

SB 6612 - S AMD
By Senator

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

3 "PART I
4 GENERAL GOVERNMENT

5 **Sec. 101.** 2011 2nd sp.s. c 9 s 101 (uncodified) is amended to read
6 as follows:

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2012)	((\$29,934,000))
9		<u>\$29,721,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$30,465,000))
11		<u>\$28,153,000</u>
12	Motor Vehicle Account--State Appropriation	((\$1,316,000))
13		<u>\$1,491,000</u>
14	TOTAL APPROPRIATION	((\$61,715,000))
15		<u>\$59,365,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$50,000 of the general fund--state
18 appropriation for fiscal year 2013 is provided solely to establish a
19 joint legislative task force on the higher education funding formula.
20 The task force shall consist of the following members:

21 (1)(a) Two members from each caucus of the senate appointed by the
22 president of the senate, two of the members must be members of the ways
23 and means committee and two must be members of the higher education and
24 workforce development committee; and

25 (b) Two members from each caucus of the house of representatives
26 appointed by the speaker of the house of representatives, two of the
27 members must be members of the ways and means committee and two must be
28 members of the higher education committee.

29 (2) The task force shall:

- 1 (a) Review the basis for the state funding of institutions of
2 higher education as defined in RCW 28B.10.016; and
3 (b) Prepare and approve a recommended state operating budget
4 methodology that establishes:
5 (i) A baseline level of funding per student which offers greater
6 stability, efficacy, transparency, and accountability for institutions
7 of higher education that receive public funds; and
8 (ii) The minimum outcomes expected in the institutions of higher
9 education from performance-based measures and goals as specified in RCW
10 28B.15.101 that will be associated with the baseline level of funding
11 per student.
12 (3) In establishing the funding methodology required in subsection
13 (3)(b) of this section, the task force shall consider the costs
14 associated with different programs of study as well as the unique
15 missions of each public institution of higher education.
16 (4) The task force shall use legislative facilities, and staff
17 support shall be provided by senate committee services and the house
18 office of program research. The meetings of the task force shall be
19 planned for times which coincide with regular meetings of legislative
20 committees to the maximum extent possible.
21 (5) The members of the task force shall serve without additional
22 compensation, but shall be reimbursed in accordance with RCW 44.04.120
23 while attending meetings of the task force.
24 (6) The task force shall report its findings and recommendations to
25 the governor and appropriate committees of the legislature by January
26 14, 2013.

27 **Sec. 102.** 2011 2nd sp.s. c 9 s 102 (uncodified) is amended to read
28 as follows:

29 **FOR THE SENATE**

30	General Fund--State Appropriation (FY 2012)	((\$21,770,000))
31		<u>\$21,447,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$23,864,000))
33		<u>\$21,756,000</u>
34	Motor Vehicle Account--State Appropriation	((\$1,400,000))
35		<u>\$1,421,000</u>
36	TOTAL APPROPRIATION	((\$47,034,000))
37		<u>\$44,624,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$50,000 of the general fund--state
3 appropriation for fiscal year 2013 is provided solely to establish a
4 joint legislative task force on the higher education funding formula as
5 established in section 101 of this act.

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

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

9	General Fund--State Appropriation (FY 2012)	(\$2,680,000)
10		<u>\$2,677,000</u>
11	General Fund--State Appropriation (FY 2013)	(\$2,741,000)
12		<u>\$2,577,000</u>
13	Medical Aid Account--State Appropriation	\$85,000
14	Accident Account--State Appropriation	\$85,000
15	TOTAL APPROPRIATION	(\$5,591,000)
16		<u>\$5,424,000</u>

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

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

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

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

1 (a) An analysis of marketing expenses and the impact on ticket
2 sales; the impact to sales of tickets from the change in lottery
3 beneficiaries; the competitive contracting processes for marketing
4 services and vendors and comparison to other states; identification of
5 whether there are duplicative or unproductive marketing activities; and
6 identification of whether savings may occur from changing vendors.

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

10 (4) \$85,000 of the medical aid account--state appropriation and
11 \$85,000 of the accident account--state appropriation are provided
12 solely for the purposes of House Bill No. 2123 (workers' compensation).
13 If the bill is not enacted by June 30, 2011, the amounts provided in
14 this subsection shall lapse.

15 (5) The joint legislative audit and review committee will assess
16 the costs of the department of fish and wildlife to produce trout to
17 achieve the department's desired freshwater stocking objectives and
18 compare these costs to the costs of the alternatives for producing
19 trout such as contracting for services. As part of its assessment, the
20 committee will consider the following:

21 (a) The total costs to the department for producing trout at
22 department trout production facilities, by category of trout
23 production, to achieve the department's desired freshwater stocking
24 objectives;

25 (b) The availability of alternative approaches to trout production,
26 including opportunities to contract with registered aquatic farmers,
27 and the costs of these alternative approaches; and

28 (c) A review of the experience of other states in contracting or
29 other alternative approaches to trout production.

30 (d) The committee will complete its assessment and report to the
31 legislature by December 1, 2012.

32 (6) The joint legislative audit and review committee shall review
33 and provide an update on the extent to which the Puget Sound
34 partnership's 2012 action agenda, state of the sound report, and other
35 activities implement the recommendations of the joint legislative audit
36 and review committee's 2011 audit entitled "Processes required to
37 measure Puget Sound restoration are not yet in place." The update must

1 be provided to the relevant policy committees of the senate and house
2 of representatives by January 1, 2013.

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

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

6	General Fund--State Appropriation (FY 2012)	((\$2,027,000))
7		<u>\$2,026,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$2,193,000))
9		<u>\$1,723,000</u>
10	TOTAL APPROPRIATION	((\$4,220,000))
11		<u>\$3,749,000</u>

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

14 **FOR THE OFFICE OF THE STATE ACTUARY**

15	((General Fund--State Appropriation (FY 2012)	\$24,000
16	General Fund--State Appropriation (FY 2013)	\$24,000)
17	Department of Retirement Systems Expense	
18	Account--State Appropriation	((\$3,344,000))
19		<u>\$3,324,000</u>
20	TOTAL APPROPRIATION	((\$3,392,000))
21		<u>\$3,324,000</u>

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

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

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

4 (b) Changes to the projected contributions that might be required
5 of members, employers, and the state based on a range of possible
6 economic and demographic experience and a variety of funding policies,
7 including both continued application of current funding policy to the
8 benefit obligations of each plan, and application of the law
9 enforcement officers' and fire fighters' retirement system plan 2
10 funding policies to the combined benefits of both plans;

11 (2) The state actuary shall solicit the input of the law
12 enforcement officers' and fire fighters' retirement system plan 2
13 retirement board and organizations representing members and retirees of
14 the law enforcement officers' and fire fighters' retirement system plan
15 1 on the issue of the merger of the two plans, and include
16 representative submissions of the input of the organizations along with
17 the report.

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

20 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

21	General Fund--State Appropriation (FY 2012)	((\$8,016,000))
22		<u>\$8,013,000</u>
23	General Fund--State Appropriation (FY 2013)	((\$7,911,000))
24		<u>\$7,677,000</u>
25	TOTAL APPROPRIATION	((\$15,927,000))
26		<u>\$15,690,000</u>

27 **Sec. 107.** 2011 2nd sp.s. c 9 s 103 (uncodified) is amended to read
28 as follows:

29 **FOR THE STATUTE LAW COMMITTEE**

30	General Fund--State Appropriation (FY 2012)	((\$4,248,000))
31		<u>\$4,245,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$4,689,000))
33		<u>\$4,524,000</u>
34	TOTAL APPROPRIATION	((\$8,937,000))
35		<u>\$8,769,000</u>

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

3 **FOR THE REDISTRICTING COMMISSION**

4	General Fund--State Appropriation (FY 2012)	\$1,627,000
5	General Fund--State Appropriation (FY 2013)	\$154,000
6	TOTAL APPROPRIATION	\$1,781,000

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

9 (1) \$443,000 of the general fund--state appropriation for fiscal
10 year 2012 is provided solely for the support of legislative
11 redistricting efforts. The commission shall enter into an interagency
12 agreement with the house of representatives and the senate for the
13 expenditure of these funds.

14 (2) The entire general fund--state appropriation for fiscal year
15 2013 is provided solely for the payment of expenses associated with the
16 cessation of the commission's operations. The secretary of the senate
17 and chief clerk of the house of representatives may jointly authorize
18 the expenditure of these funds.

19 NEW SECTION. **Sec. 109.** A new section is added to 2011 1st sp.s.
20 c 50 (uncodified) to read as follows:

21 **FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**

22	General Fund--State Appropriation (FY 2013)	\$3,016,000
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23 NEW SECTION. **Sec. 110.** A new section is added to 2011 1st sp.s.
24 c 50 (uncodified) to read as follows:

25 **LEGISLATIVE AGENCIES**

26 In order to achieve operating efficiencies within the financial
27 resources available to the legislative branch, the executive rules
28 committee of the house of representatives and the facilities and
29 operations committee of the senate by joint action may transfer funds
30 among the house of representatives, senate, joint legislative audit and
31 review committee, legislative evaluation and accountability program
32 committee, legislative transportation committee, office of the state
33 actuary, joint legislative systems committee, statute law committee,
34 office of legislative support services, and redistricting commission.

1 **Sec. 111.** 2011 2nd sp.s. c 9 s 104 (uncodified) is amended to read
2 as follows:

3 **FOR THE SUPREME COURT**

4	General Fund--State Appropriation (FY 2012)	((\$6,724,000))
5		<u>\$6,757,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$6,738,000))
7		<u>\$6,679,000</u>
8	TOTAL APPROPRIATION	((\$13,462,000))
9		<u>\$13,436,000</u>

10 **Sec. 112.** 2011 2nd sp.s. c 9 s 105 (uncodified) is amended to read
11 as follows:

12 **FOR THE LAW LIBRARY**

13	General Fund--State Appropriation (FY 2012)	((\$1,506,000))
14		<u>\$1,504,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$1,466,000))
16		<u>\$450,000</u>
17	<u>Judicial Information System Account--State</u>	
18	<u>Appropriation</u>	<u>\$1,000,000</u>
19	TOTAL APPROPRIATION	((\$2,972,000))
20		<u>\$2,954,000</u>

21 **Sec. 113.** 2011 2nd sp.s. c 9 s 106 (uncodified) is amended to read
22 as follows:

23 **FOR THE COURT OF APPEALS**

24	General Fund--State Appropriation (FY 2012)	((\$15,285,000))
25		<u>\$15,275,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$15,290,000))
27		<u>\$15,168,000</u>
28	TOTAL APPROPRIATION	((\$30,575,000))
29		<u>\$30,443,000</u>

30 **Sec. 114.** 2011 1st sp.s. c 50 s 112 (uncodified) is amended to
31 read as follows:

32 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

33	General Fund--State Appropriation (FY 2012)	((\$1,057,000))
34		<u>\$1,053,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$991,000))

1 \$976,000
 2 TOTAL APPROPRIATION ((~~\$2,048,000~~))
 3 \$2,029,000

4 **Sec. 115.** 2011 2nd sp.s. c 9 s 107 (uncodified) is amended to read
 5 as follows:

6 **FOR THE ADMINISTRATOR FOR THE COURTS**
 7 General Fund--State Appropriation (FY 2012) ((~~\$50,692,000~~))
 8 \$50,726,000
 9 General Fund--State Appropriation (FY 2013) ((~~\$50,235,000~~))
 10 \$48,376,000
 11 General Fund--Federal Appropriation \$2,532,000
 12 General Fund--Private/Local Appropriation \$390,000
 13 Judicial Information Systems Account--State
 14 Appropriation ((~~\$42,414,000~~))
 15 \$42,362,000
 16 Judicial Stabilization Trust Account--State
 17 Appropriation ((~~\$5,414,000~~))
 18 \$7,354,000
 19 TOTAL APPROPRIATION ((~~\$151,677,000~~))
 20 \$151,740,000

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

23 (1) \$1,800,000 of the general fund--state appropriation for fiscal
 24 year 2012 and \$1,800,000 of the general fund--state appropriation for
 25 fiscal year 2013 are provided solely for school districts for petitions
 26 to juvenile court for truant students as provided in RCW 28A.225.030
 27 and 28A.225.035. The office of the administrator for the courts shall
 28 develop an interagency agreement with the superintendent of public
 29 instruction to allocate the funding provided in this subsection.
 30 Allocation of this money to school districts shall be based on the
 31 number of petitions filed. This funding includes amounts school
 32 districts may expend on the cost of serving petitions filed under RCW
 33 28A.225.030 by certified mail or by personal service or for the
 34 performance of service of process for any hearing associated with RCW
 35 28A.225.030.

36 (2)(a) \$8,252,000 of the general fund--state appropriation for
 37 fiscal year 2012 and \$8,253,000 of the general fund--state

1 appropriation for fiscal year 2013 are provided solely for distribution
2 to county juvenile court administrators to fund the costs of processing
3 truancy, children in need of services, and at-risk youth petitions.
4 The administrator for the courts, in conjunction with the juvenile
5 court administrators, shall develop an equitable funding distribution
6 formula. The formula shall neither reward counties with higher than
7 average per-petition processing costs nor shall it penalize counties
8 with lower than average per-petition processing costs.

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

20 (3) The distributions made under this subsection and distributions
21 from the county criminal justice assistance account made pursuant to
22 section 801 of this act constitute appropriate reimbursement for costs
23 for any new programs or increased level of service for purposes of RCW
24 43.135.060.

25 (4) \$265,000 of the general fund--state appropriation for fiscal
26 year 2012 is provided solely for the office of public guardianship to
27 provide guardianship services for low-income incapacitated persons.

28 (5) \$1,178,000 of the judicial information systems account--state
29 appropriation is provided solely for replacing computer equipment at
30 state courts and state judicial agencies.

31 (6) No later than September 30, 2011, the judicial information
32 systems committee shall provide a report to the legislature on the
33 recommendations of the case management feasibility study, including
34 plans for a replacement of the superior court management information
35 system (SCOMIS) and plans for completing the data exchange core system
36 component consistent with a complete data exchange standard. No later
37 than December 31, 2011, the judicial information systems committee
38 shall provide a report to the legislature on the status of the data

1 exchange, the procurement process for a SCOMIS replacement, and a case
2 management system that is designed to meet the requirements approved by
3 the superior courts and county clerks of all thirty-nine counties. The
4 legislature shall solicit input on both reports from judicial,
5 legislative, and executive stakeholders.

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

16 (8) The Washington association of juvenile court administrators and
17 the juvenile rehabilitation administration, in consultation with the
18 community juvenile accountability act advisory committee and the
19 Washington state institute for public policy, shall analyze and review
20 data elements available from the administrative office of the courts
21 for possible integration into the evidence-based program quality
22 assurance plans and processes. The administrative office of the
23 courts, the Washington association of juvenile court administrators,
24 and the juvenile rehabilitation administration shall provide
25 information necessary to complete the review and analysis. The
26 Washington association of juvenile court administrators and the
27 juvenile rehabilitation administration shall report the findings of
28 their review and analysis, as well as any recommendations, to the
29 legislature by December 1, 2012.

30 (9) \$540,000 of the judicial stabilization trust account--state
31 appropriation for fiscal year 2013 is provided solely for the office of
32 public guardianship to continue guardianship services for those low-
33 income incapacitated persons who were receiving services on June 30,
34 2012.

35 **Sec. 116.** 2011 1st sp.s. c 50 s 115 (uncodified) is amended to
36 read as follows:

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

2	General Fund--State Appropriation (FY 2012)	((\$11,038,000))
3		<u>\$11,037,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$11,048,000))
5		<u>\$11,045,000</u>
6	Judicial Stabilization Trust Account--State	
7	Appropriation	\$1,093,000
8	TOTAL APPROPRIATION	((\$23,179,000))
9		<u>\$23,175,000</u>

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

18 **Sec. 117.** 2011 2nd sp.s. c 9 s 108 (uncodified) is amended to read
19 as follows:

20 **FOR THE OFFICE OF PUBLIC DEFENSE**

21	General Fund--State Appropriation (FY 2012)	((\$25,030,000))
22		<u>\$25,025,000</u>
23	General Fund--State Appropriation (FY 2013)	((\$24,972,000))
24		<u>\$31,017,000</u>
25	Judicial Stabilization Trust Account--State	
26	Appropriation	\$2,490,000
27	TOTAL APPROPRIATION	((\$52,492,000))
28		<u>\$58,532,000</u>

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

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

33 (2) By December 1, 2011, the office of public defense shall submit
34 to the appropriate policy and fiscal committees of the legislature a
35 proposal for office of public defense to assume the effective and
36 efficient administration of defense services for indigent persons
37 throughout the state who are involved in proceedings under chapter

1 71.09 RCW. In developing its proposal, the office of public defense
 2 should consult with interested stakeholders, including the King county
 3 public defender, the Washington defender association, the Washington
 4 association of criminal defense lawyers, the administrative office of
 5 the courts, the superior court judges association, the office of the
 6 attorney general, the King county prosecuting attorney, the Washington
 7 association of counties, and the department of social and health
 8 services. At a minimum, the proposal should identify:

9 (a) Procedures to control costs and require accountability,
 10 consistent with the state's obligation to ensure the right to counsel
 11 under both the United States Constitution and the Washington
 12 Constitution;

13 (b) Appropriate practice standards for trial-level defense of
 14 indigent persons involved in proceedings under chapter 71.09 RCW, an
 15 estimated number of attorneys statewide who are qualified to provide
 16 such representation, and reasonable compensation for such defense
 17 services;

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

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

22 (3) \$6,065,000 of the general fund--state appropriation for fiscal
 23 year 2013 is provided solely to implement Substitute Senate Bill No.
 24 6493 (sexual predator commitment). If the bill is not enacted by June
 25 30, 2012, the amount provided in this subsection shall lapse.

26 **Sec. 118.** 2011 2nd sp.s. c 9 s 109 (uncodified) is amended to read
 27 as follows:

28 **FOR THE OFFICE OF THE GOVERNOR**

29	General Fund--State Appropriation (FY 2012)	(((\$5,311,000)))
30		<u>\$5,110,000</u>
31	General Fund--State Appropriation (FY 2013)	(((\$5,292,000)))
32		<u>\$5,281,000</u>
33	Economic Development Strategic Reserve Account--State	
34	Appropriation	\$1,500,000
35	TOTAL APPROPRIATION	(((\$12,103,000)))
36		<u>\$11,891,000</u>

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

3 (1) \$1,500,000 of the economic development strategic reserve
4 account appropriation is provided solely for efforts to assist with
5 currently active industrial recruitment efforts that will bring new
6 jobs to the state or will retain headquarter locations of major
7 companies currently housed in the state.

8 (2) (~~(\$547,000)~~) \$404,000 of the general fund--state appropriation
9 for fiscal year 2012 and (~~(\$547,000)~~) \$418,000 of the general fund--
10 state appropriation for fiscal year 2013 are provided solely for the
11 office of the education ombudsman.

