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**ENGROSSED SUBSTITUTE HOUSE BILL 1086**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** House Ways & Means (originally sponsored by Representatives Hunter, Alexander, and Darneille; by request of Governor Gregoire)

READ FIRST TIME 01/21/11.

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 2009 c 564 s 711 (uncodified); adding new sections to 2009 c  
15 564 (uncodified); making appropriations; and declaring an emergency.

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

17

**PART I**

18

**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) . . . . .	<del>(( \$3,152,000 ))</del>
6		<u>\$2,954,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(( \$6,026,000 ))</del>
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) . . . . .	<del>(\$8,506,000)</del>
22		<u>\$7,971,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$17,158,000)</del>
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) . . . . .	<del>(\$4,864,000)</del>
30		<u>\$4,558,000</u>
31	TOTAL APPROPRIATION . . . . .	<del>(\$9,475,000)</del>
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) . . . . .	<del>(\$1,064,000)</del>
4		<u>\$1,012,000</u>
5	TOTAL APPROPRIATION . . . . .	<del>(\$2,107,000)</del>
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) . . . . .	<del>(\$49,760,000)</del>
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 . . . . .	<del>(\$143,387,000)</del>
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) . . . . .	<del>(( \$2,212,000 ))</del>
33		<u>\$1,969,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(( \$4,461,000 ))</del>
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)	. . . . .	<del>(((\$262,000))</del>
6			<u>\$233,000</u>
7	TOTAL APPROPRIATION	. . . . .	<del>(((\$537,000))</del>
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)	. . . . .	<del>(((\$236,000))</del>
24			<u>\$221,000</u>
25	TOTAL APPROPRIATION	. . . . .	<del>(((\$452,000))</del>
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)	. . . . .	<del>(((\$717,000))</del>
32			<u>\$638,000</u>
33	State Auditing Services Revolving		
34	Account--State Appropriation	. . . . .	\$10,749,000
35	TOTAL APPROPRIATION	. . . . .	<del>(((\$12,188,000))</del>
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 **Sec. 110.** 2010 1st sp.s. c 37 s 124 (uncodified) is amended to  
2 read as follows:

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

4	General Fund--State Appropriation (FY 2010) . . . . .	\$168,000
5	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$206,000</del> ))
6		<u>\$193,000</u>
7	TOTAL APPROPRIATION . . . . .	(( <del>\$374,000</del> ))
8		<u>\$361,000</u>

9 **Sec. 111.** 2010 2nd sp.s. c 1 s 115 (uncodified) is amended to read  
10 as follows:

11 **FOR THE ATTORNEY GENERAL**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$5,732,000
13	General Fund--State Appropriation (FY 2011) . . . . .	\$5,272,000
14	General Fund--Federal Appropriation . . . . .	\$4,026,000
15	New Motor Vehicle Arbitration Account--State	
16	Appropriation . . . . .	\$1,350,000
17	Legal Services Revolving Account--State	
18	Appropriation . . . . .	(( <del>\$220,909,000</del> ))
19		<u>\$224,523,000</u>
20	Tobacco Prevention and Control Account--State	
21	Appropriation . . . . .	\$270,000
22	TOTAL APPROPRIATION . . . . .	(( <del>\$237,559,000</del> ))
23		<u>\$241,173,000</u>

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

26 (1) The attorney general shall report each fiscal year on actual  
27 legal services expenditures and actual attorney staffing levels for  
28 each agency receiving legal services. The report shall be submitted to  
29 the office of financial management and the fiscal committees of the  
30 senate and house of representatives no later than ninety days after the  
31 end of each fiscal year. As part of its by agency report to the  
32 legislative fiscal committees and the office of financial management,  
33 the office of the attorney general shall include information detailing  
34 the agency's expenditures for its agency-wide overhead and a breakdown  
35 by division of division administration expenses.

36 (2) Prior to entering into any negotiated settlement of a claim  
37 against the state that exceeds five million dollars, the attorney

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) . . . . .	<del>(\$742,000)</del>
29		<u>\$660,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(\$1,508,000)</del>
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) . . . . .	<del>(\$40,577,000)</del>
9		<u>\$35,924,000</u>
10	General Fund--Federal Appropriation . . . . .	<del>(\$381,918,000)</del>
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 . . . . .	<del>(\$1,003,000)</del>
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 . . . . .	<del>(\$25,486,000)</del>
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 . . . . .	(( <del>\$560,314,000</del> ))
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) . . . . .	(( <del>\$772,000</del> ))
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) . . . . .	( <del>(\$1,318,000)</del> )
18		<u>\$1,195,000</u>
19	TOTAL APPROPRIATION . . . . .	( <del>(\$2,664,000)</del> )
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) . . . . .	( <del>(\$3,963,000)</del> )
26		<u>\$3,527,000</u>
27	General Fund--Federal Appropriation . . . . .	\$2,956,000
28	Building Code Council Account--State Appropriation . . . . .	( <del>(\$593,000)</del> )
29		<u>\$875,000</u>
30	General Fund--Private/Local Appropriation . . . . .	.\$84,000
31	General Administration Service Account--State	
32	Appropriation . . . . .	( <del>(\$31,748,000)</del> )
33		<u>\$31,397,000</u>
34	TOTAL APPROPRIATION . . . . .	( <del>(\$40,159,000)</del> )
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) . . . . .	( <del>(\$1,080,000)</del> )

1		<u>\$1,012,000</u>
2	General Fund--Federal Appropriation . . . . .	\$701,000
3	General Fund--Private/Local Appropriation . . . . .	\$178,000
4	Data Processing Revolving Account--State	
5	Appropriation . . . . .	\$7,601,000
6	TOTAL APPROPRIATION . . . . .	(( <del>\$10,646,000</del> ))
7		<u>\$10,578,000</u>

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

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

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

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

35       (4) Appropriations in this section include amounts sufficient to  
36 implement Engrossed Substitute House Bill No. 3178 (technology  
37 efficiencies).



