificated staff unit allocated under subsection (2)(c)(i)(B) of this
25 section, there shall be provided a maximum of \$19,395 per certificated
26 staff unit in the 2009-10 school year and a maximum of \$19,705 per
27 certificated staff unit in the 2010-11 school year.

28 (7) Allocations for substitute costs for classroom teachers shall
29 be distributed at a maintenance rate of \$607.44 for the 2009-10 and
30 2010-11 school years per allocated classroom teachers exclusive of
31 salary increase amounts provided in section 504 of this act. Solely
32 for the purposes of this subsection, allocated classroom teachers shall
33 be equal to the number of certificated instructional staff units
34 allocated under subsection (2) of this section, multiplied by the ratio
35 between the number of actual basic education certificated teachers and
36 the number of actual basic education certificated instructional staff
37 reported statewide for the prior school year.

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

10 (9) Funding in this section is sufficient to provide additional
11 service year credits to educational staff associates pursuant to
12 chapter 403, Laws of 2007.

13 (10)(a) The superintendent may distribute a maximum of \$7,286,000
14 outside the basic education formula during fiscal years 2010 and 2011
15 as follows:

16 (i) For fire protection for school districts located in a fire
17 protection district as now or hereafter established pursuant to chapter
18 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010
19 and a maximum of \$576,000 may be expended in fiscal year 2011;

20 (ii) For summer vocational programs at skills centers, a maximum of
21 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of
22 ~~((\$2,385,000))~~ \$600,000 for the 2011 fiscal year ~~((.20 percent of each
23 fiscal year amount may carry over from one year to the next))~~;

24 (iii) A maximum of \$403,000 may be expended for school district
25 emergencies; and

26 (iv) A maximum of \$485,000 ~~((each fiscal year))~~ for fiscal year
27 2010 and \$455,000 for fiscal year 2011 may be expended for programs
28 providing skills training for secondary students who are enrolled in
29 extended day school-to-work programs, as approved by the superintendent
30 of public instruction. The funds shall be allocated at a rate not to
31 exceed \$500 per full-time equivalent student enrolled in those
32 programs.

33 (b) Funding in this section is sufficient to fund a maximum of 1.6
34 FTE enrollment for skills center students pursuant to chapter 463, Laws
35 of 2007. In the 2010-11 school year, summer school vocational programs
36 are not eligible for funding under the 1.6 FTE enrollment cap.

37 (11) For purposes of RCW 84.52.0531, the increase per full-time

1 equivalent student is 4.0 percent from the 2008-09 school year to the
2 2009-10 school year and 4.0 percent from the 2009-10 school year to the
3 2010-11 school year.

4 (12) If two or more school districts consolidate and each district
5 was receiving additional basic education formula staff units pursuant
6 to subsection (2)(b) through (g) of this section, the following shall
7 apply:

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

12 (b) For the fourth through eighth school years following
13 consolidation, the difference between the basic education formula staff
14 units received by the districts for the school year prior to
15 consolidation and the basic education formula staff units after
16 consolidation pursuant to subsection (2)(a) through (h) of this section
17 shall be reduced in increments of twenty percent per year.

18 (13) General apportionment payments to the Steilacoom historical
19 school district shall reflect changes to operation of the Harriet
20 Taylor elementary school consistent with the timing of reductions in
21 correctional facility capacity and staffing.

22 (14) \$5,000,000 of the general fund--state appropriation for fiscal
23 year 2011 is provided solely for the superintendent for financial
24 contingency funds for eligible school districts. The financial
25 contingency funds shall be allocated to eligible districts in the form
26 of an advance of their respective general apportionment allocations.

27 (a) Eligibility:

28 The superintendent shall determine a district's eligibility for
29 receipt of financial contingency funds, and districts shall be eligible
30 only if the following conditions are met:

31 (i) A petition is submitted by the school district as provided in
32 RCW 28A.510.250 and WAC 392-121-436; and

33 (ii) The district's projected general fund balance for the month of
34 March is less than one-half of one percent of its budgeted general fund
35 expenditures as submitted to the superintendent for the 2010-11 school
36 year on the F-196 report.

37 (b) Calculations:

1 The superintendent shall calculate the financial contingency
2 allocation to each district as the lesser of:

3 (i) The amount set forth in the school district's resolution;

4 (ii) An amount not to exceed 10 percent of the total amount to
5 become due and apportionable to the district from September 1st through
6 August 31st of the current school year;

7 (iii) The highest negative monthly cash and investment balance of
8 the general fund between the date of the resolution and May 31st of the
9 school year based on projections approved by the county treasurer and
10 the educational service district.

11 (c) Repayment:

12 For any amount allocated to a district in state fiscal year 2011,
13 the superintendent shall deduct in state fiscal year 2012 from the
14 district's general apportionment the amount of the emergency
15 contingency allocation and any earnings by the school district on the
16 investment of a temporary cash surplus due to the emergency contingency
17 allocation. Repayments or advances will be accomplished by a reduction
18 in the school district's apportionment payments on or before June 30th
19 of the school year following the distribution of the emergency
20 contingency allocation. All disbursements, repayments, and outstanding
21 allocations to be repaid of the emergency contingency pool shall be
22 reported to the office of financial management and the appropriate
23 fiscal committees of the legislature on July 1st and January 1st of
24 each year.

25 **Sec. 503.** 2010 1st sp.s. c 37 s 504 (uncodified) is amended to
26 read as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
28 **COMPENSATION ADJUSTMENTS**

29	General Fund--State Appropriation (FY 2010)	(\$4,414,000)
30	General Fund--State Appropriation (FY 2011)	((\$1,806,000))
31		<u>(\$1,559,000)</u>
32	General Fund--Federal Appropriation	(\$1,000)
33	TOTAL APPROPRIATION	((\$6,221,000))
34		<u>(\$5,974,000)</u>

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

1 (1)(a) Additional salary adjustments as necessary to fund the base
2 salaries for certificated instructional staff as listed for each
3 district in LEAP Document 2, defined in section 503(2)(b) of this act.
4 Allocations for these salary adjustments shall be provided to all
5 districts that are not grandfathered to receive salary allocations
6 above the statewide salary allocation schedule, and to certain
7 grandfathered districts to the extent necessary to ensure that salary
8 allocations for districts that are currently grandfathered do not fall
9 below the statewide salary allocation schedule.

10 (b) Additional salary adjustments to certain districts as necessary
11 to fund the per full-time-equivalent salary allocations for
12 certificated administrative staff as listed for each district in LEAP
13 Document 2, defined in section 503(2)(b) of this act. These
14 adjustments shall ensure a minimum salary allocation for certificated
15 administrative staff of \$57,986 in the 2009-10 school year and \$57,986
16 in the 2010-11 school year.

17 (c) Additional salary adjustments to certain districts as necessary
18 to fund the per full-time-equivalent salary allocations for classified
19 staff as listed for each district in LEAP Document 2, defined in
20 section 503(2)(b) of this act. These salary adjustments ensure a
21 minimum salary allocation for classified staff of \$31,865 in the 2009-
22 10 school year and \$31,865 in the 2010-11 school year.

23 (d) The appropriations in this subsection (1) include associated
24 incremental fringe benefit allocations at rates 13.79 percent for the
25 2009-10 school year and 13.79 percent for the 2010-11 school year for
26 certificated staff and 13.09 percent for the 2009-10 school year and
27 13.09 percent for the 2010-11 school year for classified staff.

28 (e) The appropriations in this section include the increased or
29 decreased portion of salaries and incremental fringe benefits for all
30 relevant state-funded school programs in part V of this act. Changes
31 for general apportionment (basic education) are based on the salary
32 allocation schedules and methodology in sections 502 and 503 of this
33 act. Changes for special education result from changes in each
34 district's basic education allocation per student. Changes for
35 educational service districts and institutional education programs are
36 determined by the superintendent of public instruction using the
37 methodology for general apportionment salaries and benefits in sections

1 502 and 503 of this act. The appropriations in this section provide
2 incremental fringe benefit alterations based on formula adjustments as
3 follows:

	School Year	
	2009-10	2010-11
4 Pupil Transportation (per weighted pupil mile)	\$0	\$0
5 Highly Capable (per formula student)	(\$1.49)	(\$2.98)
6		<u>\$0.00</u>
7 Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$7.86)
8 Learning Assistance (per formula student)	(\$1.18)	(\$2.36)

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

11 (2) \$44,213,000 is provided for adjustments to insurance benefit
12 allocations. The maintenance rate for insurance benefit allocations is
13 \$732.00 per month for the 2009-10 and 2010-11 school years. The
14 appropriations in this section provide for a rate increase to \$745.00
15 per month for the 2009-10 school year and \$768.00 per month for the
16 2010-11 school year. The adjustments to health insurance benefits are
17 at the following rates:

	School Year	
	2009-10	2010-11
18 Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
19 Highly Capable (per formula student)	\$0.79	(\$2.22)
20		<u>\$0.00</u>
21 Transitional Bilingual Education (per eligible bilingual student)	\$2.11	\$5.83
22 Learning Assistance (per formula student)	\$0.54	\$1.49

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

1 a comparable competitive bid process based on the lowest price quote
2 based on similar bus categories to those used to establish the list
3 pursuant to RCW 28A.160.195.

4 (5) The superintendent of public instruction shall base
5 depreciation payments for school district buses on the pre-sales tax
6 five-year average of lowest bids in the appropriate category of bus.
7 In the final year on the depreciation schedule, the depreciation
8 payment shall be based on the lowest bid in the appropriate bus
9 category for that school year.

10 (6) Funding levels in this section reflect reductions from the
11 implementation of Substitute House Bill No. 1292 (authorizing waivers
12 from the one hundred eighty-day school year requirement in order to
13 allow four-day school weeks).

14 **Sec. 505.** 2010 1st sp.s. c 37 s 506 (uncodified) is amended to
15 read as follows:

16 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**
17 **PROGRAMS**

18	General Fund--State Appropriation (FY 2010)	\$3,159,000
19	General Fund--State Appropriation (FY 2011)	((\$3,159,000))
20		<u>\$7,111,000</u>
21	General Fund--Federal Appropriation	((\$391,988,000))
22		<u>\$448,588,000</u>
23	TOTAL APPROPRIATION	((\$398,306,000))
24		<u>\$458,858,000</u>

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

27 (1) \$3,000,000 of the general fund--state appropriation for fiscal
28 year 2010 (~~and \$3,000,000 of the general fund--state appropriation for~~
29 ~~fiscal year 2011 are~~) is provided for state matching money for federal
30 child nutrition programs.

31 (2) \$100,000 of the general fund--state appropriation for fiscal
32 year 2010 (~~and \$100,000 of the 2011 fiscal year appropriation are~~) is
33 provided for summer food programs for children in low-income areas.

34 (3) \$59,000 of the general fund--state appropriation for fiscal
35 year 2010 (~~and \$59,000 of the general fund--state appropriation for~~
36 ~~fiscal year 2011 are~~) is provided solely to reimburse school districts

1 for school breakfasts served to students enrolled in the free or
2 reduced price meal program pursuant to chapter 287, Laws of 2005
3 (requiring school breakfast programs in certain schools).

4 (4) \$7,111,000 of the general fund--state appropriation for fiscal
5 year 2011 is provided solely for state matching money for federal child
6 nutrition programs, and may support the meals for kids program through
7 the following allowable uses:

8 (a) Elimination of breakfast copays and lunch copays for students
9 in grades kindergarten through third grade who are eligible for reduced
10 price lunch;

11 (b) Assistance to school districts for supporting summer food
12 service programs, and initiating new summer food service programs in
13 low-income areas; and

14 (c) Reimbursements to school districts for school breakfasts served
15 to students eligible for free and reduced price lunch, pursuant to
16 chapter 287, Laws of 2005.

17 **Sec. 506.** 2010 1st sp.s. c 37 s 507 (uncodified) is amended to
18 read as follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
20 **PROGRAMS**

21	General Fund--State Appropriation (FY 2010)	\$632,136,000
22	General Fund--State Appropriation (FY 2011)	(\$650,856,000)
23		<u>\$627,323,000</u>
24	General Fund--Federal Appropriation	\$664,601,000
25	Education Legacy Trust Account--State	
26	Appropriation	\$756,000
27	TOTAL APPROPRIATION	(\$1,948,349,000)
28		<u>\$1,924,816,000</u>

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

31 (1) Funding for special education programs is provided on an excess
32 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
33 that special education students as a class receive their full share of
34 the general apportionment allocation accruing through sections 502 and
35 504 of this act. To the extent a school district cannot provide an
36 appropriate education for special education students under chapter

1 28A.155 RCW through the general apportionment allocation, it shall
2 provide services through the special education excess cost allocation
3 funded in this section.

4 (2)(a) The superintendent of public instruction shall ensure that:

5 (i) Special education students are basic education students first;

6 (ii) As a class, special education students are entitled to the
7 full basic education allocation; and

8 (iii) Special education students are basic education students for
9 the entire school day.

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

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

17 (4) The superintendent of public instruction shall distribute state
18 funds to school districts based on two categories: (a) The first
19 category includes (i) children birth through age two who are eligible
20 for the optional program for special education eligible developmentally
21 delayed infants and toddlers, and (ii) students eligible for the
22 mandatory special education program and who are age three or four, or
23 five and not yet enrolled in kindergarten; and (b) the second category
24 includes students who are eligible for the mandatory special education
25 program and who are age five and enrolled in kindergarten and students
26 age six through 21.

27 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent
28 shall make allocations to each district based on the sum of:

29 (i) A district's annual average headcount enrollment of students
30 ages birth through four and those five year olds not yet enrolled in
31 kindergarten, as defined in subsection (4) of this section, multiplied
32 by the district's average basic education allocation per full-time
33 equivalent student, multiplied by 1.15; and

34 (ii) A district's annual average full-time equivalent basic
35 education enrollment multiplied by the funded enrollment percent
36 determined pursuant to subsection (6)(b) of this section, multiplied by
37 the district's average basic education allocation per full-time
38 equivalent student multiplied by 0.9309.

1 (b) For purposes of this subsection, "average basic education
2 allocation per full-time equivalent student" for a district shall be
3 based on the staffing ratios required by RCW 28A.150.260 and shall not
4 include enhancements, secondary vocational education, or small schools
5 in the 2009-10 school year. In the 2010-11 school year, the per
6 student allocation under this subsection (5)(b) shall include the same
7 factors as in the 2009-10 school year, but shall also include the
8 classified staff enhancements included in section 502(3)(b).

9 (6) The definitions in this subsection apply throughout this
10 section.

11 (a) "Annual average full-time equivalent basic education
12 enrollment" means the resident enrollment including students enrolled
13 through choice (RCW 28A.225.225) and students from nonhigh districts
14 (RCW 28A.225.210) and excluding students residing in another district
15 enrolled as part of an interdistrict cooperative program (RCW
16 28A.225.250).

17 (b) "Enrollment percent" means the district's resident special
18 education annual average enrollment, excluding the birth through age
19 four enrollment and those five year olds not yet enrolled in
20 kindergarten, as a percent of the district's annual average full-time
21 equivalent basic education enrollment.