12 **Sec. 119.** 2011 1st sp.s. c 50 s 117 (uncodified) is amended to
13 read as follows:

14 **FOR THE LIEUTENANT GOVERNOR**

15	General Fund--State Appropriation (FY 2012)	((\$687,000))
16		<u>\$650,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$698,000))
18		<u>\$651,000</u>
19	General Fund--Private/Local Appropriation	\$90,000
20	TOTAL APPROPRIATION	((\$1,475,000))
21		<u>\$1,391,000</u>

22 **Sec. 120.** 2011 2nd sp.s. c 9 s 110 (uncodified) is amended to read
23 as follows:

24 **FOR THE PUBLIC DISCLOSURE COMMISSION**

25	General Fund--State Appropriation (FY 2012)	((\$2,106,000))
26		<u>\$2,011,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$2,129,000))
28		<u>\$1,951,000</u>
29	TOTAL APPROPRIATION	((\$4,235,000))
30		<u>\$3,962,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations: \$43,000 of the general fund--state
33 appropriation for fiscal year 2012 and \$82,000 of the general fund--
34 state appropriation for fiscal year 2013 are provided solely for the
35 implementation of Engrossed Substitute Senate Bill No. 5021 (election
36 campaign disclosure).

1 **Sec. 121.** 2011 2nd sp.s. c 9 s 111 (uncodified) is amended to read
2 as follows:

3 **FOR THE SECRETARY OF STATE**

4	General Fund--State Appropriation (FY 2012)	((\$16,014,000))
5		<u>\$15,994,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$12,862,000))
7		<u>\$8,675,000</u>
8	General Fund--Federal Appropriation	((\$7,338,000))
9		<u>\$7,326,000</u>
10	Public Records Efficiency, Preservation, and Access	
11	Account--State Appropriation	((\$7,950,000))
12		<u>\$7,085,000</u>
13	Charitable Organization Education Account--State	
14	Appropriation	((\$452,000))
15		<u>\$362,000</u>
16	Local Government Archives Account--State	
17	Appropriation	((\$10,557,000))
18		<u>\$8,519,000</u>
19	Election Account--Federal Appropriation	((\$17,288,000))
20		<u>\$17,284,000</u>
21	Washington State Heritage Center Account--State	
22	Appropriation	((\$1,028,000))
23		<u>\$5,028,000</u>
24	TOTAL APPROPRIATION	((\$73,489,000))
25		<u>\$70,273,000</u>

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

28 (1) \$3,898,000 of the general fund--state appropriation for fiscal
29 year 2012 is provided solely to reimburse counties for the state's
30 share of primary and general election costs and the costs of conducting
31 mandatory recounts on state measures. Counties shall be reimbursed
32 only for those odd-year election costs that the secretary of state
33 validates as eligible for reimbursement.

34 (2)(a) \$1,847,000 of the general fund--state appropriation for
35 fiscal year 2012 and \$1,926,000 of the general fund--state
36 appropriation for fiscal year 2013 are provided solely for contracting
37 with a nonprofit organization to produce gavel- to-gavel television
38 coverage of state government deliberations and other events of

1 statewide significance during the 2011-2013 biennium. The funding
2 level for each year of the contract shall be based on the amount
3 provided in this subsection. The nonprofit organization shall be
4 required to raise contributions or commitments to make contributions,
5 in cash or in kind, in an amount equal to forty percent of the state
6 contribution. The office of the secretary of state may make full or
7 partial payment once all criteria in this subsection have been
8 satisfactorily documented.

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

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

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

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

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

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

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

32 **Sec. 122.** 2011 1st sp.s. c 50 s 120 (uncodified) is amended to
33 read as follows:

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

35 General Fund--State Appropriation (FY 2012) ((\$259,000))
36 \$244,000

37 General Fund--State Appropriation (FY 2013) ((\$267,000))

1 \$248,000
 2 TOTAL APPROPRIATION ((~~\$526,000~~))
 3 \$492,000

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

15 **Sec. 123.** 2011 2nd sp.s. c 9 s 112 (uncodified) is amended to read
 16 as follows:

17 **FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS**
 18 General Fund--State Appropriation (FY 2012) ((~~\$236,000~~))
 19 \$222,000
 20 General Fund--State Appropriation (FY 2013) ((~~\$219,000~~))
 21 \$201,000
 22 TOTAL APPROPRIATION ((~~\$455,000~~))
 23 \$423,000

24 **Sec. 124.** 2011 2nd sp.s. c 9 s 113 (uncodified) is amended to read
 25 as follows:

26 **FOR THE STATE TREASURER**
 27 State Treasurer's Service Account--State
 28 Appropriation ((~~\$14,994,000~~))
 29 \$13,347,000

30 **Sec. 125.** 2011 2nd sp.s. c 9 s 114 (uncodified) is amended to read
 31 as follows:

32 **FOR THE STATE AUDITOR**
 33 State Auditing Services Revolving Account--State
 34 Appropriation ((~~\$10,293,000~~))
 35 \$9,209,000

1	Performance Audit of Government Account--State	
2	Appropriation	\$1,461,000
3	TOTAL APPROPRIATION	((\$11,754,000))
4		<u>\$10,670,000</u>

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

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

12 (2) \$1,461,000 of the performance audits of government account
13 appropriation is provided solely for staff and related costs to verify
14 the accuracy of reported school district data submitted for state
15 funding purposes; conduct school district program audits of state
16 funded public school programs; establish the specific amount of state
17 funding adjustments whenever audit exceptions occur and the amount is
18 not firmly established in the course of regular public school audits;
19 and to assist the state special education safety net committee when
20 requested.

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

29 **Sec. 126.** 2011 1st sp.s. c 50 s 124 (uncodified) is amended to
30 read as follows:

31	FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS	
32	General Fund--State Appropriation (FY 2012)	((\$158,000))
33		<u>\$143,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$195,000))
35		<u>\$184,000</u>
36	TOTAL APPROPRIATION	((\$353,000))
37		<u>\$327,000</u>

1 **Sec. 127.** 2011 2nd sp.s. c 9 s 115 (uncodified) is amended to read
2 as follows:

3 **FOR THE ATTORNEY GENERAL**

4	General Fund--State Appropriation (FY 2012)	\$4,758,000
5	General Fund--State Appropriation (FY 2013)	(\$2,727,000)
6		<u>\$7,690,000</u>
7	General Fund--Federal Appropriation	(\$8,819,000)
8		<u>\$10,015,000</u>
9	New Motor Vehicle Arbitration Account--State	
10	Appropriation	(\$972,000)
11		<u>\$968,000</u>
12	Legal Services Revolving Account--State	
13	Appropriation	(\$206,617,000)
14		<u>\$197,112,000</u>
15	Tobacco Prevention and Control Account--State	
16	Appropriation	\$270,000
17	<u>Medicaid Fraud Penalty Account--State</u>	
18	<u>Appropriation</u>	<u>\$1,129,000</u>
19	TOTAL APPROPRIATION	(\$224,163,000)
20		<u>\$221,942,000</u>

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

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

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

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

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

13 (5) \$62,000 of the legal services revolving fund--state
14 appropriation is provided solely to implement House Bill No. 1770
15 (state purchasing). If the bill is not enacted by June 30, 2011, the
16 amount provided in this subsection shall lapse.

17 (6) \$5,924,000 of the legal services revolving account--state
18 appropriation is provided solely to implement House Bill No. 2123
19 (workers' compensation). If the bill is not enacted by June 30, 2011,
20 the amount provided in this subsection shall lapse.

21 (7) The office of the attorney general is authorized to expend
22 \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer
23 protection costs in accordance with uses authorized in the court
24 orders.

25 (8) \$96,000 of the legal services revolving fund--state
26 appropriation is provided solely to implement Senate Bill No. 5076
27 (financial institutions). If the bill is not enacted by June 30, 2011,
28 the amount provided in this subsection shall lapse.

29 (9) \$99,000 of the legal services revolving fund--state
30 appropriation is provided solely to implement Engrossed Second
31 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill
32 is not enacted by June 30, 2011, the amount provided in this subsection
33 shall lapse.

34 (10) \$416,000 of the legal services revolving fund--state
35 appropriation is provided solely to implement Substitute Senate Bill
36 No. 5801 (industrial insurance system). If the bill is not enacted by
37 June 30, 2011, the amount provided in this subsection shall lapse.

1 (11) \$31,000 of the legal services revolving fund--state
2 appropriation is provided solely to implement Engrossed Substitute
3 Senate Bill No. 5021 (election campaign disclosure). If the bill is
4 not enacted by June 30, 2011, the amount provided in this subsection
5 shall lapse.

6 (12) The executive ethics board shall: (a) Develop a statewide
7 plan, with performance measures, to provide overall direction and
8 accountability in all executive branch agencies and statewide elected
9 offices; (b) coordinate and work with the commission on judicial
10 conduct and the legislative ethics board; (c) assess and evaluate each
11 agency's ethical culture through employee and stakeholder surveys,
12 review Washington state quality award feedback reports, and publish an
13 annual report on the results to the public; and (d) solicit outside
14 evaluations, studies, and recommendations for improvements from
15 academics, nonprofit organizations, the public disclosure commission,
16 or other entities with expertise in ethics, integrity, and the public
17 sector.

18 (13) \$5,743,000 of the general fund--state appropriation for fiscal
19 year 2013 is provided solely for the legal costs associated with the
20 evaluation, filing, prosecution, response to petitions for release, and
21 appeal of sexually violent predator civil commitment cases as provided
22 in chapter 71.09 RCW. Within the amount provided in this subsection,
23 the attorney general may enter into an interagency agreement with a
24 county prosecutor to perform prosecution services pursuant to chapter
25 71.09 RCW.

26 **Sec. 128.** 2011 2nd sp.s. c 9 s 116 (uncodified) is amended to read
27 as follows:

28 **FOR THE CASELOAD FORECAST COUNCIL**

29	General Fund--State Appropriation (FY 2012)	((\$1,310,000))
30		<u>\$1,278,000</u>
31	General Fund--State Appropriation (FY 2013)	((\$1,309,000))
32		<u>\$1,183,000</u>
33	TOTAL APPROPRIATION	((\$2,619,000))
34		<u>\$2,461,000</u>

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

1 (1) The appropriations in this section include funding for
 2 activities transferred from the sentencing guidelines commission to the
 3 caseload forecast council pursuant to Engrossed Substitute Senate Bill
 4 No. 5891 (criminal justice cost savings). Prior to the effective date
 5 of Engrossed Substitute Senate Bill No. 5891, the appropriations in
 6 this section may be expended for the continued operations and expenses
 7 of the sentencing guidelines commission pursuant to the expenditure
 8 authority schedule produced by the office of financial management in
 9 accordance with chapter 43.88 RCW.

10 (2) \$57,000 of the general fund--state appropriation for fiscal
 11 year 2012 and \$57,000 of the general fund--state appropriation for
 12 fiscal year 2013 are provided solely for the implementation of Senate
 13 Bill No. 5304 (college bound scholarship).

14 **Sec. 129.** 2011 2nd sp.s. c 9 s 117 (uncodified) is amended to read
 15 as follows:

16 **FOR THE DEPARTMENT OF COMMERCE**

17	General Fund--State Appropriation (FY 2012)	((\$57,261,000))
18		<u>\$31,647,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$72,459,000))
20		<u>\$29,557,000</u>
21	General Fund--Federal Appropriation	((\$282,185,000))
22		<u>\$338,106,000</u>
23	General Fund--Private/Local Appropriation	((\$4,989,000))
24		<u>\$4,947,000</u>
25	Public Works Assistance Account--State	
26	Appropriation	((\$2,764,000))
27		<u>\$2,738,000</u>
28	Drinking Water Assistance Administrative	
29	Account--State Appropriation	\$437,000
30	Lead Paint Account--State Appropriation	\$65,000
31	Building Code Council Account--State Appropriation	\$13,000
32	Home Security Fund Account--State Appropriation	((\$16,652,000))
33		<u>\$16,631,000</u>
34	Affordable Housing for All Account--State	
35	Appropriation	((\$11,902,000))
36		<u>\$13,915,000</u>
37	County Research Services Account--State	

1	Appropriation	((\$1,081,000))
2		<u>\$512,000</u>
3	Financial Fraud and Identity Theft Crimes Investigation	
4	and Prosecution Account--State Appropriation	\$1,166,000
5	Low-Income Weatherization Assistance Account--State	
6	Appropriation	((\$5,778,000))
7		<u>\$2,427,000</u>
8	City and Town Research Services Account--State	
9	Appropriation	((\$5,166,000))
10		<u>\$2,446,000</u>
11	((Manufacturing Innovation and Modernization	
12	Account--State Appropriation	\$61,000))
13	Community and Economic Development Fee Account--State	
14	Appropriation	((\$6,488,000))
15		<u>\$6,781,000</u>
16	Washington Housing Trust Account--State	
17	Appropriation	((\$17,498,000))
18		<u>\$23,452,000</u>
19	Prostitution Prevention and Intervention Account--	
20	State Appropriation	\$86,000
21	Public Facility Construction Loan Revolving	
22	Account--State Appropriation	((\$755,000))
23		<u>\$749,000</u>
24	Washington Community Technology Opportunity Account--	
25	State Appropriation	\$713,000
26	<u>Liquor Revolving Account--State Appropriation</u>	<u>\$2,802,000</u>
27	TOTAL APPROPRIATION	((\$487,519,000))
28		<u>\$479,190,000</u>

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

31 (1) Repayments of outstanding mortgage and rental assistance
32 program loans administered by the department under RCW 43.63A.640 shall
33 be remitted to the department, including any current revolving account
34 balances. The department shall collect payments on outstanding loans,
35 and deposit them into the state general fund. Repayments of funds owed
36 under the program shall be remitted to the department according to the
37 terms included in the original loan agreements.

1 (2) \$500,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$500,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for a grant to resolution
4 Washington to building statewide capacity for alternative dispute
5 resolution centers and dispute resolution programs that guarantee that
6 citizens have access to low-cost resolution as an alternative to
7 litigation.

8 (3) \$306,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$306,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for a grant to the retired senior
11 volunteer program.

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

15 (5) \$1,800,000 of the home security fund--state appropriation is
16 provided for transitional housing assistance or partial payments for
17 rental assistance under the independent youth housing program.

18 (6) \$5,000,000 of the home security fund--state appropriation is
19 for the operation, repair, and staffing of shelters in the homeless
20 family shelter program.

21 (7) (~~(\$198,000)~~) \$115,000 of the general fund--state appropriation
22 for fiscal year 2012 (~~(and \$198,000 of the general fund--state~~
23 ~~appropriation for fiscal year 2013 are))~~) is provided solely for the
24 Washington new Americans program.

25 (8) \$2,949,000 of the general fund--state appropriation for fiscal
26 year 2012 and \$2,949,000 of the general fund--state appropriation for
27 fiscal year 2013 are provided solely for associate development
28 organizations.

29 (9) \$127,000 of the general fund--federal appropriation is provided
30 solely for implementation of Substitute House Bill No. 1886
31 (Ruckelshaus center process). If the bill is not enacted by June 30,
32 2011, the amount provided in this subsection shall lapse.

33 (10) Up to \$200,000 of the general fund--private/local
34 appropriation is for a grant to the Washington tourism alliance for the
35 maintenance of the Washington state tourism web site
36 www.experiencewa.com and its related sub-sites. The department may
37 transfer ownership of the web site and other tourism promotion assets
38 and assign obligations to the Washington tourism alliance for purposes

1 of tourism promotion throughout the state. The alliance may use the
2 assets only in a manner consistent with the purposes for which they
3 were created. Any revenue generated from these assets must be used by
4 the alliance for the sole purposes of statewide Washington tourism
5 promotion. The legislature finds that the Washington tourism alliance,
6 a not-for-profit, 501.c.6 organization established, funded, and
7 governed by Washington tourism industry stakeholders to sustain
8 destination tourism marketing across Washington, is an appropriate body
9 to receive funding and assets from and assume obligations of the
10 department for the purposes described in this section.

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

14 (12) \$2,000,000 of the community and economic development fee
15 account appropriation is provided solely for the department of commerce
16 for services to homeless families through the Washington families fund.

17 (13) (~~(\$260,000)~~) \$173,000 of the general fund--state appropriation
18 for fiscal year 2012 (~~(and \$259,000 of the general fund--state~~
19 ~~appropriation for fiscal year 2013 are)~~) is provided solely for the
20 Washington asset building coalitions.

21 (14) \$1,859,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$1,859,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for innovative research teams,
24 also known as entrepreneurial STARS, at higher education research
25 institutions, and for entrepreneurs-in-residence programs at higher
26 education research institutions and entrepreneurial assistance
27 organizations. Of these amounts no more than \$50,000 in fiscal year
28 2012 and no more than \$50,000 in fiscal year 2013 may be provided for
29 the operation of entrepreneurs-in-residence programs at entrepreneurial
30 assistance organizations external to higher education research
31 institutions.

32 (15) Up to \$700,000 of the general fund--private/local
33 appropriation is for pass-through grants to cities in central Puget
34 Sound to plan for transfer of development rights receiving areas under
35 the central Puget Sound regional transfer of development rights
36 program.

37 (16) \$16,000 of the general fund--state appropriation for fiscal
38 year 2012 is provided solely to implement section 503 of Substitute

1 House Bill No. 1277 (licensed settings for vulnerable adults). The
2 long-term care ombudsman shall convene an adult family home quality
3 assurance panel to review problems concerning the quality of care for
4 residents in adult family homes. If Substitute House Bill No. 1277
5 (licensed settings for vulnerable adults) is not enacted by June 30,
6 2011, the amount provided in this subsection shall lapse.

7 (17) (~~(\$24,605,000 of the general fund state appropriation for~~
8 ~~fiscal year 2012 and \$39,527,000 of the general fund state~~
9 ~~appropriation for fiscal year 2013 are)) \$4,985,000 of the Washington
10 housing trust account--state appropriation is provided solely for
11 establishment of the essential needs and housing support program
12 created in Engrossed Substitute House Bill No. 2082 (essential needs
13 and assistance program). The department of commerce shall contract for
14 these services with counties or community-based organizations involved
15 in providing essential needs and housing supports to low-income persons
16 who meet eligibility pursuant to Engrossed Substitute House Bill No.
17 2082. The department shall limit the funding used for administration
18 of the program to no more than five percent. Counties and community
19 providers shall limit the funding used for administration of the
20 program to no more than seven percent.~~

21 (~~(a) Of the amounts provided in this subsection, \$4,000,000 is~~
22 ~~provided solely for essential needs to clients who meet the eligibility~~
23 ~~established in Engrossed Substitute House Bill No. 2082. Counties and~~
24 ~~community based organizations shall distribute basic essential products~~
25 ~~in a manner that prevents abuse. To the greatest extent possible, the~~
26 ~~counties or community based organizations shall leverage local or~~
27 ~~private funds, and volunteer support to acquire and distribute the~~
28 ~~basic essential products.~~

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

33 (~~(c) Of the amounts provided in this subsection, \$30,000,000 is~~
34 ~~provided solely as a contingency fund to provide housing support~~
35 ~~services for individuals who may become homeless and are otherwise~~
36 ~~eligible for this program pursuant to Engrossed Substitute House Bill~~
37 ~~No. 2082.)) (18) \$85,000 of the general fund--state appropriation for
38 fiscal year 2013 is provided solely for the developmental disabilities~~

1 council to contract for a family-to-family mentor program to provide
2 information and support to families and guardians of persons who are
3 transitioning out of residential habilitation centers. To the maximum
4 extent allowable under federal law, these funds shall be matched under
5 medicaid through the department of social and health services and
6 federal funds shall be transferred to the department for the purposes
7 stated in this subsection.