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) . . . . .	<del>(\$8,874,000)</del>
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 . . . . .	<del>(\$377,096,000)</del>
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) . . . . .	<del>(\$2,635,000)</del>
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 . . . . .	<del>(\$8,815,000)</del>
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)	<del>(\$293,707,000)</del>
	<u>\$287,800,000</u>
General Fund--Federal Appropriation	<del>(\$497,964,000)</del>
	<u>\$494,161,000</u>
General Fund--Private/Local Appropriation	\$3,320,000
Home Security Fund Appropriation	<del>(\$9,983,000)</del>
	<u>\$8,224,000</u>
Domestic Violence Prevention Account--State	
Appropriation	<del>(\$1,154,000)</del>
	<u>\$1,077,000</u>
Education Legacy Trust Account--State Appropriation	\$725,000
TOTAL APPROPRIATION	<del>(\$1,121,855,000)</del>
	<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) . . . . .	<del>(\$96,167,000)</del>
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 . . . . .	<del>(\$214,877,000)</del>
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) . . . . .	<del>(( \$278,530,000 ))</del>
21		<u>\$264,186,000</u>
22	General Fund--Federal Appropriation . . . . .	\$519,456,000
23	General Fund--Private/Local Appropriation . . . . .	<del>(( \$16,674,000 ))</del>
24		<u>\$16,951,000</u>
25	Hospital Safety Net Assessment Fund--State	
26	Appropriation . . . . .	\$3,476,000
27	TOTAL APPROPRIATION . . . . .	<del>(( \$1,091,784,000 ))</del>
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) . . . . .	<del>(\$118,010,000)</del>
9		<u>\$112,514,000</u>
10	General Fund--Federal Appropriation . . . . .	<del>(\$153,425,000)</del>
11		<u>\$152,195,000</u>
12	General Fund--Private/Local Appropriation . . . . .	<del>(\$64,614,000)</del>
13		<u>\$63,873,000</u>
14	TOTAL APPROPRIATION . . . . .	<del>(\$455,472,000)</del>
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) . . . . .	<del>(( \$2,092,000 ))</del>
6	<u>\$1,961,000</u>
7 General Fund--Federal Appropriation . . . . .	\$2,142,000
8 TOTAL APPROPRIATION . . . . .	<del>(( \$6,053,000 ))</del>
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) . . . . .	<del>(\$3,958,000)</del>
10		<u>\$3,722,000</u>
11	General Fund--Federal Appropriation . . . . .	\$7,207,000
12	TOTAL APPROPRIATION . . . . .	<del>(\$15,243,000)</del>
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) . . . . .	<del>(\$337,658,000)</del>
29		<u>\$321,777,000</u>
30	General Fund--Federal Appropriation . . . . .	<del>(\$902,043,000)</del>
31		<u>\$890,336,000</u>
32	TOTAL APPROPRIATION . . . . .	<del>(\$1,547,049,000)</del>
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) . . . . .	<del>(\$64,404,000)</del>
23		<u>\$62,551,000</u>
24	General Fund--Federal Appropriation . . . . .	<del>(\$207,986,000)</del>
25		<u>\$205,440,000</u>
26	General Fund--Private/Local Appropriation . . . . .	<del>(\$22,441,000)</del>
27		<u>\$22,357,000</u>
28	TOTAL APPROPRIATION . . . . .	<del>(\$356,253,000)</del>
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) . . . . .	(( <del>\$1,369,000</del> ))
19		<u>\$1,341,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$1,301,000</del> ))
21		<u>\$1,263,000</u>
22	TOTAL APPROPRIATION . . . . .	(( <del>\$4,077,000</del> ))
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 . . . . .	(( <del>\$9,631,000</del> ))
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 (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 \$550,474,000

1	General Fund--Federal Appropriation . . . . .	(( <del>\$1,220,752,000</del> ))
2		<u>\$1,219,423,000</u>
3	General Fund--Private/Local Appropriation . . . . .	(( <del>\$31,816,000</del> ))
4		<u>\$37,816,000</u>
5	Administrative Contingency Account--State	
6	Appropriation . . . . .	\$24,336,000
7	TOTAL APPROPRIATION . . . . .	(( <del>\$2,406,763,000</del> ))
8		<u>\$2,396,291,000</u>

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

11       (1) \$303,393,000 of the general fund--state appropriation for  
12 fiscal year 2010, \$285,057,000 of the general fund--state appropriation  
13 for fiscal year 2011, \$24,336,000 of the administrative contingency  
14 account--state appropriation, and \$778,606,000 of the general fund--  
15 federal appropriation are provided solely for all components of the  
16 WorkFirst program. The department shall use moneys from the  
17 administrative contingency account for WorkFirst job placement services  
18 provided by the employment security department. Within the amounts  
19 provided for the WorkFirst program, the department may provide  
20 assistance using state-only funds for families eligible for temporary  
21 assistance for needy families. In addition, within the amounts  
22 provided for WorkFirst the department shall:

- 23       (a) Establish a career services work transition program;
- 24       (b) Continue to implement WorkFirst program improvements that are  
25 designed to achieve progress against outcome measures specified in RCW  
26 74.08A.410. Outcome data regarding job retention and wage progression  
27 shall be reported quarterly to appropriate fiscal and policy committees  
28 of the legislature for families who leave assistance, measured after 12  
29 months, 24 months, and 36 months. The department shall also report the  
30 percentage of families who have returned to temporary assistance for  
31 needy families after 12 months, 24 months, and 36 months;
- 32       (c) Submit a report electronically by October 1, 2009, to the  
33 fiscal committees of the legislature containing a spending plan for the  
34 WorkFirst program. The plan shall identify how spending levels in the  
35 2009-2011 biennium will be adjusted to stay within available federal  
36 grant levels and the appropriated state-fund levels;
- 37       (d) Provide quarterly fiscal reports to the office of financial