22 Each district's general fund--state funded special education
23 enrollment shall be the lesser of the district's actual enrollment
24 percent or 12.7 percent.

25 (7) At the request of any interdistrict cooperative of at least 15
26 districts in which all excess cost services for special education
27 students of the districts are provided by the cooperative, the maximum
28 enrollment percent shall be calculated in accordance with subsection
29 (6)(b) of this section, and shall be calculated in the aggregate rather
30 than individual district units. For purposes of this subsection, the
31 average basic education allocation per full-time equivalent student
32 shall be calculated in the aggregate rather than individual district
33 units.

34 (8) To the extent necessary, (~~(\$44,269,000)~~) \$20,736,000 of the
35 general fund--state appropriation and \$29,574,000 of the general fund--
36 federal appropriation are provided for safety net awards for districts
37 with demonstrated needs for special education funding beyond the
38 amounts provided in subsection (5) of this section. If the federal

1 safety net awards based on the federal eligibility threshold exceed the
2 federal appropriation in this subsection (8) in any fiscal year, the
3 superintendent shall expend all available federal discretionary funds
4 necessary to meet this need. Safety net funds shall be awarded by the
5 state safety net oversight committee subject to the following
6 conditions and limitations:

7 (a) The committee shall consider unmet needs for districts that can
8 convincingly demonstrate that all legitimate expenditures for special
9 education exceed all available revenues from state funding formulas.
10 In the determination of need, the committee shall also consider
11 additional available revenues from federal sources. Differences in
12 program costs attributable to district philosophy, service delivery
13 choice, or accounting practices are not a legitimate basis for safety
14 net awards. In the determination of need, the committee shall require
15 that districts demonstrate that they are maximizing their eligibility
16 for all state and federal revenues related to services for special
17 education-eligible students. Awards associated with (b) and (c) of
18 this subsection shall not exceed the total of a district's specific
19 determination of need.

20 (b) The committee shall then consider the extraordinary high cost
21 needs of one or more individual special education students.
22 Differences in costs attributable to district philosophy, service
23 delivery choice, or accounting practices are not a legitimate basis for
24 safety net awards.

25 (c) Using criteria developed by the committee, the committee shall
26 then consider extraordinary costs associated with communities that draw
27 a larger number of families with children in need of special education
28 services. The safety net awards to school districts shall be adjusted
29 to reflect amounts awarded under (b) of this subsection.

30 (d) The maximum allowable indirect cost for calculating safety net
31 eligibility may not exceed the federal restricted indirect cost rate
32 for the district plus one percent.

33 (e) Safety net awards must be adjusted for any audit findings or
34 exceptions related to special education funding.

35 (f) Safety net awards shall be adjusted based on the percent of
36 potential medicaid eligible students billed as calculated by the
37 superintendent in accordance with chapter 318, Laws of 1999. The state

1 safety net oversight committee shall ensure that safety net
2 documentation and awards are based on current medicaid revenue amounts.

3 ~~(g) ((The office of the superintendent of public instruction, at~~
4 ~~the conclusion of each school year, shall recover safety net funds that~~
5 ~~were distributed prospectively but for which districts were not~~
6 ~~subsequently eligible))~~ Beginning with the 2010-11 school year award
7 cycle, the office of the superintendent of public instruction shall
8 make award determinations for state safety net funding in August of
9 each school year. Determinations on school district eligibility for
10 state safety net awards shall be based on analysis of actual
11 expenditure data from the current school year.

12 (9) The superintendent of public instruction may adopt such rules
13 and procedures as are necessary to administer the special education
14 funding and safety net award process. Prior to revising any standards,
15 procedures, or rules, the superintendent shall consult with the office
16 of financial management and the fiscal committees of the legislature.

17 (10) The safety net oversight committee appointed by the
18 superintendent of public instruction shall consist of:

19 (a) One staff from the office of superintendent of public
20 instruction;

21 (b) Staff of the office of the state auditor who shall be nonvoting
22 members of the committee; and

23 (c) One or more representatives from school districts or
24 educational service districts knowledgeable of special education
25 programs and funding.

26 (11) The office of the superintendent of public instruction shall
27 review and streamline the application process to access safety net
28 funds, provide technical assistance to school districts, and annually
29 survey school districts regarding improvement to the process.

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

35 (13) The superintendent shall maintain the percentage of federal
36 flow-through to school districts at 85 percent. In addition to other
37 purposes, school districts may use increased federal funds for high-

1 cost students, for purchasing regional special education services from
2 educational service districts, and for staff development activities
3 particularly relating to inclusion issues.

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

8 (15) \$262,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$251,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for two additional full-time
11 equivalent staff to support the work of the safety net committee and to
12 provide training and support to districts applying for safety net
13 awards.

14 (16) \$50,000 of the general fund--state appropriation for fiscal
15 year 2010, \$50,000 of the general fund--state appropriation for fiscal
16 2011, and \$100,000 of the general fund--federal appropriation shall be
17 expended to support a special education ombudsman program within the
18 office of superintendent of public instruction.

19 **Sec. 507.** 2010 1st sp.s. c 37 s 508 (uncodified) is amended to
20 read as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**
22 **DISTRICTS**

23	General Fund--State Appropriation (FY 2010)	\$8,394,000
24	General Fund--State Appropriation (FY 2011)	(\$8,319,000)
25		<u>\$7,796,000</u>
26	TOTAL APPROPRIATION	(\$16,713,000)
27		<u>\$16,190,000</u>

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

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

33 (2) \$3,355,000 of the general fund--state appropriation for fiscal
34 year 2010 and ~~(\$3,355,000)~~ \$3,144,000 of the general fund--state
35 appropriation for fiscal year 2011 are provided solely for regional
36 professional development related to mathematics and science curriculum
37 and instructional strategies. Funding shall be distributed among the

1 educational service districts in the same proportion as distributions
2 in the 2007-2009 biennium. Each educational service district shall use
3 this funding solely for salary and benefits for a certificated
4 instructional staff with expertise in the appropriate subject matter
5 and in professional development delivery, and for travel, materials,
6 and other expenditures related to providing regional professional
7 development support. The office of superintendent of public
8 instruction shall also allocate to each educational service district
9 additional amounts provided in section 504 of this act for compensation
10 increases associated with the salary amounts and staffing provided in
11 this subsection (2).

12 (3) The educational service districts, at the request of the state
13 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
14 receive and screen applications for school accreditation, conduct
15 school accreditation site visits pursuant to state board of education
16 rules, and submit to the state board of education post-site visit
17 recommendations for school accreditation. The educational service
18 districts may assess a cooperative service fee to recover actual plus
19 reasonable indirect costs for the purposes of this subsection.

20 **Sec. 508.** 2010 1st sp.s. c 37 s 511 (uncodified) is amended to
21 read as follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**
23 **CAPABLE STUDENTS**

24	General Fund--State Appropriation (FY 2010)	\$9,189,000
25	General Fund--State Appropriation (FY 2011)	(\$9,188,000)
26		<u>\$9,171,000</u>
27	TOTAL APPROPRIATION	(\$18,377,000)
28		<u>\$18,360,000</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) Allocations for school district programs for highly capable
35 students shall be distributed at a maximum rate of \$401.08 per funded
36 student for the 2009-10 school year and \$401.08 per funded student for
37 the 2010-11 school year, exclusive of salary and benefit adjustments

1 pursuant to section 504 of this act. For the 2009-10 and 2010-11
2 school years, the number of funded students shall be a maximum of 2.314
3 percent of each district's full-time equivalent basic education
4 enrollment.

5 (3) \$90,000 of the fiscal year 2010 appropriation and (~~(\$90,000)~~)
6 \$84,000 of the fiscal year 2011 appropriation are provided for the
7 Washington destination imagination network and future problem-solving
8 programs.

9 (4) \$170,000 of the fiscal year 2010 appropriation and (~~(\$170,000)~~)
10 \$159,000 of the fiscal year 2011 appropriation are provided for the
11 centrum program at Fort Worden state park.

12 **Sec. 509.** 2010 2nd sp.s. c 1 s 503 (uncodified) is amended to read
13 as follows:

14 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
15 **PROGRAMS**

16	General Fund--State Appropriation (FY 2010)	\$93,642,000
17	General Fund--State Appropriation (FY 2011)	((\$92,643,000))
18		<u>\$85,691,000</u>
19	General Fund--Federal Appropriation	\$154,627,000
20	Education Legacy Trust Account--State	
21	Appropriation	((\$100,381,000))
22		<u>\$98,981,000</u>
23	TOTAL APPROPRIATION	((\$441,293,000))
24		<u>\$432,941,000</u>

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

27 (1) \$35,804,000 of the general fund--state appropriation for fiscal
28 year 2010, \$31,850,000 of the general fund--state appropriation for
29 fiscal year 2011, \$1,350,000 of the education legacy trust
30 account--state appropriation, and \$17,869,000 of the general fund--
31 federal appropriation are provided solely for development and
32 implementation of the Washington state assessment system, including:
33 (i) Development and implementation of retake assessments for high
34 school students who are not successful in one or more content areas;
35 and (ii) development and implementation of alternative assessments or
36 appeals procedures to implement the certificate of academic
37 achievement. The superintendent of public instruction shall report

1 quarterly on the progress on development and implementation of
2 alternative assessments or appeals procedures. Within these amounts,
3 the superintendent of public instruction shall contract for the early
4 return of 10th grade student assessment results, on or around June 10th
5 of each year.

6 (2) \$3,249,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$3,249,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for the design of the state
9 assessment system and the implementation of end of course assessments
10 for high school math.

11 (3) Within amounts provided in subsections (1) and (2) of this
12 section, the superintendent of public instruction, in consultation with
13 the state board of education, shall develop a statewide high school
14 end-of-course assessment measuring student achievement of the state
15 science standards in biology to be implemented statewide in the 2011-12
16 school year. By December 1, 2010, the superintendent of public
17 instruction shall recommend whether additional end-of-course
18 assessments in science should be developed and in which content areas.
19 Any recommendation for additional assessments must include an
20 implementation timeline and the projected cost to develop and
21 administer the assessments.

22 (4) \$1,014,000 of the education legacy trust account appropriation
23 is provided solely for allocations to districts for salaries and
24 benefits for the equivalent of two additional professional development
25 days for fourth and fifth grade teachers during the 2008-2009 school
26 year. The allocations shall be made based on the calculations of
27 certificated instructional staff units for fourth and fifth grade
28 provided in section 502 of this act and on the calculations of
29 compensation provided in sections 503 and 504 of this act. Districts
30 may use the funding to support additional days for professional
31 development as well as job-embedded forms of professional development.

32 (5) \$3,241,000 of the education legacy trust fund appropriation is
33 provided solely for allocations to districts for salaries and benefits
34 for the equivalent of three additional professional development days
35 for middle and high school math and science teachers during the 2008-
36 2009 school year, as well as specialized training for one math and
37 science teacher in each middle school and high school during the 2008-

1 2009 school year. Districts may use the funding to support additional
2 days for professional development as well as job-embedded forms of
3 professional development.

4 (6) \$3,773,000 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; and up to \$300,000 may be used by the office of the
12 superintendent of public instruction to administer and coordinate the
13 program.

14 (7) \$1,740,000 of the general fund--state appropriation for fiscal
15 year 2010 and \$1,775,000 of the general fund--state appropriation for
16 fiscal year 2011 are provided solely to allow approved middle and
17 junior high school career and technical education programs to receive
18 enhanced vocational funding. The office of the superintendent of
19 public instruction shall provide allocations to districts for middle
20 and junior high school students in accordance with the funding formulas
21 provided in section 502 of this act. If Second Substitute Senate Bill
22 No. 5676 is enacted the allocations are formula-driven, otherwise the
23 office of the superintendent shall consider the funding provided in
24 this subsection as a fixed amount, and shall adjust funding to stay
25 within the amounts provided in this subsection.

26 (8) \$139,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$93,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for (a) staff at the office of the
29 superintendent of public instruction to coordinate and promote efforts
30 to develop integrated math, science, technology, and engineering
31 programs in schools and districts across the state; and (b) grants of
32 \$2,500 to provide twenty middle and high school teachers each year
33 professional development training for implementing integrated math,
34 science, technology, and engineering program in their schools.

35 (9) \$1,473,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$197,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the Washington state
38 leadership and assistance for science education reform (LASER) regional

1 partnership activities coordinated at the Pacific science center,
2 including instructional material purchases, teacher and principal
3 professional development, and school and community engagement events.
4 Funding shall be distributed to the various LASER activities in a
5 manner proportional to LASER program spending during the 2007-2009
6 biennium.

7 (10) \$88,981,000 of the education legacy trust account--state
8 appropriation is provided solely for grants for voluntary full-day
9 kindergarten at the highest poverty schools, as provided in chapter
10 400, Laws of 2007. The office of the superintendent of public
11 instruction shall provide allocations to districts for recipient
12 schools in accordance with the funding formulas provided in section 502
13 of this act. Each kindergarten student who enrolls for the voluntary
14 full-day program in a recipient school shall count as one-half of one
15 full-time equivalent student for the purpose of making allocations
16 under this subsection. Although the allocations are formula-driven,
17 the office of the superintendent shall consider the funding provided in
18 this subsection as a fixed amount, and shall limit the number of
19 recipient schools so as to stay within the amounts appropriated each
20 fiscal year in this subsection. The funding provided in this
21 subsection is estimated to provide full-day kindergarten programs for
22 20 percent of kindergarten enrollment. Funding priority shall be given
23 to schools with the highest poverty levels, as measured by prior year
24 free and reduced priced lunch eligibility rates in each school.
25 Additionally, as a condition of funding, school districts must agree to
26 provide the full-day program to the children of parents who request it
27 in each eligible school. For the purposes of calculating a school
28 district levy base, funding provided in this subsection shall be
29 considered a state block grant program under RCW 84.52.0531.

30 (a) Of the amounts provided in this subsection, a maximum of
31 \$272,000 may be used for administrative support of the full-day
32 kindergarten program within the office of the superintendent of public
33 instruction.

34 (b) Student enrollment pursuant to this program shall not be
35 included in the determination of a school district's overall K-12 FTE
36 for the allocation of student achievement programs and other funding
37 formulas unless specifically stated.

1 (11) \$700,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$450,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for the development of a
4 leadership academy for school principals and administrators. The
5 superintendent of public instruction shall contract with an independent
6 organization to design, field test, and implement a state-of-the-art
7 education leadership academy that will be accessible throughout the
8 state. Initial development of the content of the academy activities
9 shall be supported by private funds. Semiannually the independent
10 organization shall report on amounts committed by foundations and
11 others to support the development and implementation of this program.
12 Leadership academy partners, with varying roles, shall include the
13 state level organizations for school administrators and principals, the
14 superintendent of public instruction, the professional educator
15 standards board, and others as the independent organization shall
16 identify.

17 (12) \$105,754,000 of the general fund--federal appropriation is
18 provided for preparing, training, and recruiting high quality teachers
19 and principals under Title II of the no child left behind act.