8 (19) \$12,000 of the general fund--state appropriation for fiscal
9 year 2013 is provided solely to implement Engrossed Second Substitute
10 Senate Bill No. 5292 (irrigation and port districts). If the bill is
11 not enacted by June 30, 2012, the amount provided in this subsection
12 shall lapse.

13 (20)(a) Within the funds appropriated in this section, the
14 department must:

15 (i) Develop, maintain, and update a centralized state trade web
16 portal;

17 (ii) Collaborate with state and federal agencies, trade experts,
18 and representatives of the business community to acquire relevant trade
19 content to include in the centralized state trade web portal; and

20 (iii) Collaborate with public and private organizations, trade
21 experts, and representatives of the business community to promote the
22 centralized state trade web portal.

23 (b) The department may:

24 (i) Derive revenue from the centralized state trade web portal.
25 Sources of revenue may include, but need not be limited to,
26 advertisements placed on the centralized state trade web portal by
27 third parties; and

28 (ii) Commercialize and license the centralized state trade web
29 portal technology.

30 (c) Any organization that receives state funding to develop trade-
31 related content must collaborate with the department to develop and
32 provide relevant trade content for inclusion in the centralized state
33 trade web portal. The department may also create a direct link from
34 the centralized state trade web portal to the trade web portal
35 developed independently by the organization receiving state funding.

36 **Sec. 130.** 2011 1st sp.s. c 50 s 128 (uncodified) is amended to
37 read as follows:

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

2	General Fund--State Appropriation (FY 2012)	((\$674,000))
3		<u>\$637,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$728,000))
5		<u>\$684,000</u>
6	Lottery Administrative Account--State Appropriation	\$50,000
7	TOTAL APPROPRIATION	((\$1,452,000))
8		<u>\$1,371,000</u>

9 **Sec. 131.** 2011 2nd sp.s. c 9 s 118 (uncodified) is amended to read
10 as follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

12	General Fund--State Appropriation (FY 2012)	((\$18,627,000))
13		<u>\$18,052,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$18,851,000))
15		<u>\$17,694,000</u>
16	General Fund--Federal Appropriation	((\$31,534,000))
17		<u>\$31,530,000</u>
18	General Fund--Private/Local Appropriation	((\$1,270,000))
19		<u>\$1,370,000</u>
20	Performance Audits of Government Account--	
21	State Appropriation	((\$25,000))
22		<u>\$198,000</u>
23	Economic Development Strategic Reserve Account--	
24	State Appropriation	\$280,000
25	Department of Personnel Services--State	
26	Appropriation	((\$7,827,000))
27		<u>\$8,551,000</u>
28	Data Processing Revolving Account--State	
29	Appropriation	((\$5,208,000))
30		<u>\$5,910,000</u>
31	Higher Education Personnel Services Account--State	
32	Appropriation	\$1,537,000
33	Aquatic Lands Enhancement Account--State Appropriation	\$100,000
34	<u>Forest Fire Protection Assessment Account--State</u>	
35	<u>Appropriation</u>	<u>\$250,000</u>
36	TOTAL APPROPRIATION	((\$85,259,000))
37		<u>\$85,472,000</u>

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

3 (1) \$1,210,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$1,210,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for implementation of House Bill
6 No. 1178 (regulatory assistance office). If the bill is not enacted by
7 June 30, 2011, the amounts provided in this subsection shall lapse.

8 (2) \$150,000 of the general fund--state appropriation for fiscal
9 year 2012 is provided solely for the office of financial management to
10 contract with an independent consultant to evaluate and recommend the
11 most cost-effective provision of services required to support the
12 department of social and health services special commitment center on
13 McNeil Island. The evaluation shall include island operation services
14 that include, but are not limited to: (a) Marine transport of
15 passengers and goods; (b) wastewater treatment; (c) fire protection and
16 suppression; (d) electrical supply; (e) water supply; and (f) road
17 maintenance.

18 The office of financial management shall solicit the input of
19 Pierce county, the department of corrections, and the department of
20 social and health services in developing the request for proposal,
21 evaluating applications, and directing the evaluation. The consultant
22 shall report to the governor and legislature by November 15, 2011.

23 (3) \$100,000 of the aquatic lands enhancement account--state
24 appropriation is provided solely for the office of financial management
25 to prepare a report to be used to initiate a comprehensive, long-range
26 planning process for the future of McNeil Island during the 2013-2015
27 fiscal biennium.

28 (a) The report on the initiation of the process must document:

29 (i) Ownership issues, including consultation with the federal
30 government about its current legal requirements associated with the
31 island;

32 (ii) Federal and state decision-making processes to change use or
33 ownership;

34 (iii) Tribal treaty interests;

35 (iv) Fish and wildlife species and their habitats;

36 (v) Land use and public safety needs;

37 (vi) Recreational opportunities for the general public;

38 (vii) Historic and archaeological resources; and

1 (viii) Revenue from and necessary to support potential future uses
2 of the island.

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

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

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

12 (i) Federal agencies with relevant responsibilities;

13 (ii) Tribal governments;

14 (iii) State agencies;

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

17 (v) Interested private organizations and individuals.

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

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

29 (5)(a) \$250,000 of the forest fire protection assessment account--
30 state appropriation is provided solely to contract for analysis and
31 recommendations to improve the efficiency and effectiveness of the
32 state's mechanisms for funding fire prevention, preparedness, and
33 suppression activities.

34 (b) The contract must provide for: (i) Consultation with the
35 appropriate committees of the legislature, the department of natural
36 resources, and appropriate stakeholders at the onset of the contract
37 regarding the scope of and timeline for the analysis and
38 recommendations; (ii) by September 1, 2012, development of initial

1 analysis of potential means to improve the efficiency and effectiveness
2 of the state's mechanisms for funding fire prevention, preparedness,
3 and suppression activities, including analysis of such options as the
4 use of private or state insurance, the use of overtime costs, the
5 increased use of revolving accounts, and any examples where those
6 mechanisms have been previously utilized; (iii) following development
7 of the initial analysis under (b)(ii) of this subsection, distribution
8 of the analysis and solicitation of input from the entities identified
9 in (b)(i) of this subsection; and (iv) based on the input under
10 (b)(iii) of this subsection, development of recommendations for
11 implementation of select potential means to improve the efficiency and
12 effectiveness of the state's mechanisms for funding fire prevention,
13 preparedness, and suppression activities, including the necessary steps
14 for implementation and opportunities and risks associated with the
15 identified mechanisms.

16 (c) By June 30, 2013, and consistent with RCW 43.01.036, the office
17 of financial management must provide a report to the appropriate
18 committees of the legislature, including the analysis and
19 recommendations developed under this subsection.

20 (6) The appropriations in this section for the office of regulatory
21 assistance assume the implementation of Senate Bill No. 6023 (permit
22 efficiency).

23 (7) In developing a plan to establish an integrated enterprise
24 system using a single portal, accessible through the internet, for
25 businesses to file taxes, fees, insurance premiums, and other
26 documents, the chief information officer must consider the potential
27 for private sector involvement in establishing and providing access to
28 the portal and lowering costs through private sector delivery of the
29 portal and attendant services. The chief information officer must
30 prepare a preliminary implementation plan by September 30, 2012, that
31 reflects a phased approach towards establishment of the portal, and by
32 January 1, 2013, must deliver to the governor and the appropriate
33 committees of the legislature a status report which outlines
34 initiatives underway and a final implementation plan.

35 **Sec. 132.** 2011 2nd sp.s. c 9 s 119 (uncodified) is amended to read
36 as follows:

1 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

2 Administrative Hearings Revolving Account--State

3 Appropriation ((~~\$34,043,000~~))
4 \$35,693,000

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

11 **Sec. 133.** 2011 2nd sp.s. c 9 s 120 (uncodified) is amended to read
12 as follows:

13 **FOR THE WASHINGTON STATE LOTTERY**

14 Lottery Administrative Account--State

15 Appropriation ((~~\$25,709,000~~))
16 \$24,693,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: Funding is reduced for administrative and
19 operating costs that do not impact revenue-generating activities.
20 Beyond these savings, the state lottery shall consider methods of
21 achieving other efficiencies, including reductions in unproductive
22 marketing expenses, reductions in contracted services, adjustments to
23 prize payments, and disbursements of unclaimed prize moneys in order to
24 increase distributions to beneficiaries.
25

26 **Sec. 134.** 2011 1st sp.s. c 50 s 132 (uncodified) is amended to
27 read as follows:

28 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

29 General Fund--State Appropriation (FY 2012) ((~~\$246,000~~))
30 \$232,000

31 General Fund--State Appropriation (FY 2013) ((~~\$250,000~~))
32 \$231,000

33 TOTAL APPROPRIATION ((~~\$496,000~~))
34 \$463,000

35 **Sec. 135.** 2011 1st sp.s. c 50 s 133 (uncodified) is amended to
36 read as follows:

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

2	General Fund--State Appropriation (FY 2012)	((\$239,000))
3		<u>\$219,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$238,000))
5		<u>\$226,000</u>
6	TOTAL APPROPRIATION	((\$477,000))
7		<u>\$445,000</u>

8 **Sec. 136.** 2011 2nd sp.s. c 9 s 121 (uncodified) is amended to read
9 as follows:

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

11	Department of Retirement Systems Expense	
12	Account--State Appropriation	((\$47,049,000))
13		<u>\$46,806,000</u>

14 The appropriation in this section is subject to the following
15 conditions and limitations:

16 (1) \$146,000 of the department of retirement systems--state
17 appropriation is provided solely for the administrative costs
18 associated with implementation of House Bill No. 2070 (state and local
19 government employees). If the bill is not enacted by June 30, 2011,
20 the amount provided in this subsection shall lapse.

21 (2) \$65,000 of the department of retirement systems--state
22 appropriation is provided solely for the administrative costs
23 associated with implementation of House Bill No. 1625 (plan 3 default
24 investment option). If the bill is not enacted by June 30, 2011, the
25 amount provided in this subsection shall lapse.

26 (3) \$133,000 of the department of retirement systems--state
27 appropriation is provided solely for the administrative costs
28 associated with implementation of Engrossed House Bill No. 1981 as
29 amended (post-retirement employment). If the bill is not enacted by
30 June 30, 2011, the amount provided in this subsection shall lapse.

31 (4) \$15,000 of the department of retirement systems expense
32 account--state appropriation is provided solely for the administrative
33 costs associated with implementation of Substitute House Bill No. 2021
34 (plan 1 annual increase amounts). If the bill is not enacted by June
35 30, 2011, the amount provided in this section shall lapse.

36 (5) \$64,000 of the department of retirement systems expense
37 account--state appropriation is provided solely for the administrative

1 costs associated with implementation of House Bill No. 2441 (limiting
2 excess compensation). If the bill is not enacted by June 30, 2012, the
3 amount provided in this subsection shall lapse.

4 (6) \$32,000 of the department of retirement systems expense
5 account--state appropriation is provided solely for the administrative
6 costs associated with implementation of Senate Bill No. 5159 (transfer
7 of service into the Washington state patrol retirement system). If the
8 bill is not enacted by June 30, 2012, the amount provided in this
9 subsection shall lapse.

10 (7) \$176,000 of the department of retirement systems expense
11 account--state appropriation is provided solely for the administrative
12 costs associated with implementation of Senate Bill No. 6378 (state
13 retirement plans). If the bill is not enacted by June 30, 2012, the
14 amount provided in this subsection shall lapse.

15 **Sec. 137.** 2011 2nd sp.s. c 9 s 122 (uncodified) is amended to read
16 as follows:

17 **FOR THE DEPARTMENT OF REVENUE**

18	General Fund--State Appropriation (FY 2012)	((\$100,927,000))
19		<u>\$100,726,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$100,801,000))
21		<u>\$99,000,000</u>
22	Timber Tax Distribution Account--State	
23	Appropriation	((\$5,940,000))
24		<u>\$5,903,000</u>
25	Waste Reduction/Recycling/Litter Control--State	
26	Appropriation	\$129,000
27	Waste Tire Removal Account--State Appropriation	\$2,000
28	State Toxics Control Account--State Appropriation	\$87,000
29	Oil Spill Prevention Account--State Appropriation	\$19,000
30	Master License Fund--State Appropriation	((\$14,012,000))
31		<u>\$13,928,000</u>
32	Vehicle License Fraud Account--State Appropriation	\$5,000
33	Performance Audits of Government Account--State	
34	Appropriation	\$3,188,000
35	TOTAL APPROPRIATION	((\$225,110,000))
36		<u>\$222,987,000</u>

1 **Sec. 138.** 2011 1st sp.s. c 50 s 137 (uncodified) is amended to
2 read as follows:

3 **FOR THE BOARD OF TAX APPEALS**

4	General Fund--State Appropriation (FY 2012)	((\$1,241,000))
5		<u>\$1,177,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$1,219,000))
7		<u>\$1,139,000</u>
8	TOTAL APPROPRIATION	((\$2,460,000))
9		<u>\$2,316,000</u>

10 **Sec. 139.** 2011 2nd sp.s. c 9 s 123 (uncodified) is amended to read
11 as follows:

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

13	OMWBE Enterprises Account--State Appropriation	((\$3,264,000))
14		<u>\$3,655,000</u>

15 **Sec. 140.** 2011 2nd sp.s. c 9 s 125 (uncodified) is amended to read
16 as follows:

17 **FOR THE INSURANCE COMMISSIONER**

18	General Fund--Federal Appropriation	((\$4,452,000))
19		<u>\$4,450,000</u>
20	Insurance Commissioners Regulatory Account--State	
21	Appropriation	((\$47,514,000))
22		<u>\$47,265,000</u>
23	TOTAL APPROPRIATION	((\$51,966,000))
24		<u>\$51,715,000</u>

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

27 (1) \$75,000 of the insurance commissioner's regulatory
28 account--state appropriation is provided solely for the implementation
29 of Substitute Senate Bill No. 5445 (health benefit exchange).

30 (2) \$42,000 of the insurance commissioner's regulatory
31 account--state appropriation is provided solely for the implementation
32 of Senate Bill No. 5213 (insurance statutes).

33 **Sec. 141.** 2011 2nd sp.s. c 9 s 126 (uncodified) is amended to read
34 as follows:

1 **FOR THE BOARD OF ACCOUNTANCY**

2 Certified Public Accountants' Account--State
3 Appropriation ((~~\$2,808,000~~))
4 \$2,697,000

5 **Sec. 142.** 2011 2nd sp.s. c 9 s 128 (uncodified) is amended to read
6 as follows:

7 **FOR THE LIQUOR CONTROL BOARD**

8 Liquor Control Board Construction and Maintenance
9 Account--State Appropriation ((~~\$10,081,000~~))
10 \$3,063,000
11 Liquor Revolving Account--State Appropriation ((~~\$176,238,000~~))
12 \$171,997,000
13 General Fund--Federal Appropriation ((~~\$120,000~~))
14 \$945,000
15 General Fund--Private/Local Appropriation \$25,000
16 TOTAL APPROPRIATION ((~~\$186,439,000~~))
17 \$176,072,000

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

20 (1) The legislature intends to facilitate the orderly transition of
21 liquor services as required by Initiative Measure No. 1183. For liquor
22 control board employees that remain through June 15, 2012, a temporary
23 opportunity to cash out sick leave is provided to assist the unique
24 challenges to the liquor control board and its employees posed by this
25 transition.

26 (2) Within the amounts appropriated in this section from the liquor
27 revolving account--state appropriation, liquor control board employees
28 who: (a) Occupy positions in the job classifications specified in
29 subsection (3)(c) of this section that will be eliminated after the
30 liquor control board ceases to distribute liquor; and (b) remain as
31 liquor control board employees through June 15, 2012, and who separate
32 from service due to lay off by October 1, 2012, may elect to receive
33 remuneration for their entire sick leave balance at a rate equal to one
34 day's current monetary compensation of the employee for each four full
35 days of accrued sick leave.

36 (3) The following conditions apply to sick leave cash out under
37 this subsection:

- 1 (a) The rate of monetary compensation for the purposes of this
2 subsection shall not be reduced by any temporary salary reduction;
3 (b) Remuneration or benefits received under this subsection shall
4 not be included for the purpose of computing a retirement allowance
5 under any public retirement system in this state;
6 (c) The following job classifications are eligible:
7 (i) Liquor store clerk;
8 (ii) Retail assistant store manager 1;
9 (iii) Retail assistant store manager 2;
10 (iv) Retail store manager 3;
11 (v) Retail store manager 4;
12 (vi) Retail district manager;
13 (vii) Retail operations manager;
14 (viii) Director of retail services;
15 (ix) Director of distribution center;
16 (x) Director of purchasing;
17 (xi) Director of business enterprise;
18 (xii) Warehouse operator 1;
19 (xiii) Warehouse operator 2;
20 (xiv) Warehouse operator 3; and
21 (xv) Warehouse operator 4; and
22 (d) If the legislature revoke any remuneration or benefits granted
23 under this section, an affected employee shall not be entitled
24 thereafter to receive such benefits as a matter of contractual right.

25 **Sec. 143.** 2011 2nd sp.s. c 9 s 129 (uncodified) is amended to read
26 as follows:

27 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

28	General Fund--Federal Appropriation	\$502,000
29	General Fund--Private/Local Appropriation	(\$11,175,000)
30		<u>\$11,166,000</u>
31	Public Service Revolving Account--State	
32	Appropriation	(\$30,992,000)
33		<u>\$30,929,000</u>
34	Pipeline Safety Account--State Appropriation	(\$3,201,000)
35		<u>\$3,186,000</u>
36	Pipeline Safety Account--Federal Appropriation	(\$2,848,000)
37		<u>\$2,844,000</u>

1 TOTAL APPROPRIATION ((~~\$48,718,000~~))
2 \$48,627,000

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

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

10 (2) \$15,000 of the pipeline safety account--state appropriation is
11 provided solely for the implementation of Engrossed Second Substitute
12 House Bill No. 1634 (underground utilities).

13 (3) \$182,000 of the public service revolving account--state
14 appropriation is provided solely for the implementation of Engrossed
15 Second Substitute Senate Bill No. 5769 (coal-fired generation).

16 (4) \$169,000 of the public service revolving account--state
17 appropriation is provided solely for the implementation of Second
18 Substitute Senate Bill No. 5034 (private infrastructure).