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) . . . . .	<del>(\$82,379,000)</del>
15		<u>\$77,065,000</u>
16	General Fund--Federal Appropriation . . . . .	<del>(\$148,018,000)</del>
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 . . . . .	<del>(\$334,296,000)</del>
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) . . . . .	<del>(\$1,752,373,000)</del>
19		<u>\$1,740,730,000</u>
20	General Fund--Federal Appropriation . . . . .	<del>(\$6,047,652,000)</del>
21		<u>\$6,040,021,000</u>
22	General Fund--Private/Local Appropriation . . . . .	<del>(\$37,249,000)</del>
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 . . . . .	<del>(\$9,814,052,000)</del>
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       **Sec. 209.** 2010 2nd sp.s. c 1 s 209 (uncodified) is amended to read  
2 as follows:

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

5	General Fund--State Appropriation (FY 2010) . . . . .	\$10,327,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$10,045,000)</del>
7		<u>\$9,443,000</u>
8	General Fund--Federal Appropriation . . . . .	\$107,848,000
9	Telecommunications Devices for the Hearing and	
10	Speech Impaired--State Appropriation . . . . .	<del>(\$5,976,000)</del>
11		<u>\$6,056,000</u>
12	TOTAL APPROPRIATION . . . . .	<del>(\$134,196,000)</del>
13		<u>\$133,674,000</u>

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

16       (1) The vocational rehabilitation program shall coordinate closely  
17 with the economic services program to serve lifeline clients under  
18 chapter 8, Laws of 2010 1st sp. sess. who are referred for eligibility  
19 determination and vocational rehabilitation services, and shall make  
20 every effort, within the requirements of the federal rehabilitation act  
21 of 1973, to serve these clients.

22       (2) \$80,000 of the telecommunications devices for the hearing and  
23 speech impaired account--state appropriation is provided solely for the  
24 office of deaf and hard of hearing to enter into an interagency  
25 agreement with the department of services for the blind to support  
26 contracts for services that provide employment support and help with  
27 life activities for deaf-blind individuals in King county.

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

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

32	General Fund--State Appropriation (FY 2010) . . . . .	\$48,827,000
33	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$47,051,000)</del>
34		<u>\$48,536,000</u>
35	TOTAL APPROPRIATION . . . . .	<del>(\$95,878,000)</del>
36		<u>\$97,363,000</u>



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) . . . . .	<del>(\$61,461,000)</del>
14		<u>\$63,793,000</u>
15	General Fund--Federal Appropriation . . . . .	<del>(\$56,572,000)</del>
16		<u>\$56,855,000</u>
17	TOTAL APPROPRIATION . . . . .	<del>(\$180,018,000)</del>
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) . . . . .	<del>(\$129,087,000)</del>
24		<u>\$105,028,000</u>
25	General Fund--Federal Appropriation . . . . .	<del>(\$34,727,000)</del>
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 . . . . .	<del>(\$407,479,000)</del>
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) . . . . .	<del>((2,511,000))</del>

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) . . . . .	<del>(( \$19,336,000 ))</del>
12		<u>\$18,120,000</u>
13	General Fund--Federal Appropriation . . . . .	<del>(( \$10,100,000 ))</del>
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       **Sec. 217.** 2010 1st sp.s. c 37 s 219 (uncodified) is amended to  
2 read as follows:

3 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$1,882,000
5	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,864,000</del> ))
6		<u>\$1,659,000</u>
7	TOTAL APPROPRIATION . . . . .	(( <del>\$3,746,000</del> ))
8		<u>\$3,541,000</u>

9       **Sec. 218.** 2010 1st sp.s. c 37 s 220 (uncodified) is amended to  
10 read as follows:

11 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

12       (1) HEADQUARTERS

13	General Fund--State Appropriation (FY 2010) . . . . .	\$1,913,000
14	General Fund--State Appropriation (FY 2011) . . . . .	\$1,865,000
15	Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation . . . . .	\$10,000
17	TOTAL APPROPRIATION . . . . .	\$3,788,000

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

25       (2) FIELD SERVICES

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

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

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) . . . . .	<del>(\$2,371,000)</del>
20		<u>\$1,793,000</u>
21	General Fund--Federal Appropriation . . . . .	<del>(\$50,353,000)</del>
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	<b>FOR THE DEPARTMENT OF HEALTH</b>	
2	General Fund--State Appropriation (FY 2010) . . . . .	\$98,414,000
3	General Fund--State Appropriation (FY 2011) . . . . .	((\$81,735,000))
4		<u>\$72,427,000</u>
5	General Fund--Federal Appropriation . . . . .	\$564,379,000
6	General Fund--Private/Local Appropriation . . . . .	\$162,237,000
7	Hospital Data Collection Account--State Appropriation . . . . .	\$218,000
8	Health Professions Account--State Appropriation . . . . .	\$82,850,000
9	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$603,000
10	Emergency Medical Services and Trauma Care Systems	
11	Trust Account--State Appropriation . . . . .	\$13,206,000
12	Safe Drinking Water Account--State Appropriation . . . . .	\$2,731,000
13	Drinking Water Assistance Account--Federal	
14	Appropriation . . . . .	\$22,862,000
15	Waterworks Operator Certification--State	
16	Appropriation . . . . .	\$1,522,000
17	Drinking Water Assistance Administrative Account--	
18	State Appropriation . . . . .	\$326,000
19	State Toxics Control Account--State Appropriation . . . . .	((\$4,106,000))
20		<u>\$4,348,000</u>
21	Medical Test Site Licensure Account--State	
22	Appropriation . . . . .	\$2,261,000
23	Youth Tobacco Prevention Account--State Appropriation . . . . .	\$1,512,000
24	Public Health Supplemental Account--Private/Local	
25	Appropriation . . . . .	\$3,804,000
26	Community and Economic Development Fee Account--State	
27	Appropriation . . . . .	\$298,000
28	Accident Account--State Appropriation . . . . .	\$292,000
29	Medical Aid Account--State Appropriation . . . . .	\$48,000
30	Tobacco Prevention and Control Account--State	
31	Appropriation . . . . .	\$41,196,000
32	Biotoxin Account--State Appropriation . . . . .	\$1,163,000
33	TOTAL APPROPRIATION . . . . .	((\$1,085,763,000))
34		<u>\$1,076,697,000</u>