20 (13) \$1,960,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$761,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely to the office of the
23 superintendent of public instruction for focused assistance. The
24 office of the superintendent of public instruction shall conduct
25 educational audits of low-performing schools and enter into performance
26 agreements between school districts and the office to implement the
27 recommendations of the audit and the community. Funding in this
28 subsection shall be used for focused assistance programs for individual
29 schools or school districts. The office of the superintendent of
30 public instruction shall report to the fiscal committees of the
31 legislature by September 1, 2011, providing an accounting of the uses
32 of focused assistance funds during the 2009-11 fiscal biennium,
33 including a list of schools served and the types of services provided.

34 (14) \$1,667,000 of the general fund--state appropriation for fiscal
35 year 2010 (~~and \$1,667,000 of the general fund--state appropriation for~~
36 ~~fiscal year 2011 are~~) is provided solely to eliminate the lunch co-pay
37 for students in grades kindergarten through third grade that are
38 eligible for reduced price lunch.

1 (15) \$5,285,000 of the general fund--state appropriation for fiscal
2 year 2010 (~~(and \$5,285,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2011 are))~~ is provided solely for: (a) The meals for kids
4 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
5 breakfast co-pay for students eligible for reduced price lunch; and (c)
6 for additional assistance for school districts initiating a summer food
7 service program.

8 (16) \$1,003,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$528,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the Washington reading corps.
11 The superintendent shall allocate reading corps members to low-
12 performing schools and school districts that are implementing
13 comprehensive, proven, research-based reading programs. Two or more
14 schools may combine their Washington reading corps programs. Grants
15 provided under this section may be used by school districts for
16 expenditures from September 2009 through August 31, 2011.

17 (17) \$3,269,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$3,594,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for grants to school districts to
20 provide a continuum of care for children and families to help children
21 become ready to learn. Grant proposals from school districts shall
22 contain local plans designed collaboratively with community service
23 providers. If a continuum of care program exists in the area in which
24 the school district is located, the local plan shall provide for
25 coordination with existing programs to the greatest extent possible.
26 Grant funds shall be allocated pursuant to RCW 70.190.040.

27 (18) \$1,861,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$1,836,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for improving technology
30 infrastructure, monitoring and reporting on school district technology
31 development, promoting standards for school district technology,
32 promoting statewide coordination and planning for technology
33 development, and providing regional educational technology support
34 centers, including state support activities, under chapter 28A.650 RCW.

35 (19) \$225,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$150,000 of the general fund--state appropriation for
37 fiscal year 2011 are provided solely for the operation of the center
38 for the improvement of student learning pursuant to RCW 28A.300.130.

1 (20) \$246,000 of the education legacy trust account--state
2 appropriation is provided solely for costs associated with the office
3 of the superintendent of public instruction's statewide director of
4 technology position.

5 (21)(a) \$28,715,000 of the general fund--state appropriation for
6 fiscal year 2010 and \$36,168,000 of the general fund--state
7 appropriation for fiscal year 2011 are provided solely for the
8 following bonuses for teachers who hold valid, unexpired certification
9 from the national board for professional teaching standards and who are
10 teaching in a Washington public school, subject to the following
11 conditions and limitations:

12 (i) For national board certified teachers, a bonus of \$5,000 per
13 teacher beginning in the 2007-08 school year and adjusted for inflation
14 in each school year thereafter in which Initiative 732 cost of living
15 adjustments are provided;

16 (ii) An additional \$5,000 annual bonus shall be paid to national
17 board certified teachers who teach in either: (A) High schools where
18 at least 50 percent of student headcount enrollment is eligible for
19 federal free or reduced price lunch, (B) middle schools where at least
20 60 percent of student headcount enrollment is eligible for federal free
21 or reduced price lunch, or (C) elementary schools where at least 70
22 percent of student headcount enrollment is eligible for federal free or
23 reduced price lunch;

24 (iii) The superintendent of public instruction shall adopt rules to
25 ensure that national board certified teachers meet the qualifications
26 for bonuses under (a)(ii) of this subsection for less than one full
27 school year receive bonuses in a pro-rated manner; and

28 (iv) During the 2009-10 and 2010-11 school years, and within the
29 available state and federal appropriations, certificated instructional
30 staff who have met the eligibility requirements and have applied for
31 certification from the national board for professional teaching
32 standards may receive a conditional two thousand dollars or the amount
33 set by the office of the superintendent of public instruction to
34 contribute toward the current assessment fee, not including the initial
35 up-front candidacy payment. The fee shall be an advance on the first
36 annual bonus under RCW 28A.405.415. The assessment fee for national
37 certification is provided in addition to compensation received under a
38 district's salary schedule adopted in accordance with RCW 28A.405.200

1 and shall not be included in calculations of a district's average
2 salary and associated salary limitation under RCW 28A.400.200.
3 Recipients who fail to receive certification after three years are
4 required to repay the assessment fee, not including the initial up-
5 front candidacy payment, as set by the national board for professional
6 teaching standards and administered by the office of the superintendent
7 of public instruction. The office of the superintendent of public
8 instruction shall adopt rules to define the terms for initial grant of
9 the assessment fee and repayment, including applicable fees.

10 (b) Included in the amounts provided in this subsection are amounts
11 for mandatory fringe benefits.

12 (22) \$2,475,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$456,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for secondary career and technical
15 education grants pursuant to chapter 170, Laws of 2008. This funding
16 may additionally be used to support FIRST Robotics programs. In fiscal
17 year 2011, if equally matched by private donations, \$300,000 of the
18 appropriation shall be used to support FIRST Robotics programs,
19 including FIRST Robotics professional development.

20 (23) \$75,000 of the general fund--state appropriation for fiscal
21 year 2011 is provided solely for the implementation of House Bill No.
22 2621 (K-12 school resource programs). If the bill is not enacted by
23 June 30, 2010, the amount provided in this subsection shall lapse.

24 (24) \$300,000 of the general fund--state appropriation for fiscal
25 year 2010 is provided solely for the local farms-healthy kids program
26 as described in chapter 215, Laws of 2008. The program is suspended in
27 the 2011 fiscal year, and not eliminated.

28 (25) \$2,348,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$1,000,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely for a beginning educator support
31 program. School districts and/or regional consortia may apply for
32 grant funding beginning in the 2009-10 school year. The superintendent
33 shall implement this program in 5 to 15 school districts and/or
34 regional consortia. The program provided by a district and/or regional
35 consortia shall include: A paid orientation; assignment of a qualified
36 mentor; development of a professional growth plan for each beginning
37 teacher aligned with professional certification; release time for
38 mentors and new teachers to work together, and teacher observation time

1 with accomplished peers. \$250,000 may be used to provide state-wide
2 professional development opportunities for mentors and beginning
3 educators. The superintendent of public instruction shall adopt rules
4 to establish and operate a research-based beginning educator support
5 program no later than August 31, 2009. OSPI must evaluate the
6 program's progress and may contract for this work. A report to the
7 legislature about the beginning educator support program is due
8 November 1, 2010.

9 (26) (~~(\$1,790,000)~~) \$390,000 of the education legacy trust account-
10 -state appropriation is provided solely for the development and
11 implementation of diagnostic assessments, consistent with the
12 recommendations of the Washington assessment of student learning work
13 group.

14 (27) Funding within this section is provided for implementation of
15 Engrossed Substitute Senate Bill No. 5414 (statewide assessments and
16 curricula).

17 (28) \$530,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$265,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for the leadership internship
20 program for superintendents, principals, and program administrators.

21 (29) Funding for the community learning center program, established
22 in RCW 28A.215.060, and providing grant funding for the 21st century
23 after-school program, is suspended and not eliminated.

24 (30) \$2,357,000 of the general fund--state appropriation for fiscal
25 year 2011 is provided solely for implementation of Engrossed Second
26 Substitute Senate Bill No. 6696 (education reform). Of the amount
27 provided, \$142,000 is provided to the professional educators' standards
28 board and \$120,000 is provided to the system of the educational service
29 districts, to fulfill their respective duties under the bill.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2010 2nd sp.s. c 1 s 602 (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)	(\$259,706,000)
	<u>\$257,706,000</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	(\$641,521,000)
	<u>\$639,521,000</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) Budget reductions reflected in this section under this act may
11 only be applied to research budgets and functions and may not impact
12 state-supported instruction.

13 **Sec. 602.** 2010 2nd sp.s. c 1 s 603 (uncodified) is amended to read
14 as follows:

15 **FOR WASHINGTON STATE UNIVERSITY**

16	General Fund--State Appropriation (FY 2010)	\$169,462,000
17	General Fund--State Appropriation (FY 2011)	(\$170,699,000)
18		<u>\$168,699,000</u>
19	General Fund--Federal Appropriation	\$15,772,000
20	Education Legacy Trust Account--State Appropriation	\$34,435,000
21	TOTAL APPROPRIATION	(\$390,368,000)
22		<u>\$388,368,000</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 regents 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) When implementing reductions for fiscal year 2010 and fiscal
2 year 2011, Washington State University shall minimize reductions to
3 extension services and agriculture extension services. Agriculture
4 extension includes:

5 (a) Faculty with extension appointments working within the
6 following departments in the college of agricultural, human, and
7 natural resource sciences with extension appointments: Animal
8 sciences, crop and soil sciences, entomology, horticulture, and plant
9 pathology;

10 (b) The portion of county extension educators' appointments
11 assigned to the "agricultural programs" area;

12 (c) Staff with extension appointments and extension operating
13 allocations located at the irrigated agriculture research and extension
14 center (Prosser), northwest Washington research and extension center
15 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);
16 and

17 (d) Extension contributions to the center for precision
18 agricultural systems, center for sustaining agriculture and natural
19 resources, and the agriculture weather network.

20 (4) \$75,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$75,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for research related to honeybee
23 colony collapse disease.

24 (5) Budget reductions reflected in this section under this act may
25 only be applied to research budgets and functions and may not impact
26 state-supported instruction.

27 **Sec. 603.** 2010 1st sp.s. c 37 s 610 (uncodified) is amended to
28 read as follows:

29 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
30 **ADMINISTRATION**

31	General Fund--State Appropriation (FY 2010)	\$6,402,000
32	General Fund--State Appropriation (FY 2011)	(\$5,561,000)
33		<u>\$5,183,000</u>
34	General Fund--Federal Appropriation	\$4,332,000
35	TOTAL APPROPRIATION	(\$16,295,000)
36		<u>\$15,917,000</u>

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

3 (1) Within the funds appropriated in this section, the higher
4 education coordinating board shall complete a system design planning
5 project that defines how the current higher education delivery system
6 can be shaped and expanded over the next ten years to best meet the
7 needs of Washington citizens and businesses for high quality and
8 accessible post-secondary education. The board shall propose policies
9 and specific, fiscally feasible implementation recommendations to
10 accomplish the goals established in the *2008 strategic master plan for*
11 *higher education*. The project shall specifically address the roles,
12 missions, and instructional delivery systems both of the existing and
13 of proposed new components of the higher education system; the extent
14 to which specific academic programs should be expanded, consolidated,
15 or discontinued and how that would be accomplished; the utilization of
16 innovative instructional delivery systems and pedagogies to reach both
17 traditional and nontraditional students; and opportunities to
18 consolidate institutional administrative functions. The study
19 recommendations shall also address the proposed location, role,
20 mission, academic program, and governance of any recommended new
21 campus, institution, or university center. During the planning
22 process, the board shall inform and actively involve the chairs from
23 the senate and house of representatives committees on higher education,
24 or their designees. The board shall report the findings and
25 recommendations of this system design planning project to the governor
26 and the appropriate committees of the legislature by December 1, 2009.

27 (2) \$146,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$65,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the higher education
30 coordinating board to administer Engrossed Second Substitute House Bill
31 No. 2021 (revitalizing student financial aid). If the bill is not
32 enacted by June 30, 2009, the amounts provided in this subsection shall
33 lapse.

34 (3) \$167,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$71,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely to implement Engrossed Second
37 Substitute House Bill No. 1946 (regarding higher education online

1 technology). If the bill is not enacted by June 30, 2009, the amounts
2 provided in this subsection shall lapse.

3 (4) \$350,000 of the general fund--state appropriation for fiscal
4 year 2010 and \$200,000 of the general fund--state appropriation for
5 fiscal year 2011 are provided solely for the higher education
6 coordinating board to contract with the Pacific Northwest university of
7 health sciences to conduct training and education of health care
8 professionals to promote osteopathic physician services in rural and
9 underserved areas of the state.

10 **Sec. 604.** 2010 1st sp.s. c 37 s 612 (uncodified) is amended to
11 read as follows:

12 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

13	General Fund--State Appropriation (FY 2010)	\$1,465,000
14	General Fund--State Appropriation (FY 2011)	(\$1,444,000)
15		<u>\$1,353,000</u>
16	General Fund--Federal Appropriation	\$54,020,000
17	TOTAL APPROPRIATION	(\$56,929,000)
18		<u>\$56,838,000</u>

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

21 (1) \$60,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$60,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for implementation of Engrossed
24 Second Substitute House Bill No. 2227 (evergreen jobs act). If the
25 bill is not enacted by June 30, 2009, the amounts provided in this
26 subsection shall lapse.

27 (2) In 2010 and 2011, the board shall continue to designate
28 recipients of the Washington award for vocational excellence and to
29 recognize them at award ceremonies as provided in RCW 28C.04.535, but
30 state funding is provided for award of only one scholarship per
31 legislative district during the 2010-11 academic year. After the 2010-
32 11 academic year, and as provided in RCW 28B.76.670, the board may
33 distribute grants to these eligible students to the extent that funds
34 are appropriated for this purpose.

35 **Sec. 605.** 2010 1st sp.s. c 37 s 613 (uncodified) is amended to
36 read as follows:

1 **FOR THE SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE**

2	General Fund--State Appropriation (FY 2010)	\$1,598,000
3	General Fund--State Appropriation (FY 2011)	(\$1,490,000)
4		<u>\$1,327,000</u>
5	TOTAL APPROPRIATION	(\$3,088,000)
6		<u>\$2,925,000</u>

7 The appropriations in this section are subject to the following
8 conditions and limitations: Within existing resources, the Spokane
9 intercollegiate research and technology institute shall coordinate with
10 the Washington technology center to identify gaps and overlaps in
11 programs and evaluate strategies to reduce administrative overhead
12 expenses per section 122(27) of this act.

13 **Sec. 606.** 2010 1st sp.s. c 37 s 614 (uncodified) is amended to
14 read as follows:

15 **FOR THE DEPARTMENT OF EARLY LEARNING**

16	General Fund--State Appropriation (FY 2010)	\$60,400,000
17	General Fund--State Appropriation (FY 2011)	(\$21,241,000)
18		<u>\$20,085,000</u>
19	General Fund--Federal Appropriation	(\$265,305,000)
20		<u>\$266,004,000</u>
21	Opportunity Pathways Account--State Appropriation	\$40,000,000
22	TOTAL APPROPRIATION	(\$386,946,000)
23		<u>\$386,489,000</u>

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

26 (1) \$54,878,000 of the general fund--state appropriation for fiscal
27 year 2010 and ~~(\$14,685,000)~~ \$14,405,000 of the general fund--state
28 appropriation for fiscal year 2011, and \$40,000,000 of the opportunity
29 pathways account appropriation are provided solely for early childhood
30 education and assistance program services. This appropriation
31 temporarily reduces the number of slots for the 2009-11 fiscal biennium
32 for the early childhood education and assistance program. The
33 department shall reduce slots where providers serve both federal
34 headstart and early childhood education and assistance program
35 children, to the greatest extent possible, in order to achieve no
36 reduction of slots across the state. The amounts in this subsection
37 also reflect reductions to the administrative expenditures for the

1 early childhood education and assistance program. The department shall
2 reduce administrative expenditures, to the greatest extent possible,
3 prior to reducing early childhood education and assistance program
4 slots. Of these amounts, \$10,284,000 is a portion of the biennial
5 amount of state matching dollars required to receive federal child care
6 and development fund grant dollars.