19 **Sec. 144.** 2011 2nd sp.s. c 9 s 130 (uncodified) is amended to read
20 as follows:

21 **FOR THE MILITARY DEPARTMENT**

22 General Fund--State Appropriation (FY 2012) ((~~\$7,175,000~~))
23 \$7,128,000
24 General Fund--State Appropriation (FY 2013) ((~~\$7,175,000~~))
25 \$6,987,000
26 General Fund--Federal Appropriation ((~~\$159,181,000~~))
27 \$159,075,000
28 Enhanced 911 Account--State Appropriation ((~~\$46,556,000~~))
29 \$48,620,000
30 Disaster Response Account--State Appropriation ((~~\$17,933,000~~))
31 \$17,923,000
32 Disaster Response Account--Federal Appropriation \$66,266,000
33 Military Department Rent and Lease Account--State
34 Appropriation \$615,000
35 Worker and Community Right-to-Know Account--State
36 Appropriation ((~~\$2,165,000~~))
37 \$2,163,000

1 TOTAL APPROPRIATION ((~~\$307,066,000~~))
2 \$308,777,000

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

5 (1) \$18,018,000 of the disaster response account--state
6 appropriation and \$66,266,000 of the disaster response account--federal
7 appropriation may be spent only on disasters declared by the governor
8 and with the approval of the office of financial management. The
9 military department shall submit a report to the office of financial
10 management and the legislative fiscal committees on October 1st and
11 February 1st of each year detailing information on the disaster
12 response account, including: (a) The amount and type of deposits into
13 the account; (b) the current available fund balance as of the reporting
14 date; and (c) the projected fund balance at the end of the 2011-2013
15 biennium based on current revenue and expenditure patterns.

16 (2) \$75,000,000 of the general fund--federal appropriation is
17 provided solely for homeland security, subject to the following
18 conditions:

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

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

28 **Sec. 145.** 2011 2nd sp.s. c 9 s 131 (uncodified) is amended to read
29 as follows:

30 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

31 General Fund--State Appropriation (FY 2012) ((~~\$2,346,000~~))
32 \$2,105,000
33 General Fund--State Appropriation (FY 2013) ((~~\$2,400,000~~))
34 \$2,134,000

35 Higher Education Personnel Services Account--State
36 Appropriation \$251,000
37 Department of Personnel Service Account--State

1	Appropriation	((\$3,309,000))
2		<u>\$3,291,000</u>
3	TOTAL APPROPRIATION	((\$8,306,000))
4		<u>\$7,781,000</u>

5 **Sec. 146.** 2011 2nd sp.s. c 9 s 132 (uncodified) is amended to read
6 as follows:

7 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

8	General Fund--State Appropriation (FY 2012)	((\$3,501,000))
9		<u>\$3,401,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$3,495,000))
11		<u>\$3,309,000</u>
12	General Fund--Federal Appropriation	\$177,000
13	General Fund--Private/Local Appropriation	\$368,000
14	Building Code Council Account--State Appropriation	((\$1,187,000))
15		<u>\$1,186,000</u>
16	Department of Personnel Service Account--State	
17	Appropriation	((\$11,119,000))
18		<u>\$11,117,000</u>
19	Enterprise Services Account--State Appropriation	((\$26,540,000))
20		<u>\$26,406,000</u>
21	TOTAL APPROPRIATION	((\$46,387,000))
22		<u>\$45,964,000</u>

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

25 (1) The appropriations in this section are for the operations and
26 expenses of the department of enterprise services as established by
27 Engrossed Substitute Senate Bill No. 5931 (central service functions of
28 state government), effective October 1, 2011. Prior to October 1,
29 2011, the appropriations in this section may be expended for the
30 continued operations and expenses of the office of financial
31 management, the department of general administration, the department of
32 information services, and the department of personnel, pursuant to the
33 expenditure authority schedules produced by the office of financial
34 management, in accordance with chapter 43.88 RCW.

35 (2) ((~~\$3,090,000~~)) \$3,028,000 of the general fund--state
36 appropriation for fiscal year 2012 and ((~~\$3,090,000~~)) \$2,967,000 of the
37 general fund--state appropriation for fiscal year 2013 are provided

1 solely for the payment of facilities and services charges, utilities
2 and contracts charges, public and historic facilities charges, and
3 capital projects surcharges allocable to the senate, house of
4 representatives, statute law committee, and joint legislative systems
5 committee. The department shall allocate charges attributable to these
6 agencies among the affected revolving funds. The department shall
7 maintain an interagency agreement with these agencies to establish
8 performance standards, prioritization of preservation and capital
9 improvement projects, and quality assurance provisions for the delivery
10 of services under this subsection. The legislative agencies named in
11 this subsection shall continue to enjoy all of the same rights of
12 occupancy and space use on the capitol campus as historically
13 established.

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

17 (4) The building code council account appropriation is provided
18 solely for the operation of the state building code council as required
19 by statute and modified by the standards established by executive order
20 10-06. The council shall not consider any proposed code amendment or
21 take any other action not authorized by statute or in compliance with
22 the standards established in executive order 10-06. No member of the
23 council may receive compensation, per diem, or reimbursement for
24 activities other than physical attendance at those meetings of the
25 state building code council or the council's designated committees, at
26 which the opportunity for public comment is provided generally and on
27 all agenda items upon which the council proposes to take action.

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

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

32 **Sec. 147.** 2011 1st sp.s. c 50 s 142 (uncodified) is amended to
33 read as follows:

34 **FOR THE FORENSIC INVESTIGATION COUNCIL**
35 Death Investigations Account--State Appropriation (~~(\$286,000)~~)
36 \$280,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: \$250,000 of the death investigations
3 account appropriation is provided solely for providing financial
4 assistance to local jurisdictions in multiple death investigations.
5 The forensic investigation council shall develop criteria for awarding
6 these funds for multiple death investigations involving an
7 unanticipated, extraordinary, and catastrophic event or those involving
8 multiple jurisdictions.

9 **Sec. 148.** 2011 1st sp.s. c 50 s 149 (uncodified) is amended to
10 read as follows:

11 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
12 Washington State Heritage Center Account--State

13	Appropriation	((\$2,517,000))
14		<u>\$2,490,000</u>
15	General Fund--Federal Appropriation	((\$1,908,000))
16		<u>\$1,904,000</u>
17	General Fund--Private/Local Appropriation	\$14,000
18	TOTAL APPROPRIATION	((\$4,439,000))
19		<u>\$4,408,000</u>

20 **Sec. 149.** 2011 1st sp.s. c 50 s 147 (uncodified) is amended to
21 read as follows:

22 **FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**
23 Volunteer Firefighters' and Reserve Officers'

24	Administrative Account--State Appropriation	((\$1,064,000))
25		<u>\$1,043,000</u>

26 **Sec. 150.** 2011 1st sp.s. c 50 s 136 (uncodified) is amended to
27 read as follows:

28 **FOR THE STATE INVESTMENT BOARD**
29 State Investment Board Expense Account--State

30	Appropriation	((\$29,256,000))
31		<u>\$29,094,000</u>

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

1	FOR INNOVATE WASHINGTON	
2	General Fund--State Appropriation (FY 2012)	((\$2,999,000))
3		<u>\$2,910,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$3,011,000))
5		<u>\$2,784,000</u>
6	TOTAL APPROPRIATION	((\$6,010,000))
7		<u>\$5,694,000</u>

8 **Sec. 152.** 2011 2nd sp.s. c 9 s 127 (uncodified) is amended to read
9 as follows:

10	FOR THE HORSE RACING COMMISSION	
11	Horse Racing Commission Operating Account--State	
12	Appropriation	((\$4,007,000))
13		<u>\$3,964,000</u>

(End of part)

1 integrated care project (MICP), the health care authority and the
2 department may combine and transfer such medicaid funds appropriated
3 under sections 204, 206, 208, and 213 of this act as may be necessary
4 to finance a unified health care plan for the WMIP and the MICP program
5 enrollment. The WMIP pilot projects shall not exceed a daily
6 enrollment of 6,000 persons, nor expand beyond one county during the
7 2011-2013 fiscal biennium. The amount of funding assigned from each
8 program may not exceed the average per capita cost assumed in this act
9 for individuals covered by that program, actuarially adjusted for the
10 health condition of persons enrolled, times the number of clients
11 enrolled. In implementing the WMIP and the MICP, the health care
12 authority and the department may: ~~((a))~~ (i) Withhold from
13 calculations of "available resources" as set forth in RCW 71.24.025 a
14 sum equal to the capitated rate for enrolled individuals; and ~~((b))~~
15 (ii) employ capitation financing and risk-sharing arrangements in
16 collaboration with health care service contractors licensed by the
17 office of the insurance commissioner and qualified to participate in
18 both the medicaid and medicare programs. The health care authority and
19 the department shall conduct an evaluation of the WMIP by October 15,
20 2012, and of the MICP, measuring changes in participant health
21 outcomes, changes in patterns of service utilization, participant
22 satisfaction, participant access to services, and the state fiscal
23 impact.

24 (b) Effective January 1, 2013, if Washington has been selected to
25 participate in phase two of the federal demonstration project for
26 persons dually-eligible for both medicare and medicaid, the department
27 and the authority may initiate the MICP. Participation in the project
28 shall be limited to persons who are eligible for both medicare and
29 medicaid and to counties in which the county legislative authority has
30 agreed to the terms and conditions under which it will operate. The
31 purpose of the project shall be to demonstrate and evaluate ways to
32 improve care while reducing state expenditures for persons enrolled
33 both in medicare and medicaid. To that end, prior to initiating the
34 project, the department and the authority shall assure that state
35 expenditures shall be no greater on either a per person or total basis
36 than the state would otherwise incur.

37 (4) The legislature finds that medicaid payment rates, as
38 calculated by the department pursuant to the appropriations in this

1 act, bear a reasonable relationship to the costs incurred by
2 efficiently and economically operated facilities for providing quality
3 services and will be sufficient to enlist enough providers so that care
4 and services are available to the extent that such care and services
5 are available to the general population in the geographic area. The
6 legislature finds that cost reports, payment data from the federal
7 government, historical utilization, economic data, and clinical input
8 constitute reliable data upon which to determine the payment rates.

9 (5) The department shall to the maximum extent practicable use the
10 same system for delivery of spoken-language interpreter services for
11 social services appointments as the one established for medical
12 appointments in section 213 of this act. When contracting directly
13 with an individual to deliver spoken language interpreter services, the
14 department shall only contract with language access providers who are
15 working at a location in the state and who are state- certified or
16 state-authorized, except that when such a provider is not available,
17 the department may use a language access provider who meets other
18 certifications or standards deemed to meet state standards, including
19 interpreters in other states.

20 (6)(a) The appropriations to the department of social and health
21 services in this act shall be expended for the programs and in the
22 amounts specified in this act. However, after May 1, 2012, unless
23 specifically prohibited by this act, the department may transfer
24 general fund--state appropriations for fiscal year 2012 among programs
25 after approval by the director of financial management. However, the
26 department shall not transfer state moneys that are provided solely for
27 a specified purpose except as expressly provided in (b) of this
28 subsection.

29 (b) To the extent that transfers under (a) of this subsection are
30 insufficient to fund actual expenditures in excess of fiscal year 2012
31 caseload forecasts and utilization assumptions in the long-term care,
32 foster care, adoptions support, medicaid personal care, and child
33 support programs, the department may transfer state moneys that are
34 provided solely for a specified purpose. The department shall not
35 transfer funds, and the director of financial management shall not
36 approve the transfer, unless the transfer is consistent with the
37 objective of conserving, to the maximum extent possible, the
38 expenditure of state funds. The director of financial management shall

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

8 **Sec. 202.** 2011 2nd sp.s. c 9 s 202 (uncodified) is amended to read
9 as follows:

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

12	General Fund--State Appropriation (FY 2012)	((\$295,011,000))
13		<u>\$286,492,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$294,232,000))
15		<u>\$283,684,000</u>
16	General Fund--Federal Appropriation	((\$487,912,000))
17		<u>\$478,675,000</u>
18	General Fund--Private/Local Appropriation	((\$1,358,000))
19		<u>\$1,354,000</u>
20	Home Security Fund--State Appropriation	\$10,741,000
21	Domestic Violence Prevention Account--State	
22	Appropriation	((\$1,154,000))
23		<u>\$1,240,000</u>
24	Education Legacy Trust Account--State Appropriation	\$725,000
25	TOTAL APPROPRIATION	((\$1,091,133,000))
26		<u>\$1,062,911,000</u>

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

29 (1) Within amounts provided for the foster care and adoption
30 support programs, the department shall control reimbursement decisions
31 for foster care and adoption support cases such that the aggregate
32 average cost per case for foster care and for adoption support does not
33 exceed the amounts assumed in the projected caseload expenditures.

34 (2) ((~~\$668,000~~)) \$651,000 of the general fund--state appropriation
35 for fiscal year 2012 and ((~~\$668,000~~)) \$601,000 of the general fund--
36 state appropriation for fiscal year 2013 are provided solely to
37 contract for the operation of one pediatric interim care center. The

1 center shall provide residential care for up to thirteen children
2 through two years of age. Seventy-five percent of the children served
3 by the center must be in need of special care as a result of substance
4 abuse by their mothers. The center shall also provide on-site training
5 to biological, adoptive, or foster parents. The center shall provide
6 at least three months of consultation and support to the parents
7 accepting placement of children from the center. The center may
8 recruit new and current foster and adoptive parents for infants served
9 by the center. The department shall not require case management as a
10 condition of the contract. The department shall collaborate with the
11 pediatric interim care center to determine if and how the center could
12 be appropriately incorporated into the performance-based contract model
13 and report its findings to the legislature by December 1, 2012.

14 (3)(a) (~~(\$85,202,000)~~) \$80,402,000 of the general fund--state
15 appropriation for fiscal year 2012, (~~(\$85,408,000)~~) \$80,477,000 of the
16 general fund--state appropriation for fiscal year 2013, and
17 (~~(\$79,279,000)~~) \$74,630,000 of the general fund--federal appropriation
18 are provided solely for services for children and families (~~(subject to~~
19 ~~RCW 74.13.360 and House Bill No. 2122 (child welfare).~~ Prior to
20 ~~approval of contract services pursuant to RCW 74.13.360 and House Bill~~
21 ~~No. 2122,)).~~ The amounts provided in this section shall be allotted on
22 a monthly basis and expenditures shall not exceed allotments based on
23 a three month rolling average without approval of the office of
24 financial management following notification to the legislative fiscal
25 committees.

26 (b) The department shall use performance-based contracts to provide
27 services to safely reduce the number of children in out-of-home care,
28 safely reduce the time spent in out-of-home care prior to achieving
29 permanency, and safely reduce the number of children returning to
30 out-of-home care following permanency. The department shall provide an
31 initial report to the legislature and the governor by January 15, 2012,
32 regarding the start-up costs associated with performance-based
33 contracts under RCW 74.13.360 (~~and House Bill No. 2122 (child~~
34 ~~welfare))~~)).

35 (c) Of the amounts provided in (a) of this subsection, \$579,000 of
36 the general fund--state appropriation for fiscal year 2013 and \$109,000
37 of the general fund--federal appropriation are provided solely for the
38 receiving care center Sally's house.

1 (4) \$176,000 of the general fund--state appropriation for fiscal
2 year 2012, \$177,000 of the general fund--state appropriation for fiscal
3 year 2013, \$656,000 of the general fund--private/local appropriation,
4 \$253,000 of the general fund--federal appropriation, and \$725,000 of
5 the education legacy trust account--state appropriation are provided
6 solely for children's administration to contract with an educational
7 advocacy provider with expertise in foster care educational outreach.
8 The amounts in this subsection are provided solely for contracted
9 education coordinators to assist foster children in succeeding in K-12
10 and higher education systems and to assure a focus on education during
11 the transition to performance based contracts. Funding shall be
12 prioritized to regions with high numbers of foster care youth and/or
13 regions where backlogs of youth that have formerly requested
14 educational outreach services exist. The department shall utilize
15 private matching funds to maintain educational advocacy services.

16 (5) \$670,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$670,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for services provided through
19 children's advocacy centers.

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

29 (7) \$10,741,000 of the home security fund--state appropriation is
30 provided solely for the department to contract for services pursuant to
31 RCW 13.32A.030 and 74.15.220. The department shall contract and
32 collaborate with service providers in a manner that maintains the
33 availability and geographic representation of secure and semi-secure
34 crisis residential centers and HOPE centers. To achieve efficiencies
35 and increase utilization, the department shall allow the co-location of
36 these centers, except that a youth may not be placed in a secure
37 facility or the secure portion of a co-located facility except as
38 specifically authorized by chapter 13.32A RCW. The reductions to

1 appropriations in this subsection related to semi-secure crisis
2 residential centers reflect a reduction to the number of beds for semi-
3 secure crisis residential centers and not a reduction in rates. Any
4 secure crisis residential center or semi-secure crisis residential
5 center bed reduction shall not be based solely upon bed utilization.
6 The department is to exercise its discretion in reducing the number of
7 beds but to do so in a manner that maintains availability and
8 geographic representation of semi-secure and secure crisis residential
9 centers.

10 (8) \$47,000 of the general fund--state appropriation for fiscal
11 year 2012, \$14,000 of the general fund--state appropriation for fiscal
12 year 2013, and \$40,000 of the general fund--federal appropriation are
13 provided solely to implement Substitute House Bill No. 1697 (dependency
14 system). If the bill is not enacted by June 30, 2011, the amounts
15 provided in this subsection shall lapse.

16 (9) \$564,000 of the general fund--federal appropriation is provided
17 solely to implement Second Substitute House Bill No. 1128 (extended
18 foster care). If the bill is not enacted by June 30, 2011, the amount
19 provided in this subsection shall lapse.

20 (10) \$799,000 of the general fund--state appropriation for fiscal
21 year 2013 and \$799,000 of the general fund--federal appropriation are
22 provided solely for the implementation of Engrossed Second Substitute
23 House Bill No. 2264 (child welfare/contracting). If the bill is not
24 enacted by June 30, 2012, the amounts provided in this subsection shall
25 lapse.

26 (11) \$178,000 of the general fund--federal appropriation is
27 provided solely for the implementation of Engrossed Second Substitute
28 House Bill No. 2592 (extended foster care). If the bill is not enacted
29 by June 30, 2012, the amount provided in this subsection shall lapse.

30 (12) \$616,000 of the general fund--state appropriation for fiscal
31 year 2013 and \$616,000 of the general fund--federal appropriation are
32 provided solely for the implementation of Engrossed Substitute Senate
33 Bill No. 6555 (child protective services). If the bill is not enacted
34 by June 30, 2012, the amounts provided in this subsection shall lapse.

35 **Sec. 203.** 2011 2nd sp.s. c 9 s 203 (uncodified) is amended to read
36 as follows:

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

3	General Fund--State Appropriation (FY 2012)	((\$86,684,000))
4		<u>\$85,731,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$86,505,000))
6		<u>\$85,274,000</u>
7	General Fund--Federal Appropriation	((\$3,758,000))
8		<u>\$3,809,000</u>
9	General Fund--Private/Local Appropriation	\$1,903,000
10	Washington Auto Theft Prevention Authority Account--	
11	State Appropriation	\$196,000
12	Juvenile Accountability Incentive Account--Federal	
13	Appropriation	\$2,801,000
14	TOTAL APPROPRIATION	((\$181,847,000))
15		<u>\$179,714,000</u>

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

18 (1) \$331,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$331,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for deposit in the county criminal
21 justice assistance account for costs to the criminal justice system
22 associated with the implementation of chapter 338, Laws of 1997
23 (juvenile code revisions). The amounts provided in this subsection are
24 intended to provide funding for county adult court costs associated
25 with the implementation of chapter 338, Laws of 1997 and shall be
26 distributed in accordance with RCW 82.14.310.