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

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

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

20 (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
21 is authorized to establish and raise fees in fiscal year 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) . . . . .	<del>(\$562,483,000)</del>
22		<u>\$562,084,000</u>
23	General Fund--Federal Appropriation . . . . .	<del>(\$186,719,000)</del>
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 . . . . .	<del>(\$1,248,163,000)</del>
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) . . . . .	<del>(\$134,744,000)</del>
11		<u>\$134,840,000</u>
12	TOTAL APPROPRIATION . . . . .	<del>(\$285,473,000)</del>
13		<u>\$285,569,000</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       **Sec. 221.** 2010 1st sp.s. c 37 s 224 (uncodified) is amended to  
2 read as follows:

3       **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$2,504,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,390,000)</del>
6		<u>\$2,160,000</u>
7	General Fund--Federal Appropriation . . . . .	\$18,116,000
8	General Fund--Private/Local Appropriation . . . . .	\$30,000
9	TOTAL APPROPRIATION . . . . .	<del>(\$23,040,000)</del>
10		<u>\$22,810,000</u>

11       ~~((The amounts appropriated in this section are subject to the~~  
12 ~~following conditions and limitations: Sufficient amounts are~~  
13 ~~appropriated in this section to support contracts for services that~~  
14 ~~provide employment support and help with life activities for deaf and~~  
15 ~~blind individuals in King county.))~~

16       **Sec. 222.** 2010 1st sp.s. c 37 s 225 (uncodified) is amended to  
17 read as follows:

18       **FOR THE SENTENCING GUIDELINES COMMISSION**

19	General Fund--State Appropriation (FY 2010) . . . . .	\$962,000
20	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$948,000)</del>
21		<u>\$844,000</u>
22	TOTAL APPROPRIATION . . . . .	<del>(\$1,910,000)</del>
23		<u>\$1,806,000</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 sentencing  
27 guidelines commission, in partnership with the courts, shall develop a  
28 plan to implement an evidence-based system of community custody for  
29 adult felons that will include the consistent use of evidence-based  
30 risk and needs assessment tools, programs, supervision modalities, and  
31 monitoring of program integrity. The plan for the evidence-based  
32 system of community custody shall include provisions for identifying  
33 cost-effective rehabilitative programs; identifying offenders for whom  
34 such programs would be cost-effective; monitoring the system for cost-  
35 effectiveness; and reporting annually to the legislature. In  
36 developing the plan, the sentencing guidelines shall consult with: The  
37 Washington state institute for public policy; the legislature; the

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) . . . . .	<del>(\$5,053,000)</del>
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 . . . . .	<del>(\$362,740,000)</del>
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 . . . . .	<del>(\$765,742,000)</del>

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	<del>(\$612,000)</del>
	<u>\$582,000</u>
Worker and Community Right-to-Know Account--State Appropriation	\$1,663,000
State Toxics Control Account--State Appropriation	\$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 . . . . .	<del>(\$2,111,000)</del>
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 . . . . .	<del>(\$437,612,000)</del>
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	General Fund--Federal Appropriation . . . . .	\$6,892,000
2	General Fund--Private/Local Appropriation . . . . .	\$73,000
3	Winter Recreation Program Account--State Appropriation . . .	\$1,556,000
4	Off Road Vehicle Account--State Appropriation . . . . .	\$239,000
5	Snowmobile Account--State Appropriation . . . . .	\$4,842,000
6	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$368,000
7	Recreation Resources Account--State Appropriation . . . . .	<del>(( \$9,802,000 ))</del>
8		<u>\$9,469,000</u>
9	NOVA Program Account--State Appropriation . . . . .	<del>(( \$9,560,000 ))</del>
10		<u>\$9,164,000</u>
11	Parks Renewal and Stewardship Account--State	
12	Appropriation . . . . .	\$72,975,000
13	Parks Renewal and Stewardship Account--	
14	Private/Local Appropriation . . . . .	\$300,000
15	TOTAL APPROPRIATION . . . . .	<del>(( \$148,092,000 ))</del>
16		<u>\$147,363,000</u>

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

19       (1) \$79,000 of the general fund--state appropriation for fiscal  
20 year 2010 and ~~(( \$79,000 ))~~ \$74,000 of the general fund--state  
21 appropriation for fiscal year 2011 are provided solely for a grant for  
22 the operation of the Northwest avalanche center.

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

26       (3) With the passage of Substitute House Bill No. 2339 (state parks  
27 system donation), the legislature finds that it has provided sufficient  
28 funds to ensure that all state parks remain open during the 2009-11  
29 biennium. The commission shall not close state parks unless the bill  
30 is not enacted by June 30, 2009, or revenue collections are  
31 insufficient to fund the ongoing operation of state parks. By January  
32 10, 2010, the commission shall provide a report to the legislature on  
33 their budget and resources related to operating parks for the remainder  
34 of the biennium.