7 (2) \$1,000,000 of the general fund--federal appropriation is
8 provided to the department to contract with Thrive by Five, Washington
9 for a pilot project for a quality rating and improvement system to
10 provide parents with information they need to choose quality child care
11 and education programs and to improve the quality of early care and
12 education programs. The department in collaboration with Thrive by
13 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,
14 and Kitsap counties. The department shall use child care development
15 fund quality money for this purpose.

16 (3) \$425,000 of the general fund--state appropriation for fiscal
17 year 2010, \$213,000 of the general fund--state appropriation for fiscal
18 year 2011, and \$850,000 of the general fund--federal appropriation are
19 provided solely for child care resource and referral network services.
20 The general fund--federal funding represents moneys from the American
21 recovery and reinvestment act of 2009 (child care development block
22 grant).

23 (4) \$750,000 of the general fund--state appropriation for fiscal
24 year 2010, \$750,000 of the general fund--state appropriation for fiscal
25 year 2011, and \$1,500,000 of the general fund--federal appropriation
26 are provided solely for the career and wage ladder program created by
27 chapter 507, Laws of 2005. The general fund--federal funding
28 represents moneys from the American recovery and reinvestment act of
29 2009 (child care development block grant).

30 (5) \$50,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$50,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for the department to work with
33 stakeholders and the office of the superintendent of public instruction
34 to identify and test a kindergarten assessment process and tools in
35 geographically diverse school districts. School districts may
36 participate in testing the kindergarten assessment process on a
37 voluntary basis. The department shall report to the legislature on the
38 kindergarten assessment process not later than January 15, 2011.

1 Expenditure of amounts provided in this subsection is contingent on
2 receipt of an equal match from private sources. As matching funds are
3 made available, the department may expend the amounts provided in this
4 subsection.

5 (6) \$1,600,000 of the general fund--federal appropriation is
6 provided solely for the department to fund programs to improve the
7 quality of infant and toddler child care through training, technical
8 assistance, and child care consultation.

9 (7) \$200,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$200,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely to develop and provide culturally
12 relevant supports for parents, family, and other caregivers.

13 (8) The legislature notes that the department of early learning is
14 developing a plan for improving child care licensing and is consulting,
15 as practicable, with parents, licensed child care providers, and
16 stakeholders from the child care community. The plan shall outline the
17 processes and specify the resources necessary for improvements such as
18 continuing licenses, child care licensing technology, and weighted
19 child care regulations, including development of risk-based decision
20 making models and inclusive, evidence-based rule making. The
21 department shall submit to the appropriate committees of the
22 legislature a plan by January 15, 2011.

23 (9) The department is the lead agency for and recipient of the
24 federal child care and development fund grant. Amounts within this
25 grant shall be used to fund child care licensing, quality initiatives,
26 agency administration, and other costs associated with child care
27 subsidies. The department shall transfer a portion of this grant to
28 the department of social and health services to partially fund the
29 child care subsidies paid by the department of social and health
30 services on behalf of the department of early learning.

31 (10) The department shall use child care development fund money to
32 satisfy the federal audit requirement of the improper payments act
33 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent
34 on the audits will not count against the five percent state limit on
35 administrative expenditures.

36 (11) Within available amounts, the department in consultation with
37 the office of financial management and the department of social and
38 health services shall report quarterly enrollments and active caseload

1 for the working connections child care program to the legislative
2 fiscal committees. The report shall also identify the number of cases
3 participating in both temporary assistance for needy families and
4 working connections child care.

5 (12) The appropriations in this section reflect reductions in the
6 appropriations for the department's administrative expenses. It is the
7 intent of the legislature that these reductions shall be achieved, to
8 the greatest extent possible, by reducing those administrative costs
9 that do not affect direct client services or direct service delivery or
10 program.

11 (13) \$500,000 of the general fund--state appropriation for fiscal
12 year 2011 is provided solely for the department to contract with the
13 private-public partnership established in chapter 43.215 RCW for home
14 visitation programs. Of this amount, \$200,000 of the general fund--
15 state appropriation for fiscal year 2011 is provided solely for
16 expenditure into the home visiting services account created in Part IX
17 of this act to be used for contracts for home visitation with the
18 private-public partnership.

19 (14) In accordance to RCW 43.215.255(2) and 43.135.055, the
20 department is authorized to increase child care center licensure fees
21 by fifty-two dollars for the first twelve children and an additional
22 four dollars per additional child in fiscal year 2011 for costs to the
23 department for the licensure activity, including costs of necessary
24 inspection.

25 (15) In accordance with RCW 43.135.055, the department of early
26 learning is authorized to adopt and increase the fees set forth in and
27 previously authorized in section 3, chapter 231, Laws of 2010.

28 (16) As of January 31, 2011, the department may not adopt, enforce,
29 or implement any rules or policies restricting the eligibility of
30 consumers for child care subsidy benefits to a countable income level
31 below one hundred seventy-five percent of the federal poverty
32 guidelines.

33 **Sec. 607.** 2010 1st sp.s. c 37 s 615 (uncodified) is amended to
34 read as follows:

35 **FOR THE STATE SCHOOL FOR THE BLIND**

36	General Fund--State Appropriation (FY 2010)	\$5,902,000
37	General Fund--State Appropriation (FY 2011)	(\$5,985,000)

1		<u>\$5,509,000</u>
2	General Fund--Private/Local Appropriation	\$1,942,000
3	TOTAL APPROPRIATION	((\$13,829,000))
4		<u>\$13,353,000</u>

5 The appropriations in this section are subject to the following
6 conditions and limitations: \$271,000 of the general fund--
7 private/local appropriation is provided solely for the school for the
8 blind to offer short course programs, allowing students the opportunity
9 to leave their home schools for short periods and receive intensive
10 training. The school for the blind shall provide this service to the
11 extent that it is funded by contracts with school districts and
12 educational services districts.

13 **Sec. 608.** 2010 1st sp.s. c 37 s 616 (uncodified) is amended to
14 read as follows:

15 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
16 **LOSS**

17	General Fund--State Appropriation (FY 2010)	\$8,593,000
18	General Fund--State Appropriation (FY 2011)	((\$8,782,000))
19		<u>\$8,230,000</u>
20	General Fund--Private/Local Appropriation	\$526,000
21	TOTAL APPROPRIATION	((\$17,901,000))
22		<u>\$17,349,000</u>

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

25 (1) \$210,000 of the general fund--private/local appropriation is
26 provided solely for the operation of the shared reading video outreach
27 program. The school for the deaf shall provide this service to the
28 extent it is funded by contracts with school districts and educational
29 service districts.

30 (2) \$25,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$25,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for implementation of Engrossed
33 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If
34 the bill is not enacted by June 30, 2009, the amounts provided in this
35 subsection shall lapse.

1 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

2	General Fund--State Appropriation (FY 2010)	\$1,612,000
3	General Fund--State Appropriation (FY 2011)	(\$1,632,000)
4		<u>\$1,490,000</u>
5	TOTAL APPROPRIATION	(\$3,244,000)
6		<u>\$3,102,000</u>

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

15 NEW SECTION. **Sec. 612.** A new section is added to 2009 c 564
16 (uncodified) to read as follows:

17 In accordance with RCW 43.135.055, each governing board of the
18 state research universities, the state regional universities, and The
19 Evergreen State University is authorized to adopt and increase all
20 charges and all fees set forth in and previously authorized in section
21 603 (4), (7), and (8), chapter 564, Laws of 2009.

22 NEW SECTION. **Sec. 613.** A new section is added to 2009 c 564
23 (uncodified) to read as follows:

24 In accordance with RCW 43.135.055, the trustees of the state's
25 community and technical colleges are authorized to adopt and increase
26 all charges and all fees set forth in and previously authorized in
27 section 604 (7), (8), and (9), chapter 564, Laws of 2009.

(End of part)

PART VII
SPECIAL APPROPRIATIONS

Sec. 701. 2010 1st sp.s. c 37 s 705 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH--COUNTY PUBLIC HEALTH ASSISTANCE

General Fund--State Appropriation (FY 2011) ~~(\$24,000,000)~~
\$22,303,000

The appropriations in this section are subject to the following conditions and limitations: The director of the department of health shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

(Health District	FY 2011
Adams County Health District	\$30,951
Asotin County Health District	\$67,714
Benton-Franklin Health District	\$1,165,612
Chelan-Douglas Health District	\$184,761
Clallam County Health and Human Services Department	\$141,752
Southwest Washington Health District	\$1,084,473
Columbia County Health District	\$40,529
Cowlitz County Health Department	\$278,560
Garfield County Health District	\$15,028
Grant County Health District	\$118,596
Grays Harbor Health Department	183,870
Island County Health Department	\$91,892
Jefferson County Health and Human Services	\$85,782
Seattle-King County Department of Public Health	\$9,531,747
Bremerton-Kitsap County Health District	\$554,669
Kittitas County Health Department	\$92,499
Klickitat County Health Department	\$62,402
Lewis County Health Department	\$105,801
Lincoln County Health Department	\$29,705
Mason County Department of Health Services	\$95,988
Okanogan County Health District	\$63,458

1	Pacific County Health Department	\$77,427
2	Tacoma-Pierce County Health Department	\$2,820,590
3	San Juan County Health and Community Services	\$37,531
4	Skagit County Health Department	\$223,927
5	Snohomish Health District	\$2,258,207
6	Spokane County Health District	\$2,101,429
7	Northeast Tri-County Health District	\$110,454
8	Thurston County Health Department	\$600,419
9	Wahkiakum County Health Department	\$13,772
10	Walla Walla County-City Health Department	\$172,062
11	Wahcom County Health Department	\$855,863
12	Whitman County Health Department	\$78,733
13	Yakima Health District	\$623,797
14	TOTAL APPROPRIATIONS	(\$24,000,000))
15		

16	<u>Health District</u>	<u>FY 2011</u>
17	<u>Clallam County Health and Human Services Department</u>	<u>\$131,729</u>
18	<u>Clark County Health District</u>	<u>\$982,997</u>
19	<u>Skamania County Health Department</u>	<u>\$24,794</u>
20	<u>Columbia County Health District</u>	<u>\$37,663</u>
21	<u>Cowlitz County Health Department</u>	<u>\$258,863</u>
22	<u>Garfield County Health District</u>	<u>\$13,965</u>
23	<u>Grant County Health District</u>	<u>\$110,210</u>
24	<u>Grays Harbor Health Department</u>	<u>\$170,869</u>
25	<u>Island County Health Department</u>	<u>\$85,394</u>
26	<u>Jefferson County Health and Human Services</u>	<u>\$79,716</u>
27	<u>Seattle-King County Department of Public Health</u>	<u>\$8,857,773</u>
28	<u>Bremerton-Kitsap County Health District</u>	<u>\$515,449</u>
29	<u>Kittitas County Health Department</u>	<u>\$85,959</u>
30	<u>Klickitat County Health Department</u>	<u>\$57,990</u>
31	<u>Lewis County Health Department</u>	<u>\$98,320</u>
32	<u>Lincoln County Health Department</u>	<u>\$27,605</u>
33	<u>Mason County Department of Health Services</u>	<u>\$89,201</u>
34	<u>Okanogan County Health District</u>	<u>\$58,971</u>
35	<u>Pacific County Health Department</u>	<u>\$71,952</u>
36	<u>Tacoma-Pierce County Health Department</u>	<u>\$2,621,151</u>

1	<u>San Juan County Health and Community Services</u>	<u>\$34,877</u>
2	<u>Skagit County Health Department</u>	<u>\$208,093</u>
3	<u>Snohomish Health District</u>	<u>\$2,098,533</u>
4	<u>Spokane County Health District</u>	<u>\$1,952,840</u>
5	<u>Northeast Tri-County Health District</u>	<u>\$102,644</u>
6	<u>Thurston County Health Department</u>	<u>\$557,964</u>
7	<u>Wahkiakum County Health Department</u>	<u>\$12,798</u>
8	<u>Walla Walla County-City Health Department</u>	<u>\$159,896</u>
9	<u>Whatcom County Health Department</u>	<u>\$795,346</u>
10	<u>Whitman County Health Department</u>	<u>\$73,166</u>
11	<u>Yakima Health District</u>	<u>\$579,689</u>
12	<u>Adams County Health District</u>	<u>\$28,763</u>
13	<u>Asotin County Health District</u>	<u>\$62,926</u>
14	<u>Benton-Franklin Health District</u>	<u>\$1,083,194</u>
15	<u>Chelan-Douglas Health District</u>	<u>\$171,697</u>
16	<u>TOTAL APPROPRIATIONS</u>	<u>\$22,303,000</u>

17 **Sec. 702.** 2010 1st sp.s. c 37 s 707 (uncodified) is amended to
18 read as follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**
20 **ACCOUNT**

21	General Fund--State Appropriation (FY 2010)	\$1,912,000
22	General Fund--State Appropriation (FY 2011)	((\$3,615,000))
23		<u>\$1,815,000</u>
24	TOTAL APPROPRIATION	((\$5,527,000))
25		<u>\$3,727,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations: The appropriations are provided solely for
28 expenditure into the capitol building construction account.

29 **Sec. 703.** 2010 1st sp.s. c 37 s 711 (uncodified) is amended to
30 read as follows:

31 **INFORMATION TECHNOLOGY.** Pursuant to section 11, chapter 282, Laws
32 of 2010 (state government technology use), the office of financial
33 management shall work with the appropriate state agencies to generate
34 savings of \$30,000,000 from technology efficiencies from the state
35 general fund. From appropriations in this act, the office of financial
36 management shall reduce general fund--state allotments by

1 (~~(\$30,000,000)~~) \$24,841,000 for fiscal year 2011. The office of
2 financial management shall, utilizing existing fund balance, reduce the
3 data processing revolving account rates in an amount to reflect up to
4 half of the reductions identified in this section. The office of
5 financial management may use savings or existing fund balances from
6 information technology accounts to achieve savings in this section.
7 The allotment reductions shall be placed in unallotted status and
8 remain unexpended. Nothing in this section is intended to impact
9 revenue collection efforts by the department of revenue.

10 **Sec. 704.** 2009 c 564 s 711 (uncodified) is amended to read as
11 follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION TECHNOLOGY REVOLVING**
13 **ACCOUNT**

14	General Fund--State Appropriation (FY 2010)	\$8,000,000
15	General Fund--State Appropriation (FY 2011)	(\$8,000,000)
16		<u>\$7,000,000</u>
17	TOTAL APPROPRIATION	(\$16,000,000)
18		<u>\$15,000,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations: The appropriations in this section are
21 provided solely for expenditure into the education technology revolving
22 account for the purpose of covering ongoing operational and equipment
23 replacement costs incurred by the K-20 educational network program in
24 providing telecommunication services to network participants.