27 (2) \$2,716,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$2,716,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for the implementation of chapter
30 338, Laws of 1997 (juvenile code revisions). The amounts provided in
31 this subsection are intended to provide funding for county impacts
32 associated with the implementation of chapter 338, Laws of 1997 and
33 shall be distributed to counties as prescribed in the current
34 consolidated juvenile services (CJS) formula.

35 (3) \$3,482,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$3,482,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely to implement community juvenile
38 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile

1 code revisions). Funds provided in this subsection may be used solely
2 for community juvenile accountability grants, administration of the
3 grants, and evaluations of programs funded by the grants.

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

14 (5) \$3,123,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$3,123,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for grants to county juvenile
17 courts for the following programs identified by the Washington state
18 institute for public policy (institute) in its October 2006 report:
19 "Evidence-Based Public Policy Options to Reduce Future Prison
20 Construction, Criminal Justice Costs and Crime Rates": Functional
21 family therapy, multi-systemic therapy, aggression replacement training
22 and interagency coordination programs, or other programs with a
23 positive benefit-cost finding in the institute's report. County
24 juvenile courts shall apply to the juvenile rehabilitation
25 administration for funding for program-specific participation and the
26 administration shall provide grants to the courts consistent with the
27 per-participant treatment costs identified by the institute.

28 (6) \$1,537,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,537,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for expansion of the following
31 treatments and therapies in juvenile rehabilitation administration
32 programs identified by the Washington state institute for public policy
33 in its October 2006 report: "Evidence-Based Public Policy Options to
34 Reduce Future Prison Construction, Criminal Justice Costs and Crime
35 Rates": Multidimensional treatment foster care, family integrated
36 transitions, and aggression replacement training, or other programs
37 with a positive benefit-cost finding in the institute's report. The

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

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

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

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

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

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

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

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

26 (9) The Washington association of juvenile court administrators and
27 the juvenile rehabilitation administration, in consultation with the
28 community juvenile accountability act advisory committee and the
29 Washington state institute for public policy, shall analyze and review
30 data elements available from the administrative office of the courts
31 for possible integration into the evidence-based program quality
32 assurance plans and processes. The administrative office of the
33 courts, the Washington association of juvenile court administrators,
34 and the juvenile rehabilitation administration shall provide
35 information necessary to complete the review and analysis. The
36 Washington association of juvenile court administrators and the
37 juvenile rehabilitation administration shall report the findings of

1 their review and analysis, as well as any recommendations, to the
2 appropriate committees of the legislature by December 1, 2012.

3 **Sec. 204.** 2011 2nd sp.s. c 9 s 204 (uncodified) is amended to read
4 as follows:

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

7 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

8 General Fund--State Appropriation (FY 2012)	((\$317,392,000))
9	<u>\$317,548,000</u>
10 General Fund--State Appropriation (FY 2013)	((\$322,982,000))
11	<u>\$324,319,000</u>
12 General Fund--Federal Appropriation	((\$448,732,000))
13	<u>\$449,368,000</u>
14 General Fund--Private/Local Appropriation	\$17,864,000
15 Hospital Safety Net Assessment Fund--State	
16 Appropriation	((\$6,802,000))
17	<u>\$5,251,000</u>
18 TOTAL APPROPRIATION	((\$1,113,772,000))
19	<u>\$1,114,350,000</u>

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

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

36 (b) \$6,590,000 of the general fund--state appropriation for fiscal
37 year 2012, \$6,590,000 of the general fund--state appropriation for

1 fiscal year 2013, and \$7,620,000 of the general fund--federal
2 appropriation are provided solely for the department and regional
3 support networks to continue to contract for implementation of high-
4 intensity programs for assertive community treatment (PACT) teams. In
5 determining the proportion of medicaid and nonmedicaid funding provided
6 to regional support networks with PACT teams, the department shall
7 consider the differences between regional support networks in the
8 percentages of services and other costs associated with the teams that
9 are not reimbursable under medicaid. The department may allow regional
10 support networks which have nonmedicaid reimbursable costs that are
11 higher than the nonmedicaid allocation they receive under this section
12 to supplement these funds with local dollars or funds received under
13 section 204(1)(a) of this act. The department and regional support
14 networks shall maintain consistency with all essential elements of the
15 PACT evidence-based practice model in programs funded under this
16 section.

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

25 (d) The number of nonforensic beds allocated for use by regional
26 support networks at eastern state hospital shall be 192 per day. The
27 number of nonforensic beds allocated for use by regional support
28 networks at western state hospital shall be 557 per day.

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

35 (f) \$4,582,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$4,582,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely for mental health services for

1 mentally ill offenders while confined in a county or city jail and for
2 facilitating access to programs that offer mental health services upon
3 release from confinement.

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

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

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

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

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

27 (iii) Mental health services provided in nursing facilities to
28 individuals with dementia, and consultation to facility staff treating
29 those individuals; and

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

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

35 (j) \$1,529,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$1,529,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely to reimburse Pierce and Spokane

1 counties for the cost of conducting 180-day commitment hearings at the
2 state psychiatric hospitals.

3 (k) Regional support networks may use local funds to earn
4 additional federal medicaid match, provided the locally matched rate
5 does not exceed the upper-bound of their federally allowable rate
6 range, and provided that the enhanced funding is used only to provide
7 medicaid state plan or waiver services to medicaid clients.
8 Additionally, regional support networks may use a portion of the state
9 funds allocated in accordance with (a) of this subsection to earn
10 additional medicaid match, but only to the extent that the application
11 of such funds to medicaid services does not diminish the level of
12 crisis and commitment, community inpatient, residential care, and
13 outpatient services presently available to persons not eligible for
14 medicaid.

15 (l) Given the recent approval of federal medicaid matching funds
16 for the disability lifeline and the alcohol and drug abuse treatment
17 support act programs, the department shall charge regional support
18 networks for only the state share rather than the total cost of
19 community psychiatric hospitalization for persons enrolled in those
20 programs.

21 (m) \$750,000 of the general fund--state appropriation for fiscal
22 year 2012, \$750,000 of the general fund--state appropriation for fiscal
23 year 2013, and \$1,500,000 of the general fund--federal appropriation
24 are provided solely to adjust regional support network capitation rates
25 to account for the per diem rates actually paid for psychiatric care
26 provided at hospitals participating in the certified public expenditure
27 program operated pursuant to section 213 of this act.

28 (2) INSTITUTIONAL SERVICES

29	General Fund--State Appropriation (FY 2012)	((\$115,317,000))
30		<u>\$115,030,000</u>
31	General Fund--State Appropriation (FY 2013)	((\$114,111,000))
32		<u>\$112,629,000</u>
33	General Fund--Federal Appropriation	((\$153,324,000))
34		<u>\$153,618,000</u>
35	General Fund--Private/Local Appropriation	\$67,325,000
36	TOTAL APPROPRIATION	((\$450,077,000))
37		<u>\$448,602,000</u>

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

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

6 (b) \$231,000 of the general fund--state appropriation for fiscal
7 year 2012 and \$231,000 of the general fund--state appropriation for
8 fiscal year 2013 are provided solely for a community partnership
9 between western state hospital and the city of Lakewood to support
10 community policing efforts in the Lakewood community surrounding
11 western state hospital. The amounts provided in this subsection (2)(b)
12 are for the salaries, benefits, supplies, and equipment for one full-
13 time investigator, one full-time police officer, and one full-time
14 community service officer at the city of Lakewood.

15 (c) \$45,000 of the general fund--state appropriation for fiscal
16 year 2012 and \$45,000 of the general fund--state appropriation for
17 fiscal year 2013 are provided solely for payment to the city of
18 Lakewood for police services provided by the city at western state
19 hospital and adjacent areas.

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

25 (e) The appropriations in this section reflect efficiencies to be
26 achieved through enactment of Substitute Senate Bill No. 6492
27 (competency to stand trial). These efficiencies are expected to enable
28 the hospitals to substantially increase the timeliness with which
29 evaluations of defendant competency to stand trial are completed, and
30 treatment to restore competency is initiated, without corresponding
31 increases in state appropriations.

32 (3) SPECIAL PROJECTS

33	General Fund--State Appropriation (FY 2012)	(\$1,168,000)
34		<u>\$1,148,000</u>
35	General Fund--State Appropriation (FY 2013)	(\$1,164,000)
36		<u>\$1,141,000</u>
37	General Fund--Federal Appropriation	\$4,109,000
38	General Fund--Private/Local Appropriation	\$700,000

1 TOTAL APPROPRIATION ((~~\$7,141,000~~))
2 \$7,098,000

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

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

10 (b) \$700,000 of the general fund--private/local appropriation is
11 provided solely for the University of Washington's evidence based
12 practice institute which supports the identification, evaluation, and
13 implementation of evidence-based or promising practices for serving
14 children and youth with mental health disorders. The department shall
15 enter into an interagency agreement with the office of the attorney
16 general for expenditure of \$700,000 of the state's proceeds of the *cy*
17 *pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for
18 this purpose.

19 (4) PROGRAM SUPPORT
20 General Fund--State Appropriation (FY 2012) ((~~\$4,476,000~~))
21 \$4,485,000
22 General Fund--State Appropriation (FY 2013) ((~~\$4,261,000~~))
23 \$4,252,000
24 General Fund--Federal Appropriation ((~~\$7,227,000~~))
25 \$7,225,000
26 General Fund--Private/Local Appropriation \$446,000
27 TOTAL APPROPRIATION ((~~\$16,410,000~~))
28 \$16,408,000

29 (a) The appropriations in this subsection are subject to the
30 following conditions and limitations: In accordance with RCW
31 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to
32 increase license and certification fees in fiscal years 2012 and 2013
33 to support the costs of the regulatory program. The fee schedule
34 increases must be developed so that the maximum amount of additional
35 fees paid by providers statewide in the 2011-2013 fiscal biennium is
36 \$446,000. The department's fee schedule shall have differential rates
37 for providers with proof of accreditation from organizations that the

1 department has determined to have substantially equivalent standards to
 2 those of the department, including but not limited to the joint
 3 commission on accreditation of health care organizations, the
 4 commission on accreditation of rehabilitation facilities, and the
 5 council on accreditation. To reflect the reduced costs associated with
 6 regulation of accredited programs, the department's fees for
 7 organizations with such proof of accreditation must reflect the lower
 8 costs of licensing for these programs than for other organizations
 9 which are not accredited.

10 (b) \$19,000 of the general fund--state appropriation for fiscal
 11 year 2012, \$17,000 of the general fund--state appropriation for fiscal
 12 year 2013, and \$34,000 of the general fund--federal appropriation are
 13 provided solely to support a partnership among the department of social
 14 and health services, the department of health, and agencies that
 15 deliver medical care and behavioral health services in Cowlitz county.
 16 The partnership shall identify and recommend strategies for resolving
 17 regulatory, licensing, data management, reporting, and funding barriers
 18 to more effective integration of primary medical and behavioral health
 19 care services in the county.

20 **Sec. 205.** 2011 2nd sp.s. c 9 s 205 (uncodified) is amended to read
 21 as follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
 23 **DISABILITIES PROGRAM**

24 (1) COMMUNITY SERVICES

25	General Fund--State Appropriation (FY 2012)	((\$418,815,000))
26		<u>\$405,467,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$422,854,000))
28		<u>\$419,908,000</u>
29	General Fund--Federal Appropriation	((\$743,532,000))
30		<u>\$751,545,000</u>
31	General Fund--Private/Local Appropriation	\$184,000
32	TOTAL APPROPRIATION	((\$1,585,385,000))
33		<u>\$1,577,104,000</u>

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

36 (a) Individuals receiving services as supplemental security income

1 (SSI) state supplemental payments shall not become eligible for medical
2 assistance under RCW 74.09.510 due solely to the receipt of SSI state
3 supplemental payments.

4 (b) Amounts appropriated in this subsection reflect a reduction to
5 funds appropriated for in-home care. The department shall reduce the
6 number of in-home hours authorized. The reduction shall be scaled
7 based on the acuity level of care recipients. The largest hour
8 reductions shall be to lower acuity patients and the smallest hour
9 reductions shall be to higher acuity patients.

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

20 (d) \$944,000 of the general fund--state appropriation for fiscal
21 year 2012, \$944,000 of the general fund--state appropriation for fiscal
22 year 2013, and \$1,888,000 of the general fund--federal appropriation
23 are provided solely for state contributions for individual provider
24 health care benefits. Pursuant to the collective bargaining agreement
25 negotiated with the exclusive bargaining representative of individual
26 providers established under RCW 74.39A.270, the state shall contribute
27 to the multiemployer health benefits trust fund ((\$1.96)) \$2.21 per
28 paid hour worked by individual providers.

29 ~~(e) ((\$1,871,000 of the general fund--state appropriation for~~
30 ~~fiscal year 2012, \$1,995,000 of the general fund--state appropriation~~
31 ~~for fiscal year 2013, and \$3,865,000 of the general fund--federal~~
32 ~~appropriation are provided solely for home care agencies to purchase~~
33 ~~health coverage for home care providers. The department shall~~
34 ~~calculate and distribute payments for health care benefits to home care~~
35 ~~agencies at \$558 per month for each worker who cares for publicly~~
36 ~~funded clients at 86 hours or more per month. In order to negotiate~~
37 ~~the most comprehensive health benefits package for its employees, each~~
38 ~~agency may determine benefit levels according to the hours an employee~~

1 ~~works providing state-funded personal care. Health benefits shall be~~
2 ~~offered to all employees who care for publicly funded clients for 86~~
3 ~~hours per month or more. At a minimum, employees who care for publicly~~
4 ~~funded clients at 140 hours a month or greater must receive a~~
5 ~~comprehensive medical benefit. Benefits shall not be provided to~~
6 ~~employees who care for publicly funded clients at 85 hours or less per~~
7 ~~month or as interim respite workers. The department shall not pay an~~
8 ~~agency for benefits provided to an employee who otherwise receives~~
9 ~~health care coverage through other family members, other~~
10 ~~employment-based coverage, or military or veteran's coverage. The~~
11 ~~department shall require annually, each home care agency to review each~~
12 ~~of its employee's available health coverage and to provide a written~~
13 ~~declaration to the department verifying that health benefits purchased~~
14 ~~with public funds are solely for employees that do not have other~~
15 ~~available coverage. Home care agencies may determine a reasonable~~
16 ~~employee co-premium not to exceed 20 percent of the total benefit~~
17 ~~cost.)) \$104,669,000 of the general fund--state appropriation for~~
18 ~~fiscal year 2013 and \$104,669,000 of the general fund--federal~~
19 ~~appropriation are provided to the department to provide personal care~~
20 ~~services to waiver and nonwaiver in home clients. The department shall~~
21 ~~operate the personal care program within the amounts specifically~~
22 ~~provided. The department shall provide the appropriate committees of~~
23 ~~the legislature with a report by December 5, 2012, on converting the~~
24 ~~medicaid personal care program for in-home adults to a medicaid program~~
25 ~~as found in section 1915(i) of the federal social security act that~~
26 ~~utilizes the option for self-direction of individualized budgets. The~~
27 ~~department shall convene a task force of relevant stakeholders to~~
28 ~~provide input to the report. This task force shall include a~~
29 ~~representative from the Arc of Washington state, the Washington state~~
30 ~~developmental disabilities council, the area agencies on aging, SEIU~~
31 ~~775 NW, the Washington federation of state employees, and a~~
32 ~~representative from a home care agency currently providing home care~~
33 ~~services to medicaid clients.~~

34 (f) \$1,127,000 of the general fund--state appropriation for fiscal
35 year 2012, \$1,199,000 of the general fund--state appropriation for
36 fiscal year 2013, and \$2,322,000 of the general fund--federal
37 appropriation are provided solely for the state's contribution to the
38 training partnership, as provided in RCW 74.39A.360, for instructional

1 costs associated with the training of individual providers. House Bill
2 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
3 make statutory changes to the increased training requirements and
4 therefore the state shall contribute to the partnership \$0.17 per paid
5 hour worked by all home care workers. This amount is pursuant to the
6 collective bargaining agreement negotiated with the exclusive
7 bargaining representative of individual providers established under RCW
8 74.39A.270 and is sufficient to provide all training required by
9 Initiative Measure No. 1163. Expenditures for the purposes specified
10 in this subsection shall not exceed the amounts provided in this
11 subsection.

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

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

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

1 (h) \$75,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$75,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for the restoration of direct
4 support to local organizations that utilize parent-to-parent networks
5 and communication to promote access and quality of care for individuals
6 with developmental disabilities and their families.

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

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

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

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

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

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

4 (2) INSTITUTIONAL SERVICES

5	General Fund--State Appropriation (FY 2012)	(((\$80,815,000))
6		<u>\$75,461,000</u>
7	General Fund--State Appropriation (FY 2013)	(((\$79,939,000))
8		<u>\$80,155,000</u>
9	General Fund--Federal Appropriation	(((\$154,388,000))
10		<u>\$153,570,000</u>
11	General Fund--Private/Local Appropriation	\$22,043,000
12	TOTAL APPROPRIATION	(((\$337,185,000))
13		<u>\$331,229,000</u>

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

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

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

27 (c) \$600,000 of the general fund--state appropriation for fiscal
28 year 2013 is provided solely for operations of the Rainier school
29 vision development committee, hereby established to create a long-range
30 vision and development plan for the Rainier school.

- 31 (a) The committee shall consist of:
- 32 (i) Three members of the legislature representing the thirty-first
33 legislative district;
 - 34 (ii) Two persons representing the cities of Enumclaw and Buckley;
 - 35 (iii) Two persons representing the chambers of commerce of the
36 cities of Enumclaw and Buckley;
 - 37 (iv) Two persons representing the friends of Rainier school
38 organization; and

1 (v) One person representing the Pierce county developmental
2 disabilities board.

3 (b) The committee shall create and submit to the legislature a
4 long-range community vision and development plan for the efficient use
5 of the Rainier school facility to best serve the needs of persons with
6 developmental disabilities, including the establishment of a respite
7 care center for families and other caregivers of persons with
8 developmental disabilities.

9 (3) PROGRAM SUPPORT

10	General Fund--State Appropriation (FY 2012)	((\$1,380,000))
11		<u>\$1,382,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$1,371,000))
13		<u>\$1,366,000</u>
14	General Fund--Federal Appropriation	((\$1,323,000))
15		<u>\$1,319,000</u>
16	TOTAL APPROPRIATION	((\$4,074,000))
17		<u>\$4,067,000</u>

18 (4) SPECIAL PROJECTS

19	General Fund--State Appropriation (FY 2012)	((\$4,648,000))
20		<u>\$4,634,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$4,637,000))
22		<u>\$4,553,000</u>
23	General Fund--Federal Appropriation	((\$9,575,000))
24		<u>\$9,588,000</u>
25	General Fund--Private/Local Appropriation	\$998,000
26	TOTAL APPROPRIATION	((\$19,858,000))
27		<u>\$19,773,000</u>

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

30 Amounts appropriated in this subsection are for the purposes of
31 transitioning clients with developmental disabilities into community
32 settings. The department is authorized as needed to use these funds to
33 either pay for clients residing within a residential habilitation
34 center or for placements in the community. Pursuant to Second
35 Substitute Senate Bill No. 5459 (services for people with developmental
36 disabilities), funding in this subsection must be prioritized for the
37 purpose of facilitating the consolidation and closure of Frances Haddon

1 Morgan Center. The department shall use a person-centered approach in
 2 developing the discharge plan to assess each resident's needs and
 3 identify services the resident requires to successfully transition to
 4 the community or another residential habilitation center. The
 5 department is authorized to use any savings from this effort for the
 6 purpose of developing community resources to address the needs of
 7 clients with developmental disabilities who are in crisis or in need of
 8 respite. The department shall track the costs and savings of closing
 9 Frances Haddon Morgan Center and any investments into community
 10 placements and resources. The department shall provide a fiscal
 11 progress report to the legislature by December 5, 2011.