35       (4) The commission shall work with the department of general  
36 administration to evaluate the commission's existing leases with the  
37 intention of increasing net revenue to state parks. The commission  
38 shall provide to the office of financial management and the legislative



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 . . . . .	<del>(( \$10,322,000 ))</del>
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 . . . . .	<del>(( \$2,710,000 ))</del>
15		<u>\$2,738,000</u>
16	NOVA Program Account--State Appropriation . . . . .	<del>(( \$1,049,000 ))</del>
17		<u>\$1,059,000</u>
18	TOTAL APPROPRIATION . . . . .	<del>(( \$17,446,000 ))</del>
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 . . . . .	<del>(\$85,799,000)</del>
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 . . . . .	<del>(\$86,878,000)</del>
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	Regional Fisheries Salmonid Recovery Account--	
2	Federal Appropriation . . . . .	\$5,001,000
3	Oil Spill Prevention Account--State Appropriation . . . . .	\$876,000
4	Oyster Reserve Land Account--State Appropriation . . . . .	\$916,000
5	TOTAL APPROPRIATION . . . . .	<del>(((\$320,569,000))</del>
6		<u>\$323,689,000</u>

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

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

12       (2) \$355,000 of the general fund--state appropriation for fiscal  
13 year 2010 and \$422,000 of the general fund--state appropriation for  
14 fiscal year 2011 are provided solely for the department to implement a  
15 pilot project with the Confederated Tribes of the Colville Reservation  
16 to develop expanded recreational fishing opportunities on Lake Rufus  
17 Woods and its northern shoreline and to conduct joint enforcement of  
18 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
19 state and tribal intergovernmental agreements developed under the  
20 Columbia River water supply program. For the purposes of the pilot  
21 project:

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

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

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

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

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

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

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

20 (5) \$1,232,000 of the state wildlife account--state appropriation  
21 is provided solely to implement Substitute House Bill No. 1778 (fish  
22 and wildlife). If the bill is not enacted by June 30, 2009, the amount  
23 provided in this subsection shall lapse.

24 (6) \$400,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$400,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for a state match to support the  
27 Puget Sound nearshore partnership between the department and the U.S.  
28 army corps of engineers.

29 (7) \$50,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$50,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for removal of derelict gear in  
32 Washington waters.

33 (8) The department of fish and wildlife shall dispose of all Cessna  
34 aircraft it currently owns. The proceeds from the aircraft shall be  
35 deposited into the state wildlife account. Disposal of the aircraft  
36 must occur no later than June 30, 2010. The department shall  
37 coordinate with the department of natural resources on the installation  
38 of fire surveillance equipment into its Partenavia aircraft. The

1 department shall make its Partenavia aircraft available to the  
2 department of natural resources on a cost-reimbursement basis for its  
3 use in coordinating fire suppression efforts. The two agencies shall  
4 develop an interagency agreement that defines how they will share  
5 access to the plane.

6 (9) \$50,000 of the general fund--state appropriation for fiscal  
7 year 2010 is provided solely for an electron project fish passage study  
8 consistent with the recommendations and protocols contained in the 2008  
9 electron project downstream fish passage final report.

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

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

28 (12) \$100,000 of the eastern Washington pheasant enhancement  
29 account--state appropriation is provided solely for the department to  
30 support efforts to enhance permanent and temporary pheasant habitat on  
31 public and private lands in Grant, Franklin, and Adams counties. The  
32 department may support efforts by entities including conservation  
33 districts, nonprofit organizations, and landowners, and must require  
34 such entities to provide significant nonstate matching resources, which  
35 may be in the form of funds, material, or labor.

36 (13) Within the amounts appropriated in this section, the  
37 department of fish and wildlife shall develop a method for allocating  
38 its administrative and overhead costs proportionate to program fund

1 use. As part of its 2011-2013 biennial operating budget, the  
2 department shall submit a decision package that rebalances expenditure  
3 authority for all agency funds based upon proportionate contributions.

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

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

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

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

35 (18) The department must work with appropriate stakeholders to  
36 facilitate the disposition of salmon to best utilize the resource,  
37 increase revenues to regional fisheries enhancement groups, and enhance  
38 the provision of nutrients to food banks. By November 1, 2010, the

1 department must provide a report to the appropriate committees of the  
2 legislature summarizing these discussions, outcomes, and  
3 recommendations. After November 1, 2010, the department shall not  
4 solicit or award a surplus salmon disposal contract without first  
5 giving due consideration to implementing the recommendations developed  
6 during the stakeholder process.

7 (19) \$50,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided solely for increased fish production at Voight  
9 Creek hatchery.

10 **Sec. 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) . . . . .	<del>(\$33,387,000)</del>
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 . . . . .	<del>(\$568,000)</del>
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 . . . . .	(( <del>\$272,722,000</del> ))
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) . . . . .	( <del>(\$15,830,000)</del> )
34		<u>\$15,391,000</u>
35	General Fund--Federal Appropriation . . . . .	( <del>(\$20,947,000)</del> )
36		<u>\$21,047,000</u>
37	General Fund--Private/Local Appropriation . . . . .	\$193,000

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

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) . . . . .	<del>(( \$2,684,000 ))</del>
17		<u>\$2,184,000</u>
18	General Fund--Federal Appropriation . . . . .	<del>(( \$7,214,000 ))</del>
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 . . . . .	<del>(( \$14,328,000 ))</del>
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)	<del>(\$1,524,000)</del>
	<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	<del>(\$53,948,000)</del>
	<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) . . . . .	<del>(\$36,059,000)</del>
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 . . . . .	<del>(\$134,370,000)</del>
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) . . . . .	<del>(\$29,696,000)</del>
	<u>\$30,196,000</u>
General Fund--Federal Appropriation . . . . .	\$87,081,000
TOTAL APPROPRIATION . . . . .	<del>(\$152,192,000)</del>
	<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 compana quetzal to provide for three  
31 initiatives: (A) Early childhood education; (B) parent leadership  
32 training; and (C) high school success and college preparation programs.