25 NEW SECTION. **Sec. 705.** A new section is added to 2009 c 564
26 (uncodified) to read as follows:

27 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--WASHINGTON OPPORTUNITY**
28 **PATHWAYS ACCOUNT**

29	General Fund--State Appropriation (FY 2011)	\$19,000,000
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30 The appropriation in this section is subject to the following
31 conditions and limitations: The appropriation is provided solely for
32 expenditure into the Washington opportunity pathways account.

33 NEW SECTION. **Sec. 706.** A new section is added to 2009 c 564
34 (uncodified) to read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION LEGACY TRUST ACCOUNT**
2 General Fund--State Appropriation (FY 2011) \$1,501,000

3 The appropriation in this section is subject to the following
4 conditions and limitations: The appropriation is provided solely for
5 expenditure into the education legacy trust account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2010 2nd sp.s. c 1 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, \$16,400,000 for fiscal year 2010 and \$26,400,000 for fiscal year 2011 \$42,800,000

Waste Reduction, Recycling and Litter Control Account: For transfer to the state general fund, \$3,000,000 for fiscal year 2010 and \$3,000,000 for fiscal year 2011 \$6,000,000

State Toxics Control Account: For transfer to the state general fund, \$15,340,000 for fiscal year 2010 and \$37,780,000 for fiscal year 2011 \$53,120,000

Local Toxics Control Account: For transfer to the state general fund, \$37,060,000 for fiscal year 2010 and ((~~\$48,759,000~~)) \$65,759,000 for fiscal year 2011 ((~~\$85,819,000~~)) \$102,819,000

Education Construction Account: For transfer to the state general fund, \$105,228,000 for fiscal year 2010 and \$106,451,000 for fiscal year 2011 \$211,679,000

Aquatics Lands Enhancement Account: For transfer to the state general fund, \$8,520,000 for fiscal year 2010 and ((~~\$5,050,000~~)) \$12,550,000 for fiscal year 2011 ((~~\$13,570,000~~)) \$21,070,000

Drinking Water Assistance Account: For transfer to the drinking water assistance repayment account \$28,600,000

Economic Development Strategic Reserve Account: For transfer to the state general fund, \$2,500,000 for fiscal year 2010 and ((~~\$2,500,000~~)) \$3,900,000 for fiscal year 2011 ((~~\$5,000,000~~)) \$6,400,000

1 Tobacco Settlement Account: For transfer to the state
2 general fund, in an amount not to exceed by more
3 than \$26,000,000 the actual amount of the annual
4 payment to the tobacco settlement account \$204,098,000
5 Tobacco Settlement Account: For transfer to the life
6 sciences discovery fund, in an amount not to exceed
7 \$26,000,000 less than the actual amount of the
8 strategic contribution supplemental payment to
9 the tobacco settlement account \$39,170,000
10 General Fund: For transfer to the streamline sales and
11 use tax account, \$24,274,000 for fiscal year 2010
12 and \$24,182,000 for fiscal year 2011 \$48,456,000
13 State Convention and Trade Center Account: For
14 transfer to the state convention and trade center
15 operations account, \$1,000,000 for fiscal year
16 2010 and \$3,100,000 for fiscal year 2011 \$4,100,000
17 Tobacco Prevention and Control Account: For transfer
18 to the state general fund, \$1,961,000 for fiscal
19 year 2010 and \$3,000,000 for fiscal year 2011 \$4,961,000
20 Nisqually Earthquake Account: For transfer to the
21 disaster response account for fiscal year 2010 \$500,000
22 Judicial Information Systems Account: For transfer
23 to the state general fund, \$3,250,000 for fiscal
24 year 2010 and \$3,250,000 for fiscal year 2011 \$6,500,000
25 Department of Retirement Systems Expense Account: For
26 transfer to the state general fund, \$1,000,000 for
27 fiscal year 2010 and \$1,500,000 for fiscal year
28 2011 \$2,500,000
29 State Emergency Water Projects Account: For transfer
30 to the state general fund, \$390,000 for fiscal
31 year 2011 \$390,000
32 The Charitable, Educational, Penal, and Reformatory
33 Institutions Account: For transfer to the state
34 general fund, \$5,550,000 for fiscal year 2010 and
35 (~~(\$5,550,000)~~) \$4,450,000 for fiscal year
36 2011 (~~(\$11,100,000)~~)
37 \$10,000,000
38 Energy Freedom Account: For transfer to the state

1 Education Savings Account: For transfer to the
 2 state general fund, (~~(\$100,767,000)~~) \$90,690,000
 3 for fiscal year 2010 and \$53,384,000 for fiscal
 4 year 2011 (~~(\$100,767,000)~~)
 5 \$144,074,000
 6 Cleanup Settlement Account: For transfer to the
 7 state efficiency and restructuring account for
 8 fiscal year 2011 \$39,480,000
 9 Disaster Response Account: For transfer to the
 10 state drought preparedness account, \$4,000,000
 11 for fiscal year 2010 \$4,000,000
 12 Washington State Convention and Trade Center Account:
 13 For transfer to the state general fund, \$10,000,000
 14 for fiscal year 2011. The transfer in this section
 15 shall occur on June 30, 2011, only if by that date
 16 the Washington state convention and trade center is
 17 not transferred to a public facilities district
 18 pursuant to Substitute Senate Bill No. 6889
 19 (convention and trade center) \$10,000,000
 20 Institutional Welfare/Betterment Account: For transfer
 21 to the state general fund, \$2,000,000 for fiscal
 22 year 2010 and \$2,000,000 for fiscal year 2011 \$4,000,000
 23 Future Teacher Conditional Scholarship Account: For
 24 transfer to the state general fund, \$2,150,000
 25 for fiscal year 2010 and \$2,150,000 for fiscal
 26 year 2011 \$4,300,000
 27 Fingerprint Identification Account: For transfer
 28 to the state general fund, \$800,000 for fiscal
 29 year 2011 \$800,000
 30 Prevent or Reduce Owner-Occupied Foreclosure
 31 Program Account: For transfer to the financial
 32 education public-private partnership account for
 33 fiscal year 2010, an amount not to exceed the actual
 34 cash balance of the fund as of June 30, 2010 \$300,000
 35 Nisqually Earthquake Account: For transfer to the
 36 state general fund for fiscal year 2011 (~~(\$1,000,000)~~)
 37 \$696,000
 38 Disaster Response Account: For transfer to the state

1 twenty-three million two hundred nine thousand dollars or as much of
2 that amount as is available from the budget stabilization account to
3 the state general fund for fiscal year 2011.

4 (2) The transfer in subsection (1) of this section is to minimize
5 reductions to public school programs in the 2010 supplemental omnibus
6 operating budget.

(End of part)

PART IX
MISCELLANEOUS

Sec. 901. 2010 1st sp.s. c 32 s 3 (uncodified) is amended to read as follows:

(1)(a) The office of financial management shall certify to each executive branch state agency and institution of higher education the compensation reduction amount to be achieved by that agency or institution. Each agency and institution shall achieve compensation expenditure reductions as provided in the omnibus appropriations act.

(b) Each executive branch state agency other than institutions of higher education may submit to the office of financial management a compensation reduction plan to achieve the cost reductions as provided in the omnibus appropriations act. The compensation reduction plan of each executive branch agency may include, but is not limited to, employee leave without pay, including additional mandatory and voluntary temporary layoffs, reductions in the agency workforce, compensation reductions, and reduced work hours, as well as voluntary retirement, separation, and other incentive programs authorized by section 912, chapter 564, Laws of 2009. The amount of compensation cost reductions to be achieved by each agency shall be adjusted to reflect voluntary and mandatory temporary layoffs at the agency during the 2009-2011 fiscal biennium and implemented prior to January 1, 2010, but not adjusted by other compensation reduction plans adopted as a result of the enactment of chapter 564, Laws of 2009, or the enactment of other compensation cost reduction measures applicable to the 2009-2011 fiscal biennium.

(c) Each institution of higher education must submit to the office of financial management a compensation and operations reduction plan to achieve at least the cost reductions as provided in the omnibus appropriations act. For purposes of the reduction plan, the state board of community and technical colleges shall submit a single plan on behalf of all community and technical colleges. The reduction plan of each institution may include, but is not limited to, employee leave without pay, including mandatory and voluntary temporary layoffs, reductions in the institution workforce, compensation reductions, and reduced work hours, as well as voluntary retirement, separation,

1 incentive programs authorized by section 912, chapter 564, Laws of
2 2009, as well as other reductions to the cost of operations. The
3 amount of cost reductions to be achieved by each institution shall be
4 adjusted to reflect voluntary and mandatory temporary layoffs at the
5 institution during the 2009-2011 fiscal biennium and implemented prior
6 to January 1, 2010, but not adjusted by other compensation reduction
7 plans adopted as a result of the enactment of chapter 564, Laws of
8 2009, or the enactment of other compensation cost reduction measures
9 applicable to the 2009-2011 fiscal biennium.

10 (d) The director of financial management shall review, approve, and
11 submit to the legislative fiscal committees those executive branch
12 state agencies and higher education institution plans that achieves the
13 cost reductions as provided in the omnibus appropriations act. For
14 those executive branch state agencies and institutions of higher
15 education that do not have an approved compensation and operations
16 reduction plan, the institution shall be closed on the dates specified
17 in subsection (2) of this section.

18 (e) For each agency of the legislative branch, the chief clerk of
19 the house of representatives and the secretary of the senate shall
20 review and approve a plan of employee mandatory and voluntary leave for
21 the 2009-2011 fiscal biennium that achieves the cost reductions as
22 provided in the omnibus appropriations act. The amount of compensation
23 cost reductions to be achieved shall be adjusted, if necessary, to
24 reflect voluntary and mandatory temporary layoffs at the agencies
25 during the 2009-2011 fiscal biennium and implemented prior to January
26 1, 2010.

27 (f) For each agency of the judicial branch, the supreme court shall
28 review and approve a plan of employee mandatory and voluntary leave for
29 the 2009-2011 fiscal biennium that achieve the cost reductions as
30 provided in the omnibus appropriations act. The amount of compensation
31 cost reductions to be achieved shall be adjusted, if necessary, to
32 reflect voluntary and mandatory temporary layoffs at the agencies
33 during the 2009-2011 fiscal biennium and implemented prior to January
34 1, 2010.

35 (2) Each state agency of the executive, legislative, and judicial
36 branch, and any institution that does not have an approved plan in
37 accordance with subsection (1) of this section shall be closed on the

1 following dates in addition to the legal holidays specified in RCW
2 1.16.050:

- 3 (a) Monday, July 12, 2010;
- 4 (b) Friday, August 6, 2010;
- 5 (c) Tuesday, September 7, 2010;
- 6 (d) Monday, October 11, 2010;
- 7 (e) Monday, December 27, 2010;
- 8 (f) Friday, January 28, 2011;
- 9 (g) Tuesday, February 22, 2011;
- 10 (h) Friday, March (~~11~~) 28, 2011;
- 11 (i) Friday, April 22, 2011;
- 12 (j) Friday, June 10, 2011.

13 (3) If the closure of state agencies or institutions under
14 subsection (2) of this section prevents the performance of any action,
15 the action shall be considered timely if performed on the next business
16 day.

17 (4) The following activities of state agencies and institutions of
18 higher education are exempt from subsections (1) and (2) of this
19 section:

20 (a) Direct custody, supervision, and patient care in: (i)
21 Corrections; (ii) juvenile rehabilitation; (iii) institutional care of
22 veterans, or individuals with mental illness, and individuals with
23 developmental disabilities; (iv) state hospitals, the University of
24 Washington medical center, and Harborview medical center; (v) the
25 special commitment center; (vi) the school for the blind; (vii) the
26 state center for childhood deafness and hearing loss; and (viii) the
27 Washington youth academy;

28 (b) Direct protective services to children and other vulnerable
29 populations, child support enforcement, disability determination
30 services, complaint investigators, and residential care licensors and
31 surveyors in the department of social and health services and the
32 department of health;

33 (c) Washington state patrol investigative services and field
34 enforcement;

35 (d) Hazardous materials response or emergency response and cleanup;

36 (e) Emergency public health and patient safety response and the
37 public health laboratory;

- 1 (f) Military operations and emergency management within the
2 military department;
- 3 (g) Firefighting;
- 4 (h) Enforcement officers in the department of fish and wildlife,
5 the liquor control board, the gambling commission, the department of
6 financial institutions, and the department of natural resources;
- 7 (i) State parks operated by the parks and recreation commission;
- 8 (j) In institutions of higher education, classroom instruction,
9 operations not funded from state funds or tuition, campus police and
10 security, emergency management and response, work performed by student
11 employees if the duties were not previously assigned to nonstudents
12 during the current or prior school year, and student health care;
- 13 (k) Operations of liquor control board business enterprises and
14 games conducted by the state lottery;
- 15 (l) Agricultural commodity commissions and boards, and agricultural
16 inspection programs operated by the department of agriculture;
- 17 (m) The unemployment insurance program and reemployment services of
18 the employment security department;
- 19 (n) The workers' compensation program and workplace safety and
20 health compliance activities of the department of labor and industries;
- 21 (o) The operation, maintenance, and construction of state ferries
22 and state highways;
- 23 (p) The department of revenue;
- 24 (q) Licensing service offices in the department of licensing that
25 are open no more than two days per week, and no licensing service
26 office closures may occur on Saturdays as a result of this section;
- 27 (r) The governor, lieutenant governor, legislative agencies, and
28 the office of financial management, during sessions of the legislature
29 under Article II, section 12 of the state Constitution and the twenty-
30 day veto period under Article IV, section 12 of the state Constitution;
- 31 (s) The office of the attorney general, except for management and
32 administrative functions not directly related to civil, criminal, or
33 administrative actions;
- 34 (t) The labor relations office of the office of financial
35 management through November 1, 2010;
- 36 (u) The minimal use of state employees on the specified closure
37 dates as necessary to protect public assets and information technology
38 systems, and to maintain public safety; and

1 (v) The operations of the office of the insurance commissioner that
2 are funded by industry regulatory fees.

3 (5)(a) The closure of an office of a state agency or institution of
4 higher education under this section shall result in the temporary
5 layoff of the employees of the agency or institution. The compensation
6 of the employees shall be reduced proportionately to the duration of
7 the temporary layoff. Temporary layoffs under this section shall not
8 affect the employees' vacation leave accrual, seniority, health
9 insurance, or sick leave credits. For the purposes of chapter 430,
10 Laws of 2009, the compensation reductions under this section are deemed
11 to be an integral part of an employer's expenditure reduction efforts
12 and shall not result in the loss of retirement benefits in any state
13 defined benefit retirement plan for an employee whose period of average
14 final compensation includes a portion of the period from the effective
15 date of this section through June 30, 2011.