12 **Sec. 206.** 2011 2nd sp.s. c 9 s 206 (uncodified) is amended to read
 13 as follows:

14 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
 15 **SERVICES PROGRAM**

16	General Fund--State Appropriation (FY 2012)	((\$781,995,000))
17		<u>\$791,824,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$804,465,000))
19		<u>\$809,753,000</u>
20	General Fund--Federal Appropriation	((\$1,680,450,000))
21		<u>\$1,691,535,000</u>
22	General Fund--Private/Local Appropriation	\$27,517,000
23	Traumatic Brain Injury Account--State Appropriation	\$3,388,000
24	Nursing Facility Quality Assurance Account--State	
25	Appropriation	((\$88,071,000))
26		<u>\$88,000,000</u>
27	TOTAL APPROPRIATION	((\$3,385,886,000))
28		<u>\$3,412,017,000</u>

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

31 (1) For purposes of implementing chapter 74.46 RCW, the weighted
 32 average nursing facility payment rate shall not exceed \$170.37 for
 33 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,
 34 including the rate add-ons described in (a) and (b) of this subsection.
 35 However, if the waiver requested from the federal centers for medicare
 36 and medicaid services in relation to the safety net assessment created
 37 by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is

1 for any reason not approved and implemented, the weighted average
2 nursing facility payment rate shall not exceed \$159.87 for fiscal year
3 2012 and shall not exceed \$160.93 for fiscal year 2013. There will be
4 no adjustments for economic trends and conditions in fiscal years 2012
5 and 2013. The economic trends and conditions factor or factors defined
6 in the biennial appropriations act shall not be compounded with the
7 economic trends and conditions factor or factors defined in any other
8 biennial appropriations acts before applying it to the component rate
9 allocations established in accordance with chapter 74.46 RCW. When no
10 economic trends and conditions factor for either fiscal year is defined
11 in a biennial appropriations act, no economic trends and conditions
12 factor or factors defined in any earlier biennial appropriations act
13 shall be applied solely or compounded to the component rate allocations
14 established in accordance with chapter 74.46 RCW.

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

27 (b) The department shall do a comparative analysis of the facility-
28 based payment rates calculated on July 1, ~~((2011))~~ 2012, using the
29 payment methodology defined in ~~((Engrossed Substitute Senate Bill No.~~
30 ~~5581 (nursing home payments))~~ chapter 74.46 RCW and including the add-
31 on in (a) of this subsection, to the facility-based payment rates in
32 effect June 30, 2010. If the facility-based payment rate calculated on
33 July 1, ~~((2011))~~ 2012, is smaller than the facility-based payment rate
34 on June 30, 2010, then the difference shall be provided to the
35 individual nursing facilities as an add-on payment per medicaid
36 resident day.

37 (c) During the comparative analysis performed in subsection (b) of
38 this section, if it is found that the direct care rate for any facility

1 calculated using the payment methodology defined in (~~Engrossed~~
2 ~~Substitute Senate Bill No. 5581 (nursing home payments)~~) chapter 74.46
3 RCW and including the add-on in (a) of this subsection is greater than
4 the direct care rate in effect on June 30, 2010, then the facility
5 shall receive a ten percent direct care rate add-on to compensate that
6 facility for taking on more acute clients than they have in the past.

7 (d) The department shall provide a medicaid rate add-on to
8 reimburse the medicaid share of the skilled nursing facility safety net
9 assessment as a medicaid allowable cost. The nursing facility safety
10 net rate add-on may not be included in the calculation of the annual
11 statewide weighted average nursing facility payment rate.

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

17 (2) After examining actual nursing facility cost information, the
18 legislature finds that the medicaid nursing facility rates calculated
19 pursuant to (~~Engrossed Substitute Senate Bill No. 5581 (nursing home~~
20 ~~payments)~~) chapter 74.46 RCW and as funded in this section provide
21 sufficient reimbursement to efficiently and economically operating
22 nursing facilities and bear a reasonable relationship to costs.

23 (3) In accordance with chapter 74.46 RCW, the department shall
24 issue no additional certificates of capital authorization for fiscal
25 year 2012 and no new certificates of capital authorization for fiscal
26 year 2013 and shall grant no rate add-ons to payment rates for capital
27 improvements not requiring a certificate of need and a certificate of
28 capital authorization for fiscal years 2012 and 2013.

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

35 (5) Amounts appropriated in this section reflect a reduction to
36 funds appropriated for in-home care. The department shall reduce the
37 number of in-home hours authorized. The reduction shall be scaled

1 based on the acuity level of care recipients. The largest hour
2 reductions shall be to lower acuity patients and the smallest hour
3 reductions shall be to higher acuity patients.

4 (6) \$1,883,000 of the general fund--state appropriation for fiscal
5 year 2012, \$1,883,000 of the general fund--state appropriation for
6 fiscal year 2013, and \$3,766,000 of the general fund--federal
7 appropriation are provided solely for state contributions for
8 individual provider health care benefits. Pursuant to the collective
9 bargaining agreement negotiated with the exclusive bargaining
10 representative of individual providers established under RCW
11 74.39A.270, the state shall contribute to the multiemployer health
12 benefits trust fund ((~~\$1.96~~) \$2.21) per paid hour worked by individual
13 providers.

14 (~~(7) ((\$16,835,000 of the general fund--state appropriation for~~
15 ~~fiscal year 2012, \$17,952,000 of the general fund--state appropriation~~
16 ~~for fiscal year 2013, and \$34,786,000 of the general fund--federal~~
17 ~~appropriation are provided solely for home care agencies to purchase~~
18 ~~health coverage for home care providers. The department shall~~
19 ~~calculate and distribute payments for health care benefits to home care~~
20 ~~agencies at \$558 per month for each worker who cares for publicly~~
21 ~~funded clients at 86 hours or more per month. In order to negotiate~~
22 ~~the most comprehensive health benefits package for its employees, each~~
23 ~~agency may determine benefit levels according to the hours an employee~~
24 ~~works providing state-funded personal care. Health benefits shall be~~
25 ~~offered to all employees who care for publicly funded clients for 86~~
26 ~~hours per month or more. At a minimum, employees who care for publicly~~
27 ~~funded clients at 140 hours a month or greater must receive a~~
28 ~~comprehensive medical benefit. Benefits shall not be provided to~~
29 ~~employees who care for publicly funded clients at 85 hours or less per~~
30 ~~month or as interim respite workers. The department shall not pay an~~
31 ~~agency for benefits provided to an employee who otherwise receives~~
32 ~~health care coverage through other family members, other~~
33 ~~employment-based coverage, or military or veteran's coverage. The~~
34 ~~department shall require annually, each home care agency to review each~~
35 ~~of its employee's available health coverage and to provide a written~~
36 ~~declaration to the department verifying that health benefits purchased~~
37 ~~with public funds are solely for employees that do not have other~~
38 ~~available coverage. Home care agencies may determine a reasonable~~

1 ~~employee co-premium not to exceed 20 percent of the total benefit~~
2 ~~cost.)) \$338,550,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2013 and \$338,500,000 of the general fund--federal~~
4 ~~appropriation are provided to the department to provide personal care~~
5 ~~services to waiver and nonwaiver in home clients. The department shall~~
6 ~~operate the personal care program within the amounts specifically~~
7 ~~provided. The department shall provide the appropriate committees of~~
8 ~~the legislature with a report by December 5, 2012, on converting the~~
9 ~~medicaid personal care program for in-home adults to a medicaid program~~
10 ~~as found in section 1915(i) of the federal social security act that~~
11 ~~utilizes the option for self-direction of individualized budgets. The~~
12 ~~department shall convene a task force of relevant stakeholders to~~
13 ~~provide input to the report. This task force shall include a~~
14 ~~representative from the Arc of Washington state, the Washington state~~
15 ~~developmental disabilities council, the area agencies on aging, SEIU~~
16 ~~775 NW, the Washington federation of state employees, and a~~
17 ~~representative from a home care agency currently providing home care~~
18 ~~services to medicaid clients.~~

19 (8) \$2,063,000 of the general fund--state appropriation for fiscal
20 year 2012, \$2,195,000 of the general fund--state appropriation for
21 fiscal year 2013, and \$4,260,000 of the general fund--federal
22 appropriation are provided solely for the state's contribution to the
23 training partnership, as provided in RCW 74.39A.360, for instructional
24 costs associated with the training of individual providers. House Bill
25 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
26 make statutory changes to the increased training requirements and
27 therefore the state shall contribute to the partnership \$0.17 per paid
28 hour worked by all home care workers. This amount is pursuant to the
29 collective bargaining agreement negotiated with the exclusive
30 bargaining representative of individual providers established under RCW
31 74.39A.270 and is sufficient to provide all training required by
32 Initiative Measure No. 1163. Expenditures for the purposes specified
33 in this subsection shall not exceed the amounts provided in this
34 subsection.

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

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

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

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

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

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

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

1 shall receive a corresponding vendor rate increase per medicaid patient
2 day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover
3 the license fee increase for publicly funded beds.

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

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

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

24 (15) 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 **Sec. 207.** 2011 2nd sp.s. c 9 s 207 (uncodified) is amended to read
29 as follows:

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

32	General Fund--State Appropriation (FY 2012)	((\$487,305,000))
33		<u>\$418,993,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$503,362,000))
35		<u>\$389,127,000</u>
36	General Fund--Federal Appropriation	((\$1,167,467,000))
37		<u>\$1,174,977,000</u>

1 General Fund--Private/Local Appropriation \$30,592,000
2 TOTAL APPROPRIATION (~~(\$2,188,726,000)~~)
3 \$2,013,689,000

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

6 (1) (~~(\$258,880,000)~~) \$196,913,000 of the general fund--state
7 appropriation for fiscal year 2012, (~~(\$297,296,000)~~) \$198,744,000 of
8 the general fund--state appropriation for fiscal year 2013, and
9 (~~(\$710,173,000)~~) \$710,843,000 of the general fund--federal
10 appropriation are provided solely for all components of the WorkFirst
11 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921
12 (social services programs), the amounts in this subsection assume that
13 any participant in the temporary assistance for needy families where
14 their participation is suspended and does not volunteer to participate
15 in WorkFirst services or unsubsidized employment does not receive child
16 care subsidies or WorkFirst subsidies as a condition of the suspension.
17 Within the amounts provided for the WorkFirst program, the department
18 may provide assistance using state-only funds for families eligible for
19 temporary assistance for needy families.

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

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

26 (c) Within the amounts provided in this subsection, (~~(\$1,414,000)~~)
27 \$50,000 of the general fund--state appropriation for fiscal year 2012
28 and (~~(\$5,150,000)~~) \$950,000 of the general fund--state appropriation
29 for fiscal year 2013 are provided solely for the implementation and
30 administration of the electronic benefit transfer system under section
31 12 of Engrossed Substitute Senate Bill No. 5921 (social services
32 programs). The department shall transfer these amounts to the
33 department of early learning for the implementation and administration
34 of the project.

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

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

8 (2)(a) \$11,825,000 of the general fund--federal appropriation is
9 provided solely for a contingency reserve in the event (~~the temporary~~
10 ~~assistance for needy families cash benefit is~~) that expenditures in
11 subsection (1) of this section are projected to exceed (~~forecasted~~
12 ~~amounts by more than one percent~~) the appropriated amounts. The
13 department shall only expend an amount equal to the forecasted over-
14 expenditure. For purposes of this subsection, the temporary assistance
15 forecast shall be completed every quarter and follow a similar schedule
16 of the caseload forecast council forecasts.

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

21 (3) (~~(\$23,494,000)~~) \$23,679,000 of the general fund--state
22 appropriation for fiscal year 2012, in addition to supplemental
23 security income recoveries, is provided solely for financial assistance
24 and other services to recipients in the program established in section
25 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates
26 on October 31, 2011.

27 (4)(a) (~~(\$13,086,000)~~) \$12,457,000 of the general fund--state
28 appropriation for fiscal year 2012 and (~~(\$24,788,000)~~) \$21,959,000 of
29 the general fund--state appropriation for fiscal year 2013, in addition
30 to supplemental security income recoveries, are provided solely for the
31 programs created in Engrossed Substitute House Bill No. 2082 (essential
32 needs and assistance program) beginning November 1, 2011.

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

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

7 (5) \$1,657,000 of the general fund--state appropriation for fiscal
8 year 2012 and \$1,657,000 of the general fund--state appropriation for
9 fiscal year 2013 are provided solely for naturalization services.

10 (6) \$2,366,000 of the general fund--state appropriation for fiscal
11 year 2012 is provided solely for refugee employment services, of which
12 \$1,774,000 is provided solely for the department to pass through to
13 statewide refugee assistance organizations for limited English
14 proficiency pathway services; and \$2,366,000 of the general fund--state
15 appropriation for fiscal year 2013 is provided solely for refugee
16 employment services, of which \$1,774,000 is provided solely for the
17 department to pass through to statewide refugee assistance
18 organizations for limited English proficiency pathway services.

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

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

30 **Sec. 208.** 2011 2nd sp.s. c 9 s 208 (uncodified) is amended to read
31 as follows:

32 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
33 **SUBSTANCE ABUSE PROGRAM**

34	General Fund--State Appropriation (FY 2012)	(\$74,287,000)
35		<u>\$72,452,000</u>
36	General Fund--State Appropriation (FY 2013)	(\$74,422,000)
37		<u>\$61,824,000</u>

1	General Fund--Federal Appropriation	((\$141,514,000))
2		<u>\$173,568,000</u>
3	General Fund--Private/Local Appropriation	((\$2,086,000))
4		<u>\$13,486,000</u>
5	Criminal Justice Treatment Account--State	
6	Appropriation	\$20,748,000
7	Problem Gambling Account--State Appropriation	\$1,448,000
8	TOTAL APPROPRIATION	((\$314,505,000))
9		<u>\$343,526,000</u>

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

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

17 (2) Within the amounts appropriated in this section, the department
18 shall continue to provide for chemical dependency treatment services
19 for adult medicaid eligible, pregnant and parenting women, disability
20 lifeline, and alcoholism and drug addiction treatment and support act,
21 and medical care services clients.

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

36 (4) \$3,500,000 of the general fund--federal appropriation (from the
37 substance abuse prevention and treatment federal block grant) is

1 provided solely for the continued funding of existing county drug and
2 alcohol use prevention programs.

3 **Sec. 209.** 2011 2nd sp.s. c 9 s 209 (uncodified) is amended to read
4 as follows:

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

7	General Fund--State Appropriation (FY 2012)	((\$10,874,000))
8		<u>\$10,854,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$10,861,000))
10		<u>\$10,626,000</u>
11	General Fund--Federal Appropriation	((\$105,091,000))
12		<u>\$105,069,000</u>
13	Telecommunications Devices for the Hearing and	
14	Speech Impaired--State Appropriation	\$2,766,000
15	TOTAL APPROPRIATION	((\$129,592,000))
16		<u>\$129,315,000</u>

17 The appropriations in this section are subject to the following
18 conditions and limitations: \$480,000 of the telecommunications devices
19 for the hearing and speech impaired account--state appropriation is
20 provided solely for the office of deaf and hard of hearing to contract
21 for services that provide employment support and help with life
22 activities for deaf-blind individuals in King county.

23 **Sec. 210.** 2011 2nd sp.s. c 9 s 210 (uncodified) is amended to read
24 as follows:

25 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**
26 **PROGRAM**

27	General Fund--State Appropriation (FY 2012)	((\$47,719,000))
28		<u>\$47,880,000</u>
29	General Fund--State Appropriation (FY 2013)	((\$46,292,000))
30		<u>\$35,661,000</u>
31	TOTAL APPROPRIATION	((\$94,011,000))
32		<u>\$83,541,000</u>

33 **Sec. 211.** 2011 2nd sp.s. c 9 s 211 (uncodified) is amended to read
34 as follows:

1 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**
2 **SUPPORTING SERVICES PROGRAM**

3	General Fund--State Appropriation (FY 2012)	((\$26,125,000))
4		<u>\$25,826,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$24,586,000))
6		<u>\$23,686,000</u>
7	General Fund--Federal Appropriation	((\$39,223,000))
8		<u>\$39,152,000</u>
9	General Fund--Private/Local Appropriation	\$2,116,000
10	Performance Audits of State Government--State	
11	Appropriation	\$4,812,000
12	TOTAL APPROPRIATION	((\$96,862,000))
13		<u>\$95,592,000</u>

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

16 (1) \$300,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$300,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for the Washington state mentors
19 program to continue its public-private partnerships to provide
20 technical assistance and training to mentoring programs that serve
21 at-risk youth.

22 (2) \$445,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$445,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for funding of the teamchild
25 project.

26 ~~(3) ((\$178,000 of the general fund--state appropriation for fiscal~~
27 ~~year 2012 and \$178,000 of the general fund--state appropriation for~~
28 ~~fiscal year 2013 are provided solely for the juvenile detention~~
29 ~~alternatives initiative.~~

30 ~~(4))~~ \$4,812,000 of the performance audits of state government--
31 state appropriation is provided solely for support and expansion of the
32 division of fraud investigation. The division shall conduct
33 investigatory and enforcement activities for all department programs,
34 including the child support and TANF programs.

35 ~~((+5))~~ (4) \$1,400,000 of the general fund--state appropriation for
36 fiscal year 2012 is provided solely for the department to distribute as
37 support to community public health and safety networks that have a
38 history of providing training and services related to adverse childhood

1 experiences. Distribution of these funds is contingent upon securing
2 funding from a private entity or entities to provide one dollar in
3 matching funds for each dollar in state funds received by a network so
4 that the funding received by a community public health and safety
5 network will be equal portions of state and private funding.

6 **Sec. 212.** 2011 2nd sp.s. c 9 s 212 (uncodified) is amended to read
7 as follows:

8 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**
9 **AGENCIES PROGRAM**

10	General Fund--State Appropriation (FY 2012)	((\$62,778,000))
11		<u>\$62,140,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$61,927,000))
13		<u>\$55,653,000</u>
14	General Fund--Federal Appropriation	((\$58,400,000))
15		<u>\$57,054,000</u>
16	TOTAL APPROPRIATION	((\$183,105,000))
17		<u>\$174,847,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$469,000 of the general fund--state
20 appropriation for fiscal year 2011 and \$270,000 of the general fund--
21 state appropriation for fiscal year 2012 are provided solely for
22 implementation of Engrossed Substitute Senate Bill No. 5921 (social
23 services programs). If the bill is not enacted by June 30, 2011, the
24 amounts provided in this subsection shall lapse.