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

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

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

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

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

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

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

29	General Fund--State Appropriation (FY 2010) . . . . .	\$5,126,153,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$4,912,103,000)</del>
31		<u>\$4,872,953,000</u>
32	General Fund--Federal Appropriation . . . . .	\$208,098,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$10,246,354,000)</del>
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) . . . . .	( <del>(\$1,806,000)</del> )
31		<u>(\$1,559,000)</u>
32	General Fund--Federal Appropriation . . . . .	(\$1,000)
33	TOTAL APPROPRIATION . . . . .	( <del>(\$6,221,000)</del> )
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)	( <del>(\$2.98)</del> )
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:  
 18  
 19

	School Year	
	2009-10	2010-11
20 Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
21 Highly Capable (per formula student)	\$0.79	( <del>(\$2.22)</del> )
22		<u>\$0.00</u>
23 Transitional Bilingual Education (per eligible bilingual student)	\$2.11	\$5.83
24 Learning Assistance (per formula student)	\$0.54	\$1.49

25 (3) The rates specified in this section are subject to revision  
 26 each year by the legislature.  
 27

1       **Sec. 504.** 2010 1st sp.s. c 37 s 505 (uncodified) is amended to  
2 read as follows:

3 <b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION</b>	
4 General Fund--State Appropriation (FY 2010) . . . . .	\$317,116,000
5 General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$296,747,000)</del>
6	<u>\$296,441,000</u>
7 TOTAL APPROPRIATION . . . . .	<del>(\$613,863,000)</del>
8	<u>\$613,557,000</u>

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

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

14       (2) A maximum of \$878,000 of this fiscal year 2010 appropriation  
15 and a maximum of ~~(\$892,000)~~ \$836,000 of the fiscal year 2011  
16 appropriation may be expended for regional transportation coordinators  
17 and related activities. The transportation coordinators shall ensure  
18 that data submitted by school districts for state transportation  
19 funding shall, to the greatest extent practical, reflect the actual  
20 transportation activity of each district.

21       (3) Allocations for transportation of students shall be based on  
22 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school  
23 year and \$48.37 per weighted mile in the 2010-11 school year exclusive  
24 of salary and benefit adjustments provided in section 504 of this act.  
25 Allocations for transportation of students transported more than one  
26 radius mile shall be based on weighted miles as determined by  
27 superintendent of public instruction multiplied by the per mile  
28 reimbursement rates for the school year pursuant to the formulas  
29 adopted by the superintendent of public instruction. Allocations for  
30 transportation of students living within one radius mile shall be based  
31 on the number of enrolled students in grades kindergarten through five  
32 living within one radius mile of their assigned school multiplied by  
33 the per mile reimbursement rate for the school year multiplied by 1.29.

34       (4) The office of the superintendent of public instruction shall  
35 provide reimbursement funding to a school district only after the  
36 superintendent of public instruction determines that the school bus was  
37 purchased from the list established pursuant to RCW 28A.160.195(2) or

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) . . . . .	<del>(\$3,159,000)</del>
20		<u>\$7,111,000</u>
21	General Fund--Federal Appropriation . . . . .	<del>(\$391,988,000)</del>
22		<u>\$448,588,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$398,306,000)</del>
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) . . . . .	<del>(\$650,856,000)</del>
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 . . . . .	<del>(\$1,948,349,000)</del>
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) . . . . .	<del>(\$8,319,000)</del>
25		<u>\$7,796,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(\$16,713,000)</del>
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) . . . . .	<del>(\$9,188,000)</del>
26		<u>\$9,171,000</u>
27	TOTAL APPROPRIATION . . . . .	<del>(\$18,377,000)</del>
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) . . . . .	( <del>(\$92,643,000)</del> )
18		<u>\$85,691,000</u>
19	General Fund--Federal Appropriation . . . . .	\$154,627,000
20	Education Legacy Trust Account--State	
21	Appropriation . . . . .	( <del>(\$100,381,000)</del> )
22		<u>\$98,981,000</u>
23	TOTAL APPROPRIATION . . . . .	( <del>(\$441,293,000)</del> )
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)	<del>(\$259,706,000)</del>
	<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	<del>(\$641,521,000)</del>
	<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) . . . . .	<del>(( \$170,699,000 ))</del>
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 . . . . .	<del>(( \$390,368,000 ))</del>
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) . . . . .	<del>(\$5,561,000)</del>
33		<u>\$5,183,000</u>
34	General Fund--Federal Appropriation . . . . .	\$4,332,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$16,295,000)</del>
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) . . . . .	<del>(\$1,444,000)</del>
15		<u>\$1,353,000</u>
16	General Fund--Federal Appropriation . . . . .	\$54,020,000
17	TOTAL APPROPRIATION . . . . .	<del>(\$56,929,000)</del>
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) . . . . .	<del>(\$1,490,000)</del>
4		<u>\$1,327,000</u>
5	TOTAL APPROPRIATION . . . . .	<del>(\$3,088,000)</del>
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) . . . . .	<del>(\$21,241,000)</del>
18		<u>\$20,085,000</u>
19	General Fund--Federal Appropriation . . . . .	<del>(\$265,305,000)</del>
20		<u>\$266,004,000</u>
21	Opportunity Pathways Account--State Appropriation . . . . .	\$40,000,000
22	TOTAL APPROPRIATION . . . . .	<del>(\$386,946,000)</del>
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) . . . . .	(( <del>\$5,985,000</del> ))

1		<u>\$5,509,000</u>
2	General Fund--Private/Local Appropriation . . . . .	\$1,942,000
3	TOTAL APPROPRIATION . . . . .	(( <del>\$13,829,000</del> ))
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) . . . . .	(( <del>\$8,782,000</del> ))
19		<u>\$8,230,000</u>
20	General Fund--Private/Local Appropriation . . . . .	\$526,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$17,901,000</del> ))
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       **Sec. 609.** 2010 1st sp.s. c 37 s 617 (uncodified) is amended to  
2 read as follows:

3       **FOR THE WASHINGTON STATE ARTS COMMISSION**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$1,844,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$1,347,000 ))</del>
6		<u>\$1,230,000</u>
7	General Fund--Federal Appropriation . . . . .	\$1,944,000
8	General Fund--Private/Local Appropriation . . . . .	\$1,052,000
9	TOTAL APPROPRIATION . . . . .	<del>(( \$6,187,000 ))</del>
10		<u>\$6,070,000</u>

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

19       **Sec. 610.** 2010 1st sp.s. c 37 s 618 (uncodified) is amended to  
20 read as follows:

21       **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$2,592,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$2,607,000 ))</del>
24		<u>\$2,381,000</u>
25	TOTAL APPROPRIATION . . . . .	<del>(( \$5,199,000 ))</del>
26		<u>\$4,973,000</u>

27       The appropriations in this section are subject to the following  
28 conditions and limitations: It is the intent of the legislature that  
29 the reductions in appropriations in this section shall be achieved, to  
30 the greatest extent possible, by reducing those administrative costs  
31 that do not affect direct client services or direct service delivery or  
32 programs. The agency shall, to the greatest extent possible, reduce  
33 spending in those areas that shall have the least impact on  
34 implementing its mission.

35       **Sec. 611.** 2010 1st sp.s. c 37 s 619 (uncodified) is amended to  
36 read as follows:

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) . . . . .	(( <del>\$1,632,000</del> ))
4		<u>\$1,490,000</u>
5	TOTAL APPROPRIATION . . . . .	(( <del>\$3,244,000</del> ))
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:

<del>(Health District</del>	<b>FY 2011</b>
<del>Adams County Health District</del>	\$30,951
<del>Asotin County Health District</del>	\$67,714
<del>Benton-Franklin Health District</del>	\$1,165,612
<del>Chelan-Douglas Health District</del>	\$184,761
<del>Clallam County Health and Human Services Department</del>	\$141,752
<del>Southwest Washington Health District</del>	\$1,084,473
<del>Columbia County Health District</del>	\$40,529
<del>Cowlitz County Health Department</del>	\$278,560
<del>Garfield County Health District</del>	\$15,028
<del>Grant County Health District</del>	\$118,596
<del>Grays Harbor Health Department</del>	183,870
<del>Island County Health Department</del>	\$91,892
<del>Jefferson County Health and Human Services</del>	\$85,782
<del>Seattle-King County Department of Public Health</del>	\$9,531,747
<del>Bremerton-Kitsap County Health District</del>	\$554,669
<del>Kittitas County Health Department</del>	\$92,499
<del>Klickitat County Health Department</del>	\$62,402
<del>Lewis County Health Department</del>	\$105,801
<del>Lincoln County Health Department</del>	\$29,705
<del>Mason County Department of Health Services</del>	\$95,988
<del>Okanogan County Health District</del>	\$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	Wheatecom County Health Department	\$855,863
12	Whitman County Health Department	\$78,733
13	Yakima Health District	\$623,797
14	<b>TOTAL APPROPRIATIONS</b>	<b>(\$24,000,000))</b>
15		

16	<b><u>Health District</u></b>	<b><u>FY 2011</u></b>
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	<b><u>TOTAL APPROPRIATIONS</u></b>	<b><u>\$22,303,000</u></b>

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) . . . . .	(( <del>\$3,615,000</del> ))
23		<u>\$1,815,000</u>
24	TOTAL APPROPRIATION . . . . .	(( <del>\$5,527,000</del> ))
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) . . . . .	<del>(\$8,000,000)</del>
16		<u>\$7,000,000</u>
17	TOTAL APPROPRIATION . . . . .	<del>(\$16,000,000)</del>
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**

1  
2  
3       **Sec. 901.** 2010 1st sp.s. c 32 s 3 (uncodified) is amended to read  
4 as follows:

5       (1)(a) The office of financial management shall certify to each  
6 executive branch state agency and institution of higher education the  
7 compensation reduction amount to be achieved by that agency or  
8 institution. Each agency and institution shall achieve compensation  
9 expenditure reductions as provided in the omnibus appropriations act.

10       (b) Each executive branch state agency other than institutions of  
11 higher education may submit to the office of financial management a  
12 compensation reduction plan to achieve the cost reductions as provided  
13 in the omnibus appropriations act. The compensation reduction plan of  
14 each executive branch agency may include, but is not limited to,  
15 employee leave without pay, including additional mandatory and  
16 voluntary temporary layoffs, reductions in the agency workforce,  
17 compensation reductions, and reduced work hours, as well as voluntary  
18 retirement, separation, and other incentive programs authorized by  
19 section 912, chapter 564, Laws of 2009. The amount of compensation  
20 cost reductions to be achieved by each agency shall be adjusted to  
21 reflect voluntary and mandatory temporary layoffs at the agency during  
22 the 2009-2011 fiscal biennium and implemented prior to January 1, 2010,  
23 but not adjusted by other compensation reduction plans adopted as a  
24 result of the enactment of chapter 564, Laws of 2009, or the enactment  
25 of other compensation cost reduction measures applicable to the 2009-  
26 2011 fiscal biennium.

27       (c) Each institution of higher education must submit to the office  
28 of financial management a compensation and operations reduction plan to  
29 achieve at least the cost reductions as provided in the omnibus  
30 appropriations act. For purposes of the reduction plan, the state  
31 board of community and technical colleges shall submit a single plan on  
32 behalf of all community and technical colleges. The reduction plan of  
33 each institution may include, but is not limited to, employee leave  
34 without pay, including mandatory and voluntary temporary layoffs,  
35 reductions in the institution workforce, compensation reductions, and  
36 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(~~(7- 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(~~(7- 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 NEW SECTION. **Sec. 922.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 923.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 immediately.