16 (b)(i) During the closure of an office or institution under this
17 section, any employee with a monthly full-time equivalent salary of two
18 thousand five hundred dollars or less may, at the employee's option,
19 use accrued vacation leave in lieu of temporary layoff during the
20 closure. Solely for this purpose, and during the 2009-2011 fiscal
21 biennium only, the department of personnel shall adopt rules to permit
22 employees with less than six months of continuous state employment to
23 use accrued vacation leave.

24 (ii) If an employee with a monthly full-time equivalent salary of
25 two thousand five hundred dollars or less has no accrued vacation
26 leave, that employee may use shared leave, if approved by the agency
27 director, and if made available through donations under RCW 41.04.665
28 in lieu of temporary layoff during the closure.

29 (6) Except as provided in subsection (4) of this section, for
30 employees not scheduled to work on a day specified in subsection (2) of
31 this section, the employing agency must designate an alternative day
32 during that month on which the employee is scheduled to work that the
33 employee will take temporary leave without pay.

34 (7) To the extent that the implementation of this section is
35 subject to collective bargaining under chapter 41.80 RCW, the
36 bargaining shall be conducted pursuant to section 4 of this act. To
37 the extent that the implementation of this section is subject to

1 collective bargaining under chapters 28B.52, 41.56, 41.76, or 47.64
2 RCW, the bargaining shall be conducted pursuant to these chapters.

3 (8) For all or a portion of the employees of an agency of the
4 executive branch, the office of financial management may approve the
5 substitution of temporary layoffs on an alternative date during that
6 month for any date specified in subsection (2) of this section as
7 necessary for the critical work of any agency.

8 (9)(a) If any state agency of the executive, legislative, and
9 judicial branch is unable to achieve its full amount of cost reductions
10 as provided in the omnibus appropriations act through its approved plan
11 in accordance with subsection (1) of this section or through ten days
12 of temporary layoffs in accordance with subsections (2) and (8) of this
13 section, the remaining amount is a reduction to the agency's cost of
14 operations and may include savings as a result of sections 601 through
15 604 of chapter 3, Laws of 2010.

16 (b) If any state agency of the executive, legislative, and judicial
17 branch is able to achieve its full amount of cost reductions as
18 provided in the omnibus appropriations act through ten days or less of
19 temporary layoffs in accordance with subsections (2) and (8) of this
20 section, any residual amount of cost reductions that cannot be achieved
21 through a full day of closure is a reduction to the agency's cost of
22 operations and may include savings as a result of sections 601 through
23 604 of chapter 3, Laws of 2010.

24 **Sec. 902.** RCW 15.76.115 and 2010 1st sp.s. c 37 s 912 are each
25 amended to read as follows:

26 The fair fund is created in the custody of the state treasury. All
27 moneys received by the department of agriculture for the purposes of
28 this fund and from RCW 67.16.105(~~(+4)~~) (7) shall be deposited into the
29 fund. At the beginning of fiscal year 2002 and each fiscal year
30 thereafter, the state treasurer shall transfer into the fair fund from
31 the general fund the sum of two million dollars, except for fiscal year
32 2011 the state treasurer shall transfer into the fair fund from the
33 general fund the sum of (~~one million one hundred three~~) five hundred
34 fifty thousand dollars. Expenditures from the fund may be used only
35 for assisting fairs in the manner provided in this chapter. Only the
36 director of agriculture or the director's designee may authorize

1 expenditures from the fund. The fund is subject to allotment
2 procedures under chapter 43.88 RCW, but no appropriation is required
3 for expenditures.

4 **Sec. 903.** RCW 18.04.105 and 2004 c 159 s 2 are each amended to
5 read as follows:

6 (1) A license to practice public accounting shall be granted by the
7 board to any person:

8 (a) Who is of good character. Good character, for purposes of this
9 section, means lack of a history of dishonest or felonious acts. The
10 board may refuse to grant a license on the ground of failure to satisfy
11 this requirement only if there is a substantial connection between the
12 lack of good character of the applicant and the professional and
13 ethical responsibilities of a licensee and if the finding by the board
14 of lack of good character is supported by a preponderance of evidence.
15 When an applicant is found to be unqualified for a license because of
16 a lack of good character, the board shall furnish the applicant a
17 statement containing the findings of the board and a notice of the
18 applicant's right of appeal;

19 (b) Who has met the educational standards established by rule as
20 the board determines to be appropriate;

21 (c) Who has passed an examination;

22 (d) Who has had one year of experience which is gained:

23 (i) Through the use of accounting, issuing reports on financial
24 statements, management advisory, financial advisory, tax, tax advisory,
25 or consulting skills;

26 (ii) While employed in government, industry, academia, or public
27 practice; and

28 (iii) Meeting the competency requirements in a manner as determined
29 by the board to be appropriate and established by board rule; and

30 (e) Who has paid appropriate fees as established by rule by the
31 board.

32 (2) The examination described in subsection (1)(c) of this section
33 shall test the applicant's knowledge of the subjects of accounting and
34 auditing, and other related fields the board may specify by rule. The
35 time for holding the examination is fixed by the board and may be
36 changed from time to time. The board shall prescribe by rule the
37 methods of applying for and taking the examination, including methods

1 for grading examinations and determining a passing grade required of an
2 applicant for a license. The board shall to the extent possible see to
3 it that the grading of the examination, and the passing grades, are
4 uniform with those applicable to all other states. The board may make
5 use of all or a part of the uniform certified public accountant
6 examination and advisory grading service of the American Institute of
7 Certified Public Accountants and may contract with third parties to
8 perform administrative services with respect to the examination as the
9 board deems appropriate to assist it in performing its duties under
10 this chapter. The board shall establish by rule provisions for
11 transitioning to a new examination structure or to a new media for
12 administering the examination.

13 (3) The board shall charge each applicant an examination fee for
14 the initial examination or for reexamination. The applicable fee shall
15 be paid by the person at the time he or she applies for examination,
16 reexamination, or evaluation of educational qualifications. Fees for
17 examination, reexamination, or evaluation of educational qualifications
18 shall be determined by the board under chapter 18.04 RCW. There is
19 established in the state treasury an account to be known as the
20 certified public accountants' account. All fees received from
21 candidates to take any or all sections of the certified public
22 accountant examination shall be used only for costs related to the
23 examination. During the 2009-2011 fiscal biennium, the legislature may
24 transfer from the certified public accountants' account to the state
25 general fund such amounts as reflect the excess fund balance of the
26 account.

27 (4) Persons who on June 30, 2001, held valid certificates
28 previously issued under this chapter shall be deemed to be certificate
29 holders, subject to the following:

30 (a) Certificate holders may, prior to June 30, 2006, petition the
31 board to become licensees by documenting to the board that they have
32 gained one year of experience through the use of accounting, issuing
33 reports on financial statements, management advisory, financial
34 advisory, tax, tax advisory, or consulting skills, without regard to
35 the eight-year limitation set forth in (b) of this subsection, while
36 employed in government, industry, academia, or public practice.

37 (b) Certificate holders who do not petition to become licensees
38 prior to June 30, 2006, may after that date petition the board to

1 become licensees by documenting to the board that they have one year of
2 experience acquired within eight years prior to applying for a license
3 through the use of accounting, issuing reports on financial statements,
4 management advisory, financial advisory, tax, tax advisory, or
5 consulting skills in government, industry, academia, or public
6 practice.

7 (c) Certificate holders who petition the board pursuant to (a) or
8 (b) of this subsection must also meet competency requirements in a
9 manner as determined by the board to be appropriate and established by
10 board rule.

11 (d) Any certificate holder petitioning the board pursuant to (a) or
12 (b) of this subsection to become a licensee must submit to the board
13 satisfactory proof of having completed an accumulation of one hundred
14 twenty hours of CPE during the thirty-six months preceding the date of
15 filing the petition.

16 (e) Any certificate holder petitioning the board pursuant to (a) or
17 (b) of this subsection to become a licensee must pay the appropriate
18 fees established by rule by the board.

19 (5) Certificate holders shall comply with the prohibition against
20 the practice of public accounting in RCW 18.04.345.

21 (6) Persons who on June 30, 2001, held valid certificates
22 previously issued under this chapter are deemed to hold inactive
23 certificates, subject to renewal as inactive certificates, until they
24 have petitioned the board to become licensees and have met the
25 requirements of subsection (4) of this section. No individual who did
26 not hold a valid certificate before July 1, 2001, is eligible to obtain
27 an inactive certificate.

28 (7) Persons deemed to hold inactive certificates under subsection
29 (6) of this section shall comply with the prohibition against the
30 practice of public accounting in subsection (8)(b) of this section and
31 RCW 18.04.345, but are not required to display the term inactive as
32 part of their title, as required by subsection (8)(a) of this section
33 until renewal. Certificates renewed to any persons after June 30,
34 2001, are inactive certificates and the inactive certificate holders
35 are subject to the requirements of subsection (8) of this section.

36 (8) Persons holding an inactive certificate:

37 (a) Must use or attach the term "inactive" whenever using the title
38 CPA or certified public accountant or referring to the certificate, and

1 print the word "inactive" immediately following the title, whenever the
2 title is printed on a business card, letterhead, or any other document,
3 including documents published or transmitted through electronic media,
4 in the same font and font size as the title; and

5 (b) Are prohibited from practicing public accounting.

6 **Sec. 904.** RCW 43.03.220 and 2010 1st sp.s. c 7 s 142 are each
7 amended to read as follows:

8 (1) Any part-time board, commission, council, committee, or other
9 similar group which is established by the executive, legislative, or
10 judicial branch to participate in state government and which functions
11 primarily in an advisory, coordinating, or planning capacity shall be
12 identified as a class one group.

13 (2) Absent any other provision of law to the contrary, no money
14 beyond the customary reimbursement or allowance for expenses may be
15 paid by or through the state to members of class one groups for
16 attendance at meetings of such groups.

17 (3) Beginning July 1, 2010, through June 30, 2011, no person
18 designated as a member of a class one board, commission, council,
19 committee, or similar group may receive an allowance for subsistence,
20 lodging, or travel expenses if the allowance cost is funded by the
21 state general fund. Exceptions may be granted under section 605,
22 chapter 3, Laws of 2010. Class one groups, when feasible, shall use an
23 alternative means of conducting a meeting that does not require travel
24 while still maximizing member and public participation and may use a
25 meeting format that requires members to be physically present at one
26 location only when necessary or required by law. Meetings that require
27 a member's physical presence at one location must be held in state
28 facilities whenever possible(~~, and~~). Meetings conducted using
29 private facilities must be approved by the director of the office of
30 financial management, except for facilities provided free of charge.

31 (4) Beginning July 1, 2010, through June 30, 2011, class one groups
32 that are funded by sources other than the state general fund are
33 encouraged to reduce travel, lodging, and other costs associated with
34 conducting the business of the group including use of other meeting
35 formats that do not require travel.

1 **Sec. 905.** RCW 43.03.230 and 2010 1st sp.s. c 7 s 143 are each
2 amended to read as follows:

3 (1) Any agricultural commodity board or commission established
4 pursuant to Title 15 or 16 RCW shall be identified as a class two group
5 for purposes of compensation.

6 (2) Except as otherwise provided in this section, each member of a
7 class two group is eligible to receive compensation in an amount not to
8 exceed one hundred dollars for each day during which the member attends
9 an official meeting of the group or performs statutorily prescribed
10 duties approved by the chairperson of the group. A person shall not
11 receive compensation for a day of service under this section if the
12 person (a) occupies a position, normally regarded as full-time in
13 nature, in any agency of the federal government, Washington state
14 government, or Washington state local government; and (b) receives any
15 compensation from such government for working that day.

16 (3) Compensation may be paid a member under this section only if it
17 is authorized under the law dealing in particular with the specific
18 group to which the member belongs or dealing in particular with the
19 members of that specific group.

20 (4) Beginning July 1, 2010, through June 30, 2011, no person
21 designated as a member of a class two board, commission, council,
22 committee, or similar group may receive an allowance for subsistence,
23 lodging, or travel expenses if the allowance cost is funded by the
24 state general fund. Exceptions may be granted under section 605,
25 chapter 3, Laws of 2010. Class two groups, when feasible, shall use an
26 alternative means of conducting a meeting that does not require travel
27 while still maximizing member and public participation and may use a
28 meeting format that requires members to be physically present at one
29 location only when necessary or required by law. Meetings that require
30 a member's physical presence at one location must be held in state
31 facilities whenever possible(~~, and~~). Meetings conducted using
32 private facilities must be approved by the director of the office of
33 financial management, except for facilities provided free of charge.

34 (5) Beginning July 1, 2010, through June 30, 2011, class two groups
35 that are funded by sources other than the state general fund are
36 encouraged to reduce travel, lodging, and other costs associated with
37 conducting the business of the group including use of other meeting
38 formats that do not require travel.

1 **Sec. 906.** RCW 43.03.240 and 2010 1st sp.s. c 7 s 144 are each
2 amended to read as follows:

3 (1) Any part-time, statutory board, commission, council, committee,
4 or other similar group which has rule-making authority, performs quasi
5 judicial functions, has responsibility for the administration or policy
6 direction of a state agency or program, or performs regulatory or
7 licensing functions with respect to a specific profession, occupation,
8 business, or industry shall be identified as a class three group for
9 purposes of compensation.

10 (2) Except as otherwise provided in this section, each member of a
11 class three group is eligible to receive compensation in an amount not
12 to exceed fifty dollars for each day during which the member attends an
13 official meeting of the group or performs statutorily prescribed duties
14 approved by the chairperson of the group. A person shall not receive
15 compensation for a day of service under this section if the person (a)
16 occupies a position, normally regarded as full-time in nature, in any
17 agency of the federal government, Washington state government, or
18 Washington state local government; and (b) receives any compensation
19 from such government for working that day.

20 (3) Compensation may be paid a member under this section only if it
21 is authorized under the law dealing in particular with the specific
22 group to which the member belongs or dealing in particular with the
23 members of that specific group.

24 (4) Beginning July 1, 2010, through June 30, 2011, no person
25 designated as a member of a class three board, commission, council,
26 committee, or similar group may receive an allowance for subsistence,
27 lodging, or travel expenses if the allowance cost is funded by the
28 state general fund. Exceptions may be granted under section 605,
29 chapter 3, Laws of 2010. Class three groups, when feasible, shall use
30 an alternative means of conducting a meeting that does not require
31 travel while still maximizing member and public participation and may
32 use a meeting format that requires members to be physically present at
33 one location only when necessary or required by law. Meetings that
34 require a member's physical presence at one location must be held in
35 state facilities whenever possible(~~, and~~). Meetings conducted using
36 private facilities must be approved by the director of the office of
37 financial management, except for facilities provided free of charge.

1 (5) Beginning July 1, 2010, through June 30, 2011, class three
2 groups that are funded by sources other than the state general fund are
3 encouraged to reduce travel, lodging, and other costs associated with
4 conducting the business of the group including use of other meeting
5 formats that do not require travel.