25 **Sec. 213.** 2011 2nd sp.s. c 9 s 213 (uncodified) is amended to read
26 as follows:

27 **FOR THE STATE HEALTH CARE AUTHORITY**

28	General Fund--State Appropriation (FY 2012)	((\$2,130,229,000))
29		<u>\$2,026,498,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$2,185,617,000))
31		<u>\$1,985,473,000</u>
32	General Fund--Federal Appropriation	((\$5,389,627,000))
33		<u>\$5,224,258,000</u>
34	General Fund--Private/Local Appropriation	((\$45,512,000))
35		<u>\$48,347,000</u>
36	Emergency Medical Services and Trauma Care Systems	

1	Trust Account--State Appropriation	\$15,077,000
2	Hospital Safety Net Assessment Fund--State	
3	Appropriation	((\$394,905,000))
4		<u>\$433,627,000</u>
5	State Health Care Authority Administration Account--	
6	State Appropriation	((\$34,118,000))
7		<u>\$34,043,000</u>
8	Basic Health Plan Stabilization Account--State	
9	Appropriation	((\$44,000,000))
10		<u>\$49,000,000</u>
11	Medical Aid Account--State Appropriation	\$529,000
12	<u>Medicaid Fraud Penalty Account--State Appropriation</u>	<u>\$9,200,000</u>
13	<u>School Employees' Insurance Administrative Account--</u>	
14	<u>State Appropriation</u>	<u>\$12,393,000</u>
15	TOTAL APPROPRIATION	((\$10,239,614,000))
16		<u>\$9,838,445,000</u>

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

19 The appropriations to the authority in this act shall be expended
20 for the purposes and in the amounts specified in this act. To the
21 extent that appropriations in this section are insufficient to fund
22 actual expenditures in excess of caseload forecasts and utilization
23 assumptions, the authority, after May 1, 2012, may transfer general
24 fund--state appropriations for fiscal year 2012 that are provided
25 solely for a specified purpose. The authority shall not transfer
26 funds, and the director of financial management shall not approve the
27 transfer, unless the transfer is consistent with the objective of
28 conserving, to the maximum extent possible, the expenditure of state
29 funds. The director of financial management shall notify the
30 appropriate fiscal committees of the senate and house of
31 representatives in writing seven days prior to approving any allotment
32 modifications or transfers under this subsection. The written
33 notification shall include a narrative explanation and justification of
34 the changes, along with expenditures and allotments by budget unit and
35 appropriation, both before and after any allotment modifications or
36 transfers.

37 (1) Within amounts appropriated in this section and sections 205
38 and 206 of this act, the health care authority shall continue to

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

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

14 (3)(a) \$1,200,000 of the general fund--state appropriation for
15 fiscal year 2012 is provided solely to plan the implementation of a
16 system of consolidated public school employee health benefits
17 purchasing.

18 It is the intent of the legislature to improve the administration,
19 transparency, and equity in delivering a K-12 employees' health
20 benefits system. In addition, the legislature intends that any cost
21 savings that result from changes to K-12 health benefits be dedicated
22 to public schools.

23 To further this legislative intent, the state health care authority
24 shall develop a plan to implement a consolidated health benefits'
25 system for K-12 employees for the 2013-14 school year. The health care
26 authority shall deliver a report to the legislature by December 15,
27 2011, that sets forth the implementation plan to the ways and means
28 committees of the house of representatives and the senate.

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

- 31 (i) The current K-12 health benefits system;
32 (ii) A new K-12 employee benefits pool; and
33 (iii) Enrolling K-12 employees into the health benefits pool for
34 state employees.

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

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

1 (ii) The costs and benefits of providing a new statewide K-12
2 employees' health benefits pool to school districts and school
3 employees;

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

6 (iv) Recommendations of ways to limit administrative duplication
7 and costs, improve transparency to employees, the legislature, and the
8 public and assure equity among beneficiaries of publicly provided
9 employee health benefits;

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

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

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

19 (viii) Recommendations regarding methods to reduce inequities
20 between individual and family coverage;

21 (ix) Consolidation of the purchasing and budget accountability for
22 school employee benefits to maximize administrative efficiency and
23 leverage existing skills and resources; and

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

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

30 (B) The structure of a permanent governing group to provide ongoing
31 oversight to the consolidated pool, in a manner similar to the public
32 employees benefits board functions for employee health benefits,
33 including statutory duties and authorities of the board; and

34 (C) Options for including potential changes to: Eligibility
35 standardization, the public employees benefits risk pools, the movement
36 of school employee retirees into the new K-12 pool or pools, and the
37 movement of educational service district employees into the new K-12
38 pool or pools.

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

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

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

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

11 (e) The office of the superintendent of public instruction and the
12 office of the insurance commissioner shall provide information and
13 technical assistance to the health care authority as requested by the
14 health care authority. The health care authority shall not implement
15 the new school employee benefits pool until authorized to do so by the
16 legislature.

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

35 (5) Enrollment in the subsidized basic health plan shall be limited
36 to only include persons who qualify as subsidized enrollees as defined
37 in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid

1 demonstration project number 11-W-00254/10; or (b) are foster parents
2 licensed under chapter 74.15 RCW.

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

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

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

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

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

29 (11) \$4,261,000 of the general fund--state appropriation for fiscal
30 year 2012, \$4,261,000 of the general fund--state appropriation for
31 fiscal year 2013, and \$8,522,000 of the general fund--federal
32 appropriation are provided solely for low-income disproportionate share
33 hospital payments under RCW 74.09.730(1)(a).

34 ~~(12) ((\$5,905,000 of the general fund--state appropriation for~~
35 ~~fiscal year 2012, \$5,905,000 of the general fund--state appropriation~~
36 ~~for fiscal year 2013, and \$11,810,000 of the general fund--federal~~
37 ~~appropriation are provided solely for nonrural indigent assistance~~

1 ~~disproportionate share hospital payments in accordance with RCW~~
2 ~~74.09.730(1).~~

3 ~~(13) \$665,000 of the general fund state appropriation for fiscal~~
4 ~~year 2012, \$665,000 of the general fund state appropriation for fiscal~~
5 ~~year 2013, and \$1,330,000 of the general fund federal appropriation~~
6 ~~are provided solely for small rural indigent assistance~~
7 ~~disproportionate share hospital payments in accordance with RCW~~
8 ~~74.09.730(1).~~

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

31 ~~((15))~~ (13) The health care authority shall continue the
32 inpatient hospital certified public expenditures program for the 2011-
33 2013 fiscal biennium. The program shall apply to all public hospitals,
34 including those owned or operated by the state, except those classified
35 as critical access hospitals or state psychiatric institutions. The
36 health care authority shall submit reports to the governor and
37 legislature by November 1, 2011, and by November 1, 2012, that evaluate
38 whether savings continue to exceed costs for this program. If the

1 certified public expenditures (CPE) program in its current form is no
2 longer cost-effective to maintain, the health care authority shall
3 submit a report to the governor and legislature detailing
4 cost-effective alternative uses of local, state, and federal resources
5 as a replacement for this program. During fiscal year 2012 and fiscal
6 year 2013, hospitals in the program shall be paid and shall retain one
7 hundred percent of the federal portion of the allowable hospital cost
8 for each medicaid inpatient fee-for-service claim payable by medical
9 assistance and one hundred percent of the federal portion of the
10 maximum disproportionate share hospital payment allowable under federal
11 regulations. Inpatient medicaid payments shall be established using an
12 allowable methodology that approximates the cost of claims submitted by
13 the hospitals. Payments made to each hospital in the program in each
14 fiscal year of the biennium shall be compared to a baseline amount.
15 The baseline amount will be determined by the total of (a) the
16 inpatient claim payment amounts that would have been paid during the
17 fiscal year had the hospital not been in the CPE program based on the
18 reimbursement rates developed, implemented, and consistent with
19 policies approved in the 2011-13 biennial operating appropriations act
20 and in effect on July 1, 2011, (b) one half of the indigent assistance
21 disproportionate share hospital payment amounts paid to and retained by
22 each hospital during fiscal year 2005, and (c) all of the other
23 disproportionate share hospital payment amounts paid to and retained by
24 each hospital during fiscal year 2005 to the extent the same
25 disproportionate share hospital programs exist in the 2011-13 biennium.
26 If payments during the fiscal year exceed the hospital's baseline
27 amount, no additional payments will be made to the hospital except the
28 federal portion of allowable disproportionate share hospital payments
29 for which the hospital can certify allowable match. If payments during
30 the fiscal year are less than the baseline amount, the hospital will be
31 paid a state grant equal to the difference between payments during the
32 fiscal year and the applicable baseline amount. Payment of the state
33 grant shall be made in the applicable fiscal year and distributed in
34 monthly payments. The grants will be recalculated and redistributed as
35 the baseline is updated during the fiscal year. The grant payments are
36 subject to an interim settlement within eleven months after the end of
37 the fiscal year. A final settlement shall be performed. To the extent
38 that either settlement determines that a hospital has received funds in

1 excess of what it would have received as described in this subsection,
2 the hospital must repay the excess amounts to the state when requested.
3 (~~(\$24,677,000)~~) \$8,102,000 of the general fund--state appropriation for
4 fiscal year 2012, of which \$6,570,000 is appropriated in section 204(1)
5 of this act, and (~~(\$21,531,000)~~) \$3,162,000 of the general fund--state
6 appropriation for fiscal year 2013(~~(, of which \$6,570,000 is~~
7 ~~appropriated)~~) in section 204(1) of this act, are provided solely for
8 state grants for the participating hospitals. CPE hospitals will
9 receive the inpatient and outpatient reimbursement rate restorations in
10 RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the
11 hospital safety net assessment fund rather than through the baseline
12 mechanism specified in this subsection.

13 (~~(+16)~~) (14) The health care authority shall seek public-private
14 partnerships and federal funds that are or may become available to
15 provide on-going support for outreach and education efforts under the
16 federal children's health insurance program reauthorization act of
17 2009.

18 (~~(+17)~~) (15) The health care authority shall target funding for
19 maternity support services towards pregnant women with factors that
20 lead to higher rates of poor birth outcomes, including hypertension, a
21 preterm or low birth weight birth in the most recent previous birth, a
22 cognitive deficit or developmental disability, substance abuse, severe
23 mental illness, unhealthy weight or failure to gain weight, tobacco
24 use, or African American or Native American race. The health care
25 authority shall prioritize evidence-based practices for delivery of
26 maternity support services. To the extent practicable, the health care
27 authority shall develop a mechanism to increase federal funding for
28 maternity support services by leveraging local public funding for those
29 services.

30 (~~(+18)~~) (16) For children with family incomes above 200 percent of
31 the federal poverty level in the state-funded children's health program
32 for children who are not eligible for coverage under the federally
33 funded children's health insurance program, premiums shall be set every
34 two years in an amount equal to the average state-only share of the per
35 capita cost of coverage in the state-funded children's health program
36 for children in families with incomes at or less than two hundred
37 percent of the federal poverty level.

1 ~~((19) \$704,000 of the general fund--state appropriation for fiscal~~
2 ~~year 2012, \$726,000 of the general fund--state appropriation for fiscal~~
3 ~~year 2013, and \$1,431,000 of the general fund--federal appropriation~~
4 ~~are provided solely for)) (17) Within the amounts appropriated in this~~
5 ~~section, the health care authority shall provide disproportionate share~~
6 ~~hospital payments to hospitals that provide services to children in the~~
7 ~~children's health program who are not eligible for services under Title~~
8 ~~XIX or XXI of the federal social security act due to their citizenship~~
9 ~~status.~~

10 ~~((20) \$998,000)) (18) \$859,000 of the general fund--state~~
11 ~~appropriation for fiscal year 2012, \$979,000 of the general fund--state~~
12 ~~appropriation for fiscal year 2013, and ((1,980,000)) \$1,841,000 of~~
13 ~~the general fund--federal appropriation are provided solely to increase~~
14 ~~prior authorization activities for advanced imaging procedures.~~

15 ~~((21) \$249,000)) (19) \$196,000 of the general fund--state~~
16 ~~appropriation for fiscal year 2012, \$246,000 of the general fund--state~~
17 ~~appropriation for fiscal year 2013, and ((495,000)) \$442,000 of the~~
18 ~~general fund--federal appropriation are provided solely to increase~~
19 ~~prior authorization activities for surgical procedures, which may~~
20 ~~include orthopedic procedures, spinal procedures and interventions, and~~
21 ~~nerve procedures.~~

22 ~~((22)) (20) \$300,000 of the general fund--private/local~~
23 ~~appropriation and \$300,000 of the general fund--federal appropriation~~
24 ~~are provided solely for a prescriptive practices improvement~~
25 ~~collaborative focusing upon atypical antipsychotics and other~~
26 ~~medications commonly used in the treatment of severe and persistent~~
27 ~~mental illnesses among adults. The project shall promote collaboration~~
28 ~~among community mental health centers, other major prescribers of~~
29 ~~atypical antipsychotic medications to adults enrolled in state medical~~
30 ~~assistance programs, and psychiatrists, pharmacists, and other~~
31 ~~specialists at the University of Washington department of psychiatry~~
32 ~~and/or other research universities. The collaboration shall include~~
33 ~~patient-specific prescriber consultations by psychiatrists and~~
34 ~~pharmacists specializing in treatment of severe and persistent mental~~
35 ~~illnesses among adults; production of profiles to assist prescribers~~
36 ~~and clinics in tracking their prescriptive practices and their~~
37 ~~patients' medication use and adherence relative to evidence-based~~
38 ~~practices guidelines, other prescribers, and patients at other clinics;~~

1 and in-service seminars at which participants can share and increase
2 their knowledge of evidence- based and other effective prescriptive
3 practices. The health care authority shall enter into an interagency
4 agreement with the office of the attorney general for expenditure of
5 \$300,000 of the state's proceeds of the *cy pres* settlement in *State of*
6 *Washington v. AstraZeneca* (Seroquel) for this purpose.

7 ~~((+23))~~ (21) \$570,000 of the general fund--private/local
8 appropriation is provided solely for continued operation of the
9 partnership access line for child mental health consultations. The
10 health care authority shall enter into an interagency agreement with
11 the office of the attorney general for expenditure of \$570,000 of the
12 state's proceeds of the *cy pres* settlement in *State of Washington v.*
13 *AstraZeneca* (Seroquel) for this purpose.

14 ~~((+24))~~ (22) \$80,000 of the general fund--state appropriation for
15 fiscal year 2012, \$80,000 of the general fund--state appropriation for
16 fiscal year 2013, and \$160,000 of the general fund--federal
17 appropriation are provided solely to fund the Tacoma-Pierce county
18 health department for access and outreach activities to reduce infant
19 mortality.

20 ~~((+25))~~ (23) \$75,000 of the general fund--state appropriation for
21 fiscal year 2012, \$75,000 of the general fund--state appropriation for
22 fiscal year 2013, and \$150,000 of the general fund--federal
23 appropriation are provided solely to assist with development and
24 implementation of evidence-based strategies regarding the appropriate,
25 safe, and effective role of C-section surgeries and early induced labor
26 in births and neonatal care. The strategies shall be identified and
27 implemented in consultation with clinical research specialists,
28 physicians, hospitals, advanced registered nurse practitioners, and
29 organizations concerned with maternal and child health.

30 ~~((+26) \$2,400,000 of the general fund--state appropriation for~~
31 ~~fiscal year 2012, \$2,435,000 of the general fund--state appropriation~~
32 ~~for fiscal year 2013, \$7,253,000 of the general fund--private/local~~
33 ~~appropriation, and \$12,455,000 of the general fund--federal~~
34 ~~appropriation are provided solely for continued provision of))~~ (24)
35 Within the amounts appropriated in this section, the health care
36 authority shall continue to provide school-based medical services by
37 means of an intergovernmental transfer arrangement. Under the

1 arrangement, the state shall provide forty percent and school districts
2 sixty percent of the nonfederal matching funds required for receipt of
3 federal medicaid funding for the service.

4 ~~((+27))~~ (25) \$263,000 of the general fund--state appropriation for
5 fiscal year 2012, \$88,000 of the general fund--state appropriation for
6 fiscal year 2013, and \$351,000 of the general fund--federal
7 appropriation are provided solely for development and submission to the
8 federal government by October 1, 2011, of a demonstration project
9 proposal as provided in Substitute Senate Bill No. 5596 (medicaid
10 demonstration waiver).

11 ~~((+28) \$5,600,000 of the general fund--state appropriation for
12 fiscal year 2012, \$4,094,000 of the general fund--state appropriation
13 for fiscal year 2013, and \$11,332,000 of the general fund--federal
14 appropriation are provided solely for))~~ (26) Within the amounts
15 appropriated in this section, the health care authority shall provide
16 spoken-language interpreter services. The authority shall develop and
17 implement a new model for delivery of such services no later than
18 January 1, 2012. The model shall include:

19 (a) Development by the authority in consultation with subject-area
20 experts of guidelines to assist medical practitioners identify the
21 circumstances under which it is appropriate to use telephonic or video-
22 remote interpreting;

23 (b) The requirement that the state contract with delivery
24 organizations, including foreign language agencies, who employ or
25 subcontract only with language access providers or interpreters working
26 in the state who are certified or authorized by the state. When a
27 state-certified or state-authorized in-state language access provider
28 or interpreter is not available, the delivery organization, including
29 foreign language agencies, may use a provider with other certifications
30 or qualifications deemed to meet state standards, including
31 interpreters in other states; and

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

36 Nothing in this subsection affects the ability of health care
37 providers to provide interpretive services through employed staff or
38 through telephone and video remote technologies when not reimbursed

1 directly by the department. The amounts in this subsection do not
2 include federal administrative funds provided to match nonstate
3 expenditures by local health jurisdictions and governmental hospitals.

4 ~~((+29+))~~ (27) In its procurement of contractors for delivery of
5 medical managed care services for nondisabled, nonelderly persons, the
6 medical assistance program shall (a) place substantial emphasis upon
7 price competition in the selection of successful bidders; and (b) not
8 require delivery of any services that would increase the actuarial cost
9 of service beyond the levels included in current healthy options
10 contracts.

11 ~~((+30+))~~ (28) \$1,430,000 of the general fund--state appropriation
12 for fiscal year 2012, \$1,430,000 of the general fund--state
13 appropriation for fiscal year 2013, and \$2,860,000 of the general
14 fund--federal appropriation are provided solely to pay
15 federally-designated rural health clinics their standard encounter rate
16 for prenatal and well-child visits, whether delivered under a managed
17 care contract or fee-for-service. In reconciling managed care
18 enhancement payments for calendar years 2009 and 2010, the department
19 shall treat well-child and prenatal care visits as encounters subject
20 to the clinic's encounter rate.

21 ~~((+31+))~~ (29) \$280,000 of the general fund--state appropriation for
22 fiscal year 2012 and \$282,000 of the general fund--federal
23 appropriation are provided solely to increase utilization management of
24 drugs and drug classes for which there is evidence of over-utilization,
25 off-label use, excessive dosing, duplicative therapy, or opportunities
26 to shift utilization to less expensive, equally effective formulations.

27 ~~((+32+))~~ (30) \$70,000 of the general fund--state appropriation for
28 fiscal year 2012, \$70,000 of the general fund--state appropriation for
29 fiscal year 2013, and \$140,000 of the general fund--federal
30 appropriation are provided solely to continue operation by a nonprofit
31 organization of a toll-free hotline that assists families to learn
32 about and enroll in the apple health for kids program.