(End of part)

INDEX	PAGE #
ADMINISTRATOR FOR THE COURTS . . . . .	7
ATTORNEY GENERAL . . . . .	13
BOARD OF TAX APPEALS . . . . .	26
CASELOAD FORECAST COUNCIL . . . . .	14
CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS . . . . .	13
COMMISSION ON AFRICAN-AMERICAN AFFAIRS . . . . .	24
COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS . . . . .	11
COMMISSION ON HISPANIC AFFAIRS . . . . .	24
COMMISSION ON JUDICIAL CONDUCT . . . . .	7
CRIMINAL JUSTICE TRAINING COMMISSION . . . . .	91
DEPARTMENT OF AGRICULTURE . . . . .	130
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION . . . . .	33
DEPARTMENT OF COMMERCE . . . . .	15
DEPARTMENT OF CORRECTIONS . . . . .	104
DEPARTMENT OF EARLY LEARNING . . . . .	183
DEPARTMENT OF ECOLOGY . . . . .	113
DEPARTMENT OF FISH AND WILDLIFE . . . . .	122
DEPARTMENT OF GENERAL ADMINISTRATION . . . . .	26
DEPARTMENT OF HEALTH . . . . .	99
COUNTY PUBLIC HEALTH ASSISTANCE . . . . .	190
DEPARTMENT OF INFORMATION SERVICES . . . . .	27
DEPARTMENT OF LABOR AND INDUSTRIES . . . . .	93
DEPARTMENT OF LICENSING . . . . .	134
DEPARTMENT OF NATURAL RESOURCES . . . . .	127
DEPARTMENT OF REVENUE . . . . .	25
DEPARTMENT OF SERVICES FOR THE BLIND . . . . .	109
DEPARTMENT OF SOCIAL AND HEALTH SERVICES	
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM . . . . .	87
AGING AND ADULT SERVICES PROGRAM . . . . .	61
ALCOHOL AND SUBSTANCE ABUSE PROGRAM . . . . .	74
CHILDREN AND FAMILY SERVICES PROGRAM . . . . .	35
DEVELOPMENTAL DISABILITIES PROGRAM . . . . .	55
ECONOMIC SERVICES PROGRAM . . . . .	68
JUVENILE REHABILITATION PROGRAM . . . . .	43
MEDICAL ASSISTANCE PROGRAM . . . . .	75
MENTAL HEALTH PROGRAM . . . . .	48

PAYMENTS TO OTHER AGENCIES PROGRAM . . . . .	88
SPECIAL COMMITMENT PROGRAM . . . . .	86
VOCATIONAL REHABILITATION PROGRAM . . . . .	86
DEPARTMENT OF VETERANS AFFAIRS . . . . .	97
EASTERN WASHINGTON STATE HISTORICAL SOCIETY . . . . .	189
ECONOMIC AND REVENUE FORECAST COUNCIL . . . . .	23
EMPLOYMENT SECURITY DEPARTMENT . . . . .	110
GOVERNOR'S OFFICE OF INDIAN AFFAIRS . . . . .	11
GROWTH MANAGEMENT HEARINGS BOARD . . . . .	33
HIGHER EDUCATION COORDINATING BOARD	
POLICY COORDINATION AND ADMIN . . . . .	180
HUMAN RIGHTS COMMISSION . . . . .	90
INDETERMINATE SENTENCE REVIEW BOARD . . . . .	97
INFORMATION TECHNOLOGY . . . . .	192
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE . . . . .	2
JOINT LEGISLATIVE SYSTEMS COMMITTEE . . . . .	6
LIQUOR CONTROL BOARD . . . . .	29
MILITARY DEPARTMENT . . . . .	30
OFFICE OF ADMINISTRATIVE HEARINGS . . . . .	24
OFFICE OF FINANCIAL MANAGEMENT	
CAPITOL BUILDING CONSTRUCTION ACCOUNT . . . . .	192
EDUCATION LEGACY TRUST ACCOUNT . . . . .	194
EDUCATION TECHNOLOGY REVOLVING ACCOUNT . . . . .	193
WASHINGTON OPPORTUNITY PATHWAYS ACCOUNT . . . . .	193
PUBLIC DISCLOSURE COMMISSION . . . . .	10
PUBLIC EMPLOYMENT RELATIONS COMMISSION . . . . .	32
PUGET SOUND PARTNERSHIP . . . . .	132
RECREATION AND CONSERVATION FUNDING BOARD . . . . .	121
SENTENCING GUIDELINES COMMISSION . . . . .	109
SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE . . . . .	183
STATE AUDITOR . . . . .	11
STATE CONVENTION AND TRADE CENTER . . . . .	33
STATE HEALTH CARE AUTHORITY . . . . .	88
STATE PARKS AND RECREATION COMMISSION . . . . .	119
STATE PATROL . . . . .	135
STATE SCHOOL FOR THE BLIND . . . . .	186
STATE TREASURER	
TRANSFERS . . . . .	195
STATUTE LAW COMMITTEE . . . . .	6

SUPERINTENDENT OF PUBLIC INSTRUCTION . . . . .	138
EDUCATION REFORM PROGRAMS . . . . .	168
EDUCATIONAL SERVICE DISTRICTS . . . . .	166
GENERAL APPORTIONMENT . . . . .	147
PROGRAMS FOR HIGHLY CAPABLE STUDENTS . . . . .	167
PUPIL TRANSPORTATION . . . . .	159
SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS . . . . .	156
SCHOOL FOOD SERVICE PROGRAMS . . . . .	160
SPECIAL EDUCATION PROGRAMS . . . . .	161
UNIVERSITY OF WASHINGTON . . . . .	177
WASHINGTON STATE ARTS COMMISSION . . . . .	188
WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS . . . . .	187
WASHINGTON STATE HISTORICAL SOCIETY . . . . .	188
WASHINGTON STATE UNIVERSITY . . . . .	179
WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD . . . . .	182

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