6 **Sec. 907.** RCW 43.03.250 and 2010 1st sp.s. c 7 s 145 are each
7 amended to read as follows:

8 (1) A part-time, statutory board, commission, council, committee,
9 or other similar group shall be identified as a class four group for
10 purposes of compensation if the group:

11 (a) Has rule-making authority, performs quasi-judicial functions,
12 or has responsibility for the administration or policy direction of a
13 state agency or program;

14 (b) Has duties that are deemed by the legislature to be of
15 overriding sensitivity and importance to the public welfare and the
16 operation of state government; and

17 (c) Requires service from its members representing a significant
18 demand on their time that is normally in excess of one hundred hours of
19 meeting time per year.

20 (2) Each member of a class four group is eligible to receive
21 compensation in an amount not to exceed one hundred dollars for each
22 day during which the member attends an official meeting of the group or
23 performs statutorily prescribed duties approved by the chairperson of
24 the group. A person shall not receive compensation for a day of
25 service under this section if the person (a) occupies a position,
26 normally regarded as full-time in nature, in any agency of the federal
27 government, Washington state government, or Washington state local
28 government; and (b) receives any compensation from such government for
29 working that day.

30 (3) Compensation may be paid a member under this section only if it
31 is authorized under the law dealing in particular with the specific
32 group to which the member belongs or dealing in particular with the
33 members of that specific group.

34 (4) Beginning July 1, 2010, through June 30, 2011, class four
35 groups, when feasible, shall use an alternative means of conducting a
36 meeting that does not require travel while still maximizing member and
37 public participation and may use a meeting format that requires members

1 to be physically present at one location only when necessary or
2 required by law. Meetings that require a member's physical presence at
3 one location must be held in state facilities whenever possible(~~(7~~
4 ~~and~~)). Meetings conducted using private facilities must be approved by
5 the director of the office of financial management, except for
6 facilities provided free of charge.

7 **Sec. 908.** RCW 43.03.265 and 2010 1st sp.s. c 7 s 146 are each
8 amended to read as follows:

9 (1) Any part-time commission that has rule-making authority,
10 performs quasi-judicial functions, has responsibility for the policy
11 direction of a health profession credentialing program, and performs
12 regulatory and licensing functions with respect to a health care
13 profession licensed under Title 18 RCW shall be identified as a class
14 five group for purposes of compensation.

15 (2) Except as otherwise provided in this section, each member of a
16 class five group is eligible to receive compensation in an amount not
17 to exceed two hundred fifty dollars for each day during which the
18 member attends an official meeting of the group or performs statutorily
19 prescribed duties approved by the chairperson of the group. A person
20 shall not receive compensation for a day of service under this section
21 if the person (a) occupies a position, normally regarded as full-time
22 in nature, in any agency of the federal government, Washington state
23 government, or Washington state local government; and (b) receives any
24 compensation from such government for working that day.

25 (3) Compensation may be paid a member under this section only if it
26 is necessarily incurred in the course of authorized business consistent
27 with the responsibilities of the commission established by law.

28 (4) Beginning July 1, 2010, through June 30, 2011, no person
29 designated as a member of a class five board, commission, council,
30 committee, or similar group may receive an allowance for subsistence,
31 lodging, or travel expenses if the allowance cost is funded by the
32 state general fund. Exceptions may be granted under section 605,
33 chapter 3, Laws of 2010. Class five groups, when feasible, shall use
34 an alternative means of conducting a meeting that does not require
35 travel while still maximizing member and public participation and may
36 use a meeting format that requires members to be physically present at
37 one location only when necessary or required by law. Meetings that

1 require a member's physical presence at one location must be held in
2 state facilities whenever possible(~~, and~~). Meetings conducted using
3 private facilities must be approved by the director of the office of
4 financial management, except for facilities provided free of charge.

5 (5) Beginning July 1, 2010, through June 30, 2011, class five
6 groups that are funded by sources other than the state general fund are
7 encouraged to reduce travel, lodging, and other costs associated with
8 conducting the business of the group including use of other meeting
9 formats that do not require travel.

10 **Sec. 909.** RCW 43.21A.660 and 1999 c 251 s 1 are each amended to
11 read as follows:

12 Funds in the freshwater aquatic weeds account may be appropriated
13 to the department of ecology to develop a freshwater aquatic weeds
14 management program. Funds shall be expended as follows:

15 (1) No less than two-thirds of the appropriated funds shall be
16 issued as grants to (a) cities, counties, tribes, special purpose
17 districts, and state agencies to prevent, remove, reduce, or manage
18 excessive freshwater aquatic weeds; (b) fund demonstration or pilot
19 projects consistent with the purposes of this section; and (c) fund
20 hydrilla eradication activities in waters of the state. Except for
21 hydrilla eradication activities, such grants shall only be issued for
22 lakes, rivers, or streams with a public boat launching ramp or which
23 are designated by the department of fish and wildlife for fly-fishing.
24 The department shall give preference to projects having matching funds
25 or in-kind services; (~~and~~)

26 (2) No more than one-third of the appropriated funds shall be
27 expended to:

28 (a) Develop public education programs relating to preventing the
29 propagation and spread of freshwater aquatic weeds; and

30 (b) Provide technical assistance to local governments and citizen
31 groups; and

32 (3) During the 2009-2011 fiscal biennium, the legislature may
33 transfer from the freshwater aquatic weeds account to the state general
34 fund such amounts as reflect the excess fund balance of the account.

35 **Sec. 910.** RCW 43.21A.667 and 2009 c 564 s 933 are each amended to
36 read as follows:

1 (1) The freshwater aquatic algae control account is created in the
2 state treasury. Moneys directed to the account from RCW (~~88.02.050~~)
3 88.02.560 must be deposited in the account. Expenditures from the
4 account may only be used as provided in this section. Moneys in the
5 account may be spent only after appropriation.

6 (2) Funds in the freshwater aquatic algae control account may be
7 appropriated to the department to develop a freshwater aquatic algae
8 control program. Funds must be expended as follows:

9 (a) As grants to cities, counties, tribes, special purpose
10 districts, and state agencies to manage excessive freshwater algae,
11 with priority for the treatment of lakes in which harmful algal blooms
12 have occurred within the past three years; and during the 2009-2011
13 fiscal biennium to provide grants for sea lettuce research and removal
14 to assist Puget Sound communities that are impacted by hyperblooms of
15 sea lettuce; (~~and~~)

16 (b) To provide technical assistance to applicants and the public
17 about aquatic algae control; and

18 (c) During the 2009-2011 fiscal biennium, the legislature may
19 transfer from the freshwater aquatic algae control account to the state
20 general fund such amounts as reflect the excess fund balance of the
21 account.

22 (3) The department shall submit a biennial report to the
23 appropriate legislative committees describing the actions taken to
24 implement this section along with suggestions on how to better fulfill
25 the intent of chapter 464, Laws of 2005. The first report is due
26 December 1, 2007.

27 **Sec. 911.** RCW 43.79.460 and 2010 1st sp.s. c 37 s 928 are each
28 amended to read as follows:

29 (1) The savings incentive account is created in the custody of the
30 state treasurer. The account shall consist of all moneys appropriated
31 to the account by the legislature. The account is subject to the
32 allotment procedures under chapter 43.88 RCW, but no appropriation is
33 required for expenditures from the account.

34 (2) Within the savings incentive account, the state treasurer may
35 create subaccounts to be credited with incentive savings attributable
36 to individual state agencies, as determined by the office of financial
37 management in consultation with the legislative fiscal committees.

1 Moneys deposited in the subaccounts may be expended only on the
2 authorization of the agency's executive head or designee and only for
3 the purpose of one-time expenditures to improve the quality,
4 efficiency, and effectiveness of services to customers of the state,
5 such as one-time expenditures for employee training, employee
6 incentives, technology improvements, new work processes, or performance
7 measurement. Funds may not be expended from the account to establish
8 new programs or services, expand existing programs or services, or
9 incur ongoing costs that would require future expenditures.

10 (3) For purposes of this section, "incentive savings" means state
11 general fund appropriations that are unspent as of June 30th of a
12 fiscal year, excluding any amounts included in across-the-board
13 reductions under RCW 43.88.110 and excluding unspent appropriations
14 for:

15 (a) Caseload and enrollment in entitlement programs, except to the
16 extent that an agency has clearly demonstrated that efficiencies have
17 been achieved in the administration of the entitlement program.
18 "Entitlement program," as used in this section, includes programs for
19 which specific sums of money are appropriated for pass-through to third
20 parties or other entities;

21 (b) Enrollments in state institutions of higher education;

22 (c) A specific amount contained in a condition or limitation to an
23 appropriation in the biennial appropriations act, if the agency did not
24 achieve the specific purpose or objective of the condition or
25 limitation;

26 (d) Debt service on state obligations; and

27 (e) State retirement system obligations.

28 (4) The office of financial management, after consulting with the
29 legislative fiscal committees, shall report the amount of savings
30 incentives achieved.

31 (5) (~~For fiscal year 2009, the legislature may transfer from the~~
32 ~~savings incentive account to the state general fund such amounts as~~
33 ~~reflect the fund balance of the account attributable to unspent state~~
34 ~~general fund appropriations for fiscal year 2008.)) For fiscal year
35 2010, the legislature may transfer from the savings incentive account
36 to the state general fund such amounts as reflect the fund balance of
37 the account attributable to unspent state general fund appropriations
38 for fiscal year 2009. For fiscal year 2011, the legislature may~~

1 transfer from the savings incentive account to the state general fund
2 such amounts as reflect the fund balance of the account attributable to
3 unspent state general fund appropriations for fiscal year 2010. For
4 fiscal year 2011, the legislature may transfer from the savings
5 incentive account to the state general fund eight million dollars or as
6 much as reflects the fund balance of the account attributable to
7 unspent agency credits prior to fiscal year 2009. Credits for
8 legislative and judicial agencies are not included in this action, with
9 the exception and upon consent of the supreme court, court of appeals,
10 office of public defense, and office of civil legal aid.

11 **Sec. 912.** RCW 43.79.465 and 2010 1st sp.s. c 37 s 929 are each
12 amended to read as follows:

13 The education savings account is created in the state treasury.
14 The account shall consist of all moneys appropriated to the account by
15 the legislature.

16 (1) Ten percent of legislative appropriations to the education
17 savings account shall be distributed as follows: (a) Fifty percent to
18 the distinguished professorship trust fund under RCW 28B.76.565; (b)
19 seventeen percent to the graduate fellowship trust fund under RCW
20 28B.76.610; and (c) thirty-three percent to the college faculty awards
21 trust fund under RCW 28B.50.837.

22 (2) The remaining moneys in the education savings account may be
23 appropriated solely for (a) common school construction projects that
24 are eligible for funding from the common school construction account,
25 (b) technology improvements in the common schools, (c) during the 2001-
26 03 fiscal biennium, technology improvements in public higher education
27 institutions, (d) during the 2007-2009 fiscal biennium, the legislature
28 may transfer from the education savings account to the state general
29 fund such amounts as reflect the excess fund balance of the account
30 attributable to unspent state general fund appropriations for fiscal
31 year 2008, and (e) for fiscal year ((2010)) 2011, the legislature may
32 transfer from the education savings account to the state general fund
33 such amounts as reflect the fund balance of the account attributable to
34 unspent general fund appropriations for fiscal year ((2009)) 2010.

35 **Sec. 913.** RCW 43.83B.430 and 2002 c 371 s 910 are each amended to
36 read as follows:

1 The state drought preparedness account is created in the state
2 treasury. All receipts from appropriated funds designated for the
3 account and funds transferred from the state emergency water projects
4 revolving account must be deposited into the account. Moneys in the
5 account may be spent only after appropriation. Expenditures from the
6 account may be used only for drought preparedness. During the ((2001-
7 2003)) 2009-2011 fiscal biennium, the legislature may transfer from the
8 state drought preparedness account to the state general fund such
9 amounts as reflect the excess fund balance of the account.

10 **Sec. 914.** RCW 43.105.080 and 2010 1st sp.s. c 37 s 931 are each
11 amended to read as follows:

12 There is created a revolving fund to be known as the data
13 processing revolving fund in the custody of the state treasurer. The
14 revolving fund shall be used for the acquisition of equipment,
15 software, supplies, and services and the payment of salaries, wages,
16 and other costs incidental to the acquisition, development, operation,
17 and administration of information services, telecommunications,
18 systems, software, supplies and equipment, including the payment of
19 principal and interest on bonds issued for capital projects, by the
20 department, Washington State University's computer services center, the
21 department of personnel's personnel information systems division, the
22 office of financial management's financial systems management group,
23 and other users as jointly determined by the department and the office
24 of financial management. The revolving fund is subject to the
25 allotment procedure provided under chapter 43.88 RCW. Disbursements
26 from the revolving fund for the services component of the department
27 are not subject to appropriation. Disbursements for the strategic
28 planning and policy component of the department are subject to
29 appropriation. All disbursements from the fund are subject to the
30 allotment procedures provided under chapter 43.88 RCW. The department
31 shall establish and implement a billing structure to assure all
32 agencies pay an equitable share of the costs.

33 During the 2009-2011 fiscal biennium, the legislature may transfer
34 from the data processing revolving account to the state general fund
35 such amounts as reflect the excess fund balance ((~~associated with the~~
36 ~~information technology pool~~)).

1 As used in this section, the word "supplies" shall not be
2 interpreted to delegate or abrogate the division of purchasing's
3 responsibilities and authority to purchase supplies as described in RCW
4 43.19.190 and 43.19.200.

5 **Sec. 915.** RCW 43.330.094 and 2009 c 565 s 6 are each amended to
6 read as follows:

7 The tourism development and promotion account is created in the
8 state treasury. All receipts from RCW 36.102.060(10) must be deposited
9 into the account. Moneys in the account may be spent only after
10 appropriation. Expenditures from the account may be used by the
11 department of commerce only for the purposes of expanding and promoting
12 the tourism industry in the state of Washington. During the 2009-2011
13 fiscal biennium, the legislature may transfer from the tourism
14 development and promotion account to the state general fund such
15 amounts as reflect the excess fund balance of the account.

16 **Sec. 916.** RCW 43.336.050 and 2007 c 228 s 105 are each amended to
17 read as follows:

18 The tourism enterprise account is created in the custody of the
19 state treasurer.

20 (1) All receipts from RCW 43.336.030(2)(a) must be deposited into
21 the account. Only the executive director or the executive director's
22 designee may authorize expenditures from the account. The account is
23 subject to allotment procedures under chapter 43.88 RCW, but an
24 appropriation is not required for expenditures.

25 (2) Moneys transferred from the state convention and trade
26 (~~{center}~~) center account to this account(~~(, as provided in RCW~~
27 ~~67.40.040,)~~) shall be available for expenditure in accordance with the
28 requirements of this section. As provided under subsection (3) of this
29 section, moneys must be matched with private sector cash contributions,
30 the value of an advertising equivalency contribution, or through an in-
31 kind contribution. The commission shall determine criteria for what
32 qualifies as an in-kind contribution. The moneys subject to match may
33 be expended as private match is received or with evidence of qualified
34 expenditure.

35 (3)(a) Twenty-five percent of the moneys transferred in fiscal year
36 2009 are subject to a match;

1 (b) Fifty percent of the moneys transferred in fiscal year 2010 are
2 subject to a match; and

3 (c) One hundred percent of the moneys transferred in fiscal year
4 2011, and thereafter, are subject to a match.

5 (4) Expenditures from the account may be used by the department of
6 (~~community, trade, and economic development~~) commerce only for the
7 purposes of expanding and promoting the tourism industry in the state
8 of Washington.

9 (5) During the 2009-2011 fiscal biennium, the legislature may
10 transfer from the tourism enterprise account to the state general fund
11 such amounts as reflect the excess fund balance of the account.

12 **Sec. 917.** RCW 46.66.080 and 2009 c 564 s 945 are each amended to
13 read as follows:

14 (1) The Washington auto theft prevention authority account is
15 created in the state treasury, subject to appropriation. All revenues
16 from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all
17 receipts from gifts, grants, bequests, devises, or other funds from
18 public and private sources to support the activities of the auto theft
19 prevention authority must be deposited into the account. Expenditures
20 from the account may be used only for activities relating to motor
21 vehicle theft, including education, prevention, law enforcement,
22 investigation, prosecution, and confinement. During the 2009-2011
23 fiscal biennium, the legislature may appropriate moneys from the
24 Washington auto theft prevention authority account for criminal justice
25 purposes and community building and may transfer funds to the state
26 general fund such amounts as reflect the excess fund balance of the
27 account.

28 (2) The authority shall allocate moneys appropriated from the
29 account to public agencies for the purpose of establishing,
30 maintaining, and supporting programs that are designed to prevent motor
31 vehicle theft, including:

32 (a) Financial support to prosecution agencies to increase the
33 effectiveness of motor vehicle theft prosecution;

34 (b) Financial support to a unit of local government or a team
35 consisting of units of local governments to increase the effectiveness
36 of motor vehicle theft enforcement;

1 (c) Financial support for the procurement of equipment and
2 technologies for use by law enforcement agencies for the purpose of
3 enforcing motor vehicle theft laws; and

4 (d) Financial support for programs that are designed to educate and
5 assist the public in the prevention of motor vehicle theft.

6 (3) The costs of administration shall not exceed ten percent of the
7 moneys in the account in any one year so that the greatest possible
8 portion of the moneys available to the authority is expended on
9 combating motor vehicle theft.

10 (4) Prior to awarding any moneys from the Washington auto theft
11 prevention authority account for motor vehicle theft enforcement, the
12 auto theft prevention authority must verify that the financial award
13 includes sufficient funding to cover proposed activities, which
14 include, but are not limited to: (a) State, municipal, and county
15 offender and juvenile confinement costs; (b) administration costs; (c)
16 law enforcement costs; (d) prosecutor costs; and (e) court costs, with
17 a priority being given to ensuring that sufficient funding is available
18 to cover state, municipal, and county offender and juvenile confinement
19 costs.

20 (5) Moneys expended from the Washington auto theft prevention
21 authority account under subsection (2) of this section shall be used to
22 supplement, not supplant, other moneys that are available for motor
23 vehicle theft prevention.

24 (6) Grants provided under subsection (2) of this section constitute
25 reimbursement for purposes of RCW 43.135.060(1).

26 **Sec. 918.** RCW 43.350.070 and 2005 c 424 s 8 are each amended to
27 read as follows:

28 The life sciences discovery fund is created in the custody of the
29 state treasurer. Only the board or the board's designee may authorize
30 expenditures from the fund. Expenditures from the fund may be made
31 only for purposes of this chapter. Administrative expenses of the
32 authority, including staff support, may be paid only from the fund.
33 Revenues to the fund consist of transfers made by the legislature from
34 strategic contribution payments deposited in the tobacco settlement
35 account under RCW 43.79.480, moneys received pursuant to contribution
36 agreements entered into pursuant to RCW 43.350.030, moneys received
37 from gifts, grants, and bequests, and interest earned on the fund.

1 During the 2009-2011 fiscal biennium, the legislature may transfer to
2 the state general fund such amounts as represent the excess balance of
3 the life sciences discovery fund.

4 **Sec. 919.** RCW 51.44.170 and 2003 1st sp.s. c 25 s 926 are each
5 amended to read as follows:

6 The industrial insurance premium refund account is created in the
7 custody of the state treasurer. All industrial insurance refunds
8 earned by state agencies or institutions of higher education under the
9 state fund retrospective rating program shall be deposited into the
10 account. The account is subject to the allotment procedures under
11 chapter 43.88 RCW, but no appropriation is required for expenditures
12 from the account. Only the executive head of the agency or institution
13 of higher education, or designee, may authorize expenditures from the
14 account. No agency or institution of higher education may make an
15 expenditure from the account for an amount greater than the refund
16 earned by the agency. If the agency or institution of higher education
17 has staff dedicated to workers' compensation claims management,
18 expenditures from the account must be used to pay for that staff, but
19 additional expenditure from the account may be used for any program
20 within an agency or institution of higher education that promotes or
21 provides incentives for employee workplace safety and health and early,
22 appropriate return-to-work for injured employees. During the ((2003-
23 2005)) 2009-2011 fiscal biennium, the legislature may transfer from the
24 industrial insurance premium refund account to the state general fund
25 such amounts as reflect the excess fund balance of the account.

26 **Sec. 920.** RCW 66.08.235 and 2005 c 151 s 4 are each amended to
27 read as follows:

28 The liquor control board construction and maintenance account is
29 created within the state treasury. The liquor control board shall
30 deposit into this account a portion of the board's markup, as
31 authorized by chapter 66.16 RCW, placed upon liquor as determined by
32 the board. Moneys in the account may be spent only after
33 appropriation. The liquor control board shall use deposits to this
34 account to fund construction and maintenance of a centralized
35 distribution center for liquor products intended for sale through the
36 board's liquor store and contract liquor store system. During the

1 ((2001-2003)) 2009-2011 fiscal biennium, the legislature may transfer
2 from the liquor control board construction and maintenance account to
3 the state general fund such amounts as reflect the (~~appropriations~~
4 ~~reductions made by the 2002 supplemental appropriations act for~~
5 ~~administrative efficiencies and savings~~) excess fund balance in the
6 account.

7 **Sec. 921.** RCW 82.14.380 and 1999 c 311 s 201 are each amended to
8 read as follows:

9 (1) The distressed county assistance account is created in the
10 state treasury. Into this account shall be placed a portion of all
11 motor vehicle excise tax receipts as provided in RCW 82.44.110. At
12 such times as distributions are made under RCW 82.44.150, the state
13 treasurer shall distribute the funds in the distressed county
14 assistance account to each county imposing the sales and use tax
15 authorized under RCW 82.14.370 as of January 1, 1999, in the same
16 proportions as distributions of the tax imposed under RCW 82.14.370 for
17 these counties for the previous quarter.

18 (2) Funds distributed from the distressed county assistance account
19 shall be expended by the counties for criminal justice and other
20 purposes. During the 2009-2011 fiscal biennium, the legislature may
21 transfer from the distressed county assistance account to the state
22 general fund such amounts as reflect the excess fund balance of the
23 account.

24 **Sec. 922.** 2010 c 247 s 205 (uncodified) is amended to read as
25 follows:

26 **FOR THE TRANSPORTATION COMMISSION**

27 Motor Vehicle Account--State Appropriation	\$2,328,000
28 Multimodal Transportation Account--State Appropriation	\$112,000
29 TOTAL APPROPRIATION	\$2,440,000

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

32 (1) Pursuant to RCW 43.135.055, during the 2009-11 fiscal biennium,
33 the transportation commission shall periodically review and, if
34 necessary, modify the schedule of fares for the Washington state ferry
35 system. The transportation commission may increase ferry fares,

1 except no fare schedule modifications may be made prior to September 1,
2 2009. For purposes of this subsection, "modify" includes increases or
3 decreases to the schedule.

4 (2) Pursuant to RCW 43.135.055, during the 2009-11 fiscal biennium,
5 the transportation commission shall periodically review and, if
6 necessary, modify a schedule of toll charges applicable to the state
7 route number 167 high occupancy toll lane pilot project, as required
8 under RCW 47.56.403. For purposes of this subsection, "modify"
9 includes increases or decreases to the schedule.

10 (3) Pursuant to RCW 43.135.055, during the 2009-11 fiscal biennium,
11 the transportation commission shall periodically review and, if
12 necessary, modify the schedule of toll charges applicable to the Tacoma
13 Narrows bridge, taking into consideration the recommendations of the
14 citizen advisory committee created under RCW 47.46.091. For purposes
15 of this subsection, "modify" includes increases or decreases to the
16 schedule.

17 (4) The commission may name state ferry vessels consistent with its
18 authority to name state transportation facilities under RCW 47.01.420.
19 When naming or renaming state ferry vessels, the commission shall
20 investigate selling the naming rights and shall make recommendations to
21 the legislature regarding this option.

22 (5) \$350,000 of the motor vehicle account--state appropriation is
23 provided solely for consultant support services to assist the
24 commission in updating the statewide transportation plan. The updated
25 plan must be submitted to the legislature by December 1, 2010.

26 (6) If the commission considers implementing a ferry fuel
27 surcharge, it must first submit an analysis and business plan to the
28 office of financial management and either the joint transportation
29 committee or the transportation committees of the legislature. The
30 commission may impose a ferry fuel surcharge effective July 1, 2011.
31 When implementing a ferry fuel surcharge, the commission must regard
32 ferry fuel surcharges as fare policy changes and thus, ferry fuel
33 surcharges should be included in all public procedures and processes
34 currently used for fare pricing per RCW 47.60.290.

35 (7) The commission shall work with the department of
36 transportation's economic partnerships (Program K) in conducting a best
37 practices review of nontoll, public-private partnerships. The purpose
38 of this review is to identify the policies and procedures that would be

1 appropriate for application in Washington state. The commission must
2 report its findings and recommendations, including draft legislation if
3 warranted, to the house of representatives and senate transportation
4 committees by January 2011.

5 (8) As part of its development of the statewide transportation
6 plan, the commission shall review prioritized projects, including
7 preservation and maintenance projects, from regional transportation and
8 metropolitan planning organizations to identify statewide
9 transportation needs. The review should include a brief description
10 and status of each project along with the funding required and
11 associated timeline from start to completion. The commission shall
12 submit the review, along with recommendations, to the house of
13 representatives and senate transportation committees by January 2011.

14 (9) Pursuant to RCW 43.135.055 and 47.60.315, during the remainder
15 of the 2011 fiscal year, the transportation commission shall review
16 and, if necessary, modify the schedule of fares for the Washington
17 state ferry system, as required under RCW 47.60.315.

18 (10) Pursuant to RCW 43.135.055 and 47.56.403, during the remainder
19 of the 2011 fiscal year, the transportation commission shall review
20 and, if necessary, modify the schedule of toll charges applicable to
21 the state route number 167 high occupancy toll lane pilot project, as
22 required under RCW 47.56.403.

23 (11) Pursuant to RCW 43.135.055 and 47.46.100, during the remainder
24 of the 2011 fiscal year, the transportation commission shall review
25 and, if necessary, modify the schedule of toll charges applicable to
26 the Tacoma Narrows bridge, taking into consideration the
27 recommendations of the citizen advisory committee created under RCW
28 47.46.091, as required under RCW 47.46.100.

29 (12) Pursuant to RCW 43.135.055 and 47.56.795(6), the legislature
30 authorizes the transportation commission to assess administrative fees
31 as appropriate for toll collection processes, which fees must not
32 exceed toll collection costs. During the remainder of the 2011 fiscal
33 year, the transportation commission shall review and, if necessary,
34 modify the administrative fees appropriate for toll collection
35 processes, as required under RCW 47.56.795(6).

36 (13) Pursuant to RCW 43.135.055 and 47.56.870(3), the legislature
37 authorizes the transportation commission to set the schedule of toll
38 charges applicable to the state route number 520 corridor and approves

1 the action taken by the transportation commission on January 5, 2011,
2 to set the schedule of toll charges applicable to the state route
3 number 520 corridor. During the remainder of the 2011 fiscal year, the
4 transportation commission shall review and, if necessary, modify the
5 schedule of toll charges for the state route number 520 corridor, as
6 required under RCW 47.56.870(3).

7 (14) For purposes of subsections (9) through (13) of this section,
8 "modify" includes increases or decreases to the schedule of fares or
9 tolls.

10 (15) The toll charges authorized under this section support the
11 appropriations provided in section 923 of this act.

12 **Sec. 923.** 2010 c 247 s 211 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
15 **MAINTENANCE--PROGRAM B**

16	High Occupancy Toll Lanes Operations Account--State	
17	Appropriation	\$2,852,000
18	Motor Vehicle Account--State Appropriation	\$575,000
19	Tacoma Narrows Toll Bridge Account--State	
20	Appropriation	\$26,543,000
21	State Route Number 520 Corridor Account--State	
22	Appropriation	(\$28,000,000)
23		<u>\$28,005,000</u>
24	State Route Number 520 Civil Penalties	
25	Account--State Appropriation	\$2,130,000
26	TOTAL APPROPRIATION	(\$60,100,000)
27		<u>\$60,105,000</u>

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

30 (1) The department shall make detailed quarterly expenditure
31 reports available to the transportation commission and to the public on
32 the department's web site using current department resources. The
33 reports must include a summary of revenue generated by tolls on the
34 Tacoma Narrows bridge and an itemized depiction of the use of that
35 revenue.

36 (2) The department shall work with the office of financial
37 management to review insurance coverage, deductibles, and limitations

1 on tolled facilities to assure that the assets are well protected at a
2 reasonable cost. Results from this review must be used to negotiate
3 any future new or extended insurance agreements.

4 (3) (~~(\$28,000,000)~~) \$28,005,000 of the state route number 520
5 corridor account--state appropriation is provided solely for the costs
6 directly related to tolling the state route number 520 floating bridge.
7 Of this amount, \$8,000,000 must be retained in unallotted status, and
8 may only be released by the office of financial management after
9 consultation with the joint transportation committee.

10 (4) The department shall consider transitioning to all electronic
11 tolling on the Tacoma Narrows bridge toll facility and discontinuing a
12 cash toll option.

13 (5) \$2,130,000 of the state route number 520 civil penalties
14 account--state appropriation and \$140,000 of the Tacoma Narrows toll
15 bridge account--state appropriation are provided solely for
16 expenditures related to the toll adjudication process. (~~The amount
17 provided in this subsection is contingent on the enactment by June 30,
18 2010, of either Engrossed Substitute Senate Bill No. 6499 or Substitute
19 House Bill No. 2897; however, if the enacted bill does not specify the
20 department as the toll penalty adjudicating agency, the amounts
21 provided in this subsection lapse.~~)

22 (6) The department shall review, and revise where appropriate,
23 current signage and ingress/egress locations on the state route number
24 167 high occupancy toll lanes pilot project. The department shall
25 continue to work with the Washington state patrol on educating the
26 public on the rules of the road related to crossing a double white
27 line. The department shall continue to monitor the performance of the
28 high occupancy toll lanes to ensure that driving conditions for high
29 occupancy vehicles that share these lanes are not significantly
30 changed.

31 (7) The appropriations provided in this section include revenue
32 from toll charges authorized under section 922 of this act.

33 NEW SECTION. **Sec. 924.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the
35 remainder of the act or the application of the provision to other
36 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 925.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

(End of part)

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