33 ~~((+33+))~~ (31) \$400,000 of the general fund--state appropriation for
34 fiscal year 2012 and \$400,000 of the general fund--state appropriation
35 for fiscal year 2013 is provided solely for the local outreach, case
36 management, and coordination with dental providers needed to execute
37 the access to baby and child dentistry program, which provides dental
38 care to Medicaid eligible children up to age six.

1 ~~((34) \$1,868,000 of the general fund state appropriation for~~
2 ~~fiscal year 2012, \$1,873,000 of the general fund state appropriation~~
3 ~~for fiscal year 2013, and \$3,154,000 of the general fund federal~~
4 ~~appropriation are provided solely to continue to))~~ (32) Within the
5 amounts appropriated in this section, the health care authority shall
6 provide dental services to pregnant women. Services shall include
7 preventive, routine, and emergent dental care.

8 ~~((35))~~ (33) \$395,000 of the general fund--state appropriation for
9 fiscal year 2012, \$395,000 of the general fund--state appropriation for
10 fiscal year 2013, and \$790,000 of the general fund--federal
11 appropriation are provided solely for continued operation of the
12 dental education in care of persons with disabilities (DECOD) program
13 at the University of Washington.

14 ~~((36) \$112,000))~~ (34) \$159,000 of the general fund--state
15 appropriation for fiscal year 2012, ~~((\$112,000 of the general fund--~~
16 ~~state appropriation for fiscal year 2013))~~ \$302,000 of the general
17 fund--private/local appropriation, and \$1,928,000 of the general fund--
18 federal appropriation are provided solely for the provider incentive
19 program and other initiatives related to the health information
20 technology Medicaid plan. The general fund--private/local
21 appropriation in this subsection shall be funded with proceeds from
22 settlements in the case of State of Washington vs. GlaxoSmithKline.
23 The authority and the office of the attorney general shall enter an
24 interagency agreement regarding use of these funds.

25 ~~((37))~~ (35) \$2,926,000 of the general fund--local appropriation
26 and \$2,928,000 of the general fund--federal appropriation are provided
27 solely to support medical airlift services.

28 ~~((38))~~ (36) The authority shall collect data on enrollment and
29 utilization to study whether the expansion of family planning coverage
30 under Substitute Senate Bill No. 5912 is reducing state medical
31 expenditures by reducing unwanted pregnancies. The authority shall
32 report its findings to the legislature by December 1, 2012.

33 ~~((39))~~ (37) \$480,000 of the general fund--state appropriation for
34 fiscal year 2012, \$480,000 of the general fund--state appropriation for
35 fiscal year 2013, and \$824,000 of the general fund--federal
36 appropriation are provided solely for customer services staff. The
37 authority will attempt to improve the phone answer rate to 40 percent
38 and reduce the response times to written questions to ten days for

1 clients and 25 days for providers. The authority will report to the
2 legislature on its progress toward achieving these goals by January 1,
3 2012. If the authority has not achieved these goals by July 1, 2012,
4 then the authority shall reduce expenditures on management staff in
5 order to increase expenditures on customer service staff until the
6 goals are achieved.

7 ~~((40))~~ (38) The department shall purchase a brand name drug when
8 it determines that the cost of the brand name drug after rebates is
9 less than the cost of generic alternatives and that purchase of the
10 brand rather than generic version can save at least \$250,000. The
11 department may purchase generic alternatives when changes in market
12 prices make the price of the brand name drug after rebates more
13 expensive than the generic alternatives.

14 ~~((41))~~ (39) The department shall collaborate closely with the
15 Washington state hospital and medical associations in identification of
16 the diagnostic codes and retroactive review procedures that will be
17 used to determine whether an emergency room visit is a nonemergency
18 condition to assure that conditions that require emergency treatment
19 continue to be covered.

20 (40) If Substitute Senate Bill No. 6442 is enacted, the health care
21 authority shall provide a loan in the amount of \$12,393,000 from the
22 public employees' and retirees insurance account to the school
23 employees' insurance administrative account in order to fund startup
24 costs during the 2011-2013 fiscal biennium for the school employees'
25 benefits board, with the following terms:

26 (a) Repayment of the loan shall not commence earlier than January
27 1, 2014;

28 (b) Repayment of the loan shall not be completed later than June
29 30, 2017; and

30 (c) Interest shall be charged on the amount lent at a rate equal to
31 that which the balance would have been expected to earn in the event
32 that the loan were not made, plus five-tenths of a percent per annum.
33 The state treasurer shall maintain a record of the loan and must
34 calculate repayment obligations for the school employees' insurance
35 administrative account.

36 (41) \$12,393,000 of the school employees' insurance administrative
37 account--state appropriation is provided solely for administrative
38 costs associated with Senate Bill No. 6442 (establishing a consolidated

1 purchasing system for public school employees). If the bill is not
2 enacted by June 30, 2012, the amount provided in this subsection shall
3 lapse.

4 (42) The authority shall exclude HIV/AIDS disease, cancer, and
5 immunosuppressant drugs from any formulary limitations implemented to
6 operate within the appropriations provided in this section.
7 Additionally, the authority shall apply the dispense-as-written prior
8 authorization provisions of RCW 69.41.190(1) to any drug formulary
9 limitations adopted to operate within the appropriations provided in
10 this section.

11 (43) \$35,000 of the general fund--state appropriation for fiscal
12 year 2013 and \$35,000 of the general fund--federal appropriation are
13 provided solely for development of a new payment and managed care
14 enhancement reconciliation methodology for rural health clinics. The
15 new methodology shall to the greatest possible extent increase
16 administrative simplicity for the rural health clinics; increase
17 transparency, efficiency, and predictability for the clinics; and
18 shorten the time elapsing between initial payment and final
19 reconciliation. The new methodology shall be developed in consultation
20 with the rural health clinic association, staff from the office of
21 financial management and the legislative fiscal committees, and the
22 federal centers for medicare and medicaid services. The authority
23 shall contract with a consultant acceptable to the rural health clinic
24 association to assist in preparation of the new methodology, and shall
25 report to the governor and appropriate committees of the legislature by
26 December 1, 2012, on the proposed alternative payment and
27 reconciliation methodology.

28 (44) The authority shall not attempt to collect from a clinic any
29 managed care reconciliation amounts that are disputed by the clinic
30 prior to completion of the report required in subsection (43) of this
31 section.

32 (45) For periods subsequent to May 31, 2012, no funds are
33 appropriated in this act for medical care services for persons eligible
34 for such services under RCW 74.09.035(1)(a) or 74.09.035(c). The
35 administrator shall therefore immediately commence such actions as may
36 be necessary to disenroll such persons effective June 1, 2012,
37 including but not limited to terminating the state's demonstration

1 waiver agreement with the federal department of health and human
2 services.

3 (46) Prior to entering into a contract for medicaid managed care
4 services for the period commencing July 1, 2012, the director of the
5 health care authority shall certify to the governor and to the health
6 care committees of the legislature that the contractor has established
7 a network of acute, primary, and specialty care providers that is
8 sufficient to meet the needs of the contractor's anticipated enrollee
9 population. If no plan is able to certify an adequate provider network
10 in a county, the health care authority shall request re-bids from all
11 plans which originally submitted bids for the county during the regular
12 procurement process until award is successful. No county, that is
13 currently served by medicaid managed care services shall revert to
14 fee-for-service as a result of the procurement process.

15 (47) The authority, in collaboration with the department of social
16 and health services, the department of health, the Washington state
17 hospital association, the Puget Sound health alliance, the Washington
18 association of community and migrant health centers, and the forum, a
19 collaboration of health carriers, physicians, and hospitals in
20 Washington state, shall design a system of rural health system access
21 and quality incentive payments. The incentive payments must be linked
22 to explicit performance measures that consider not only services
23 provided by health care providers, but also the role that providers
24 might play in the rural health delivery systems in their communities,
25 including the provision of long-term care services. In designing the
26 incentive payment system, the authority shall consider the department
27 of health's necessary provider criteria for critical access hospitals,
28 the quality measures used to determine quality incentive payments under
29 RCW 74.60.130, and any other performance measures that would promote
30 access and quality in rural health systems. The authority, in
31 conjunction with those groups identified in this subsection, shall
32 develop parameters for determining criteria for increased payment,
33 alternative payment methodologies, or other incentives for those
34 providers that improve and achieve sustained improvement with respect
35 to the measures. The design of the system shall be submitted to the
36 relevant policy and fiscal committees of the legislature by December
37 15, 2012.

1 (48) The authority shall conduct a new competitive procurement
2 process to select one or more brokers to arrange nonemergency
3 transportation services for the period commencing January 1, 2013. In
4 conducting the procurement, the authority shall place substantial
5 emphasis upon low price in the selection of successful bidders while
6 assuring safe and prompt access to medically-necessary appointments and
7 timely response to client and provider agency requests.

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

10 **FOR THE HUMAN RIGHTS COMMISSION**

11	General Fund--State Appropriation (FY 2012)	((\$2,240,000))
12		<u>\$1,995,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$2,242,000))
14		<u>\$1,959,000</u>
15	General Fund--Federal Appropriation	((\$1,903,000))
16		<u>\$1,893,000</u>
17	TOTAL APPROPRIATION	((\$6,385,000))
18		<u>\$5,847,000</u>

19 **Sec. 215.** 2011 2nd sp.s. c 9 s 214 (uncodified) is amended to read
20 as follows:

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

22	Worker and Community Right-to-Know Account--State	
23	Appropriation	\$10,000
24	Accident Account--State Appropriation	((\$19,690,000))
25		<u>\$19,604,000</u>
26	Medical Aid Account--State Appropriation	((\$19,689,000))
27		<u>\$19,604,000</u>
28	TOTAL APPROPRIATION	((\$39,389,000))
29		<u>\$39,218,000</u>

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

32 (1) \$36,000 of the accident account--state appropriation and
33 \$36,000 of the medical aid account--state appropriation are solely
34 provided for Engrossed Substitute Senate Bill No. 5068 (industrial
35 safety and health act). If the bill is not enacted by June 30, 2011,
36 the amounts provided in this subsection shall lapse.

1 (2) \$16,000 of the accident account--state appropriation and
2 \$16,000 of the medical aid account--state appropriation are solely
3 provided for Substitute Senate Bill No. 5801 (industrial insurance
4 system). If the bill is not enacted by June 30, 2011, the amounts
5 provided in this subsection shall lapse.

6 (3) \$1,893,000 of the accident account--state appropriation and
7 \$1,893,000 of the medical aid account--state appropriation are provided
8 solely for implementation of House Bill No. 2123 (workers'
9 compensation). If the bill is not enacted by June 30, 2011, the
10 amounts provided in this subsection shall lapse.

11 **Sec. 216.** 2011 2nd sp.s. c 9 s 215 (uncodified) is amended to read
12 as follows:

13 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

14	General Fund--State Appropriation (FY 2012)	((\$14,850,000))
15		<u>\$14,841,000</u>
16	General Fund--State Appropriation (FY 2013)	((\$14,711,000))
17		<u>\$14,661,000</u>
18	General Fund--Federal Appropriation	\$456,000
19	General Fund--Private/Local Appropriation	\$4,048,000
20	Death Investigations Account--State Appropriation	\$148,000
21	Municipal Criminal Justice Assistance Account--	
22	State Appropriation	\$460,000
23	Washington Auto Theft Prevention Authority Account--	
24	State Appropriation	\$8,597,000
25	TOTAL APPROPRIATION	((\$43,270,000))
26		<u>\$43,211,000</u>

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

29 (1) \$5,000,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$5,000,000 of the general fund--state appropriation for
31 fiscal year 2013, are provided to the Washington association of
32 sheriffs and police chiefs solely to verify the address and residency
33 of registered sex offenders and kidnapping offenders under RCW
34 9A.44.130.

35 (2) \$321,000 of the general fund--local appropriation is provided
36 solely to purchase ammunition for the basic law enforcement academy.
37 Jurisdictions shall reimburse to the criminal justice training

1 commission the costs of ammunition, based on the average cost of
2 ammunition per cadet, for cadets that they enroll in the basic law
3 enforcement academy.

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

6 (4) \$100,000 of the general fund--state appropriation for fiscal
7 year 2012 and \$100,000 of the general fund--state appropriation for
8 fiscal year 2013 are provided solely for a school safety program. 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 hired after the effective
12 date of this section.

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

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

1 **Sec. 217.** 2011 2nd sp.s. c 9 s 216 (uncodified) is amended to read
2 as follows:

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

4	General Fund--State Appropriation (FY 2012)	((\$17,433,000))
5		<u>\$17,410,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$18,374,000))
7		<u>\$18,141,000</u>
8	General Fund--Federal Appropriation	\$11,636,000
9	Asbestos Account--State Appropriation	((\$395,000))
10		<u>\$375,000</u>
11	Electrical License Account--State Appropriation	((\$37,019,000))
12		<u>\$36,338,000</u>
13	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
14	Worker and Community Right-to-Know Account--	
15	State Appropriation	((\$949,000))
16		<u>\$916,000</u>
17	Public Works Administration Account--State	
18	Appropriation	((\$6,814,000))
19		<u>\$6,965,000</u>
20	Manufactured Home Installation Training Account--	
21	State Appropriation	\$334,000
22	Accident Account--State Appropriation	((\$252,809,000))
23		<u>\$250,990,000</u>
24	Accident Account--Federal Appropriation	\$13,622,000
25	Medical Aid Account--State Appropriation	((\$264,202,000))
26		<u>\$263,013,000</u>
27	Medical Aid Account--Federal Appropriation	\$3,186,000
28	Plumbing Certificate Account--State Appropriation	((\$1,688,000))
29		<u>\$1,676,000</u>
30	Pressure Systems Safety Account--State	
31	Appropriation	((\$4,068,000))
32		<u>\$4,051,000</u>
33	TOTAL APPROPRIATION	((\$632,557,000))
34		<u>\$628,681,000</u>

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

37 (1) Pursuant to RCW 43.135.055, the department is authorized to
38 increase fees related to factory assembled structures, contractor

1 registration, electricians, plumbers, asbestos removal, boilers,
2 elevators, and manufactured home installers. These increases are
3 necessary to support expenditures authorized in this section,
4 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
5 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

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

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

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

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

34 (6) \$625,000 of the general fund--state appropriation for fiscal
35 year 2012, \$625,000 of the general fund--state appropriation for fiscal
36 year 2013, \$1,250,000 of the public works administration account--state
37 appropriation, \$708,000 of the accident account--state appropriation,
38 and \$708,000 of the medical aid account--state appropriation are

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

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

12 **Sec. 218.** 2011 2nd sp.s. c 9 s 217 (uncodified) is amended to read
13 as follows:

14 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

15 (1) HEADQUARTERS

16	General Fund--State Appropriation (FY 2012)	((\$1,832,000))
17		<u>\$1,829,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$1,826,000))
19		<u>\$1,804,000</u>
20	Charitable, Educational, Penal, and Reformatory	
21	Institutions Account--State Appropriation	\$10,000
22	TOTAL APPROPRIATION	((\$3,668,000))
23		<u>\$3,643,000</u>

24 (2) FIELD SERVICES

25	General Fund--State Appropriation (FY 2012)	((\$5,006,000))
26		<u>\$5,002,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$5,001,000))
28		<u>\$4,969,000</u>
29	General Fund--Federal Appropriation	((\$3,356,000))
30		<u>\$3,348,000</u>
31	General Fund--Private/Local Appropriation	((\$4,737,000))
32		<u>\$4,724,000</u>
33	Veterans Innovations Program Account--State	
34	Appropriation	((\$812,000))
35		<u>\$810,000</u>
36	Veteran Estate Management Account--Private/Local	
37	Appropriation	((\$1,083,000))

1 \$1,079,000
 2 TOTAL APPROPRIATION ((~~\$19,995,000~~))
 3 \$19,932,000

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

11 (3) INSTITUTIONAL SERVICES

12 General Fund--State Appropriation (FY 2012) ((~~\$899,000~~))
 13 \$1,743,000
 14 (~~General Fund--State Appropriation (FY 2013) \$71,000~~)
 15 General Fund--Federal Appropriation ((~~\$59,177,000~~))
 16 \$61,462,000
 17 General Fund--Private/Local Appropriation ((~~\$32,094,000~~))
 18 \$29,528,000
 19 TOTAL APPROPRIATION ((~~\$92,241,000~~))
 20 \$92,733,000

21 **Sec. 219.** 2011 2nd sp.s. c 9 s 218 (uncodified) is amended to read
 22 as follows:

23 **FOR THE DEPARTMENT OF HEALTH**

24 General Fund--State Appropriation (FY 2012) ((~~\$79,888,000~~))
 25 \$70,986,000
 26 General Fund--State Appropriation (FY 2013) ((~~\$79,718,000~~))
 27 \$67,254,000
 28 General Fund--Federal Appropriation ((~~\$555,563,000~~))
 29 \$553,204,000
 30 General Fund--Private/Local Appropriation ((~~\$148,362,000~~))
 31 \$148,110,000
 32 Hospital Data Collection Account--State Appropriation \$214,000
 33 Health Professions Account--State Appropriation ((~~\$94,469,000~~))
 34 \$99,088,000
 35 Aquatic Lands Enhancement Account--State Appropriation \$604,000
 36 Emergency Medical Services and Trauma Care Systems
 37 Trust Account--State Appropriation ((~~\$12,302,000~~))

1		<u>\$12,300,000</u>
2	Safe Drinking Water Account--State Appropriation	((\$4,480,000))
3		<u>\$4,466,000</u>
4	Drinking Water Assistance Account--Federal	
5	Appropriation	((\$22,875,000))
6		<u>\$21,979,000</u>
7	Waterworks Operator Certification--State	
8	Appropriation	((\$1,532,000))
9		<u>\$1,528,000</u>
10	Drinking Water Assistance Administrative Account--	
11	State Appropriation	\$326,000
12	<u>Site Closure Account--State Appropriation</u>	<u>\$79,000</u>
13	Biotoxin Account--State Appropriation	\$1,167,000
14	State Toxics Control Account--State Appropriation	((\$3,649,000))
15		<u>\$20,012,000</u>
16	Medical Test Site Licensure Account--State	
17	Appropriation	((\$2,321,000))
18		<u>\$2,313,000</u>
19	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
20	Community and Economic Development Fee Account--State	
21	Appropriation	((\$596,000))
22		<u>\$298,000</u>
23	Public Health Supplemental Account--Private/Local	
24	Appropriation	\$3,598,000
25	Accident Account--State Appropriation	((\$297,000))
26		<u>\$295,000</u>
27	Medical Aid Account--State Appropriation	\$50,000
28	Tobacco Prevention and Control Account--State	
29	Appropriation	((\$37,000))
30		<u>\$1,729,000</u>
31	TOTAL APPROPRIATION	((\$1,013,560,000))
32		<u>\$1,011,112,000</u>

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

35 (1) The department of health shall not initiate any services that
36 will require expenditure of state general fund moneys unless expressly
37 authorized in this act or other law. The department of health and the
38 state board of health shall not implement any new or amended rules

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

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

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

36 (4) General fund--state appropriations for fiscal year 2013
37 includes funding to subsidize operating license and inspection fees in
38 the temporary worker housing program. In implementing this subsidy,

1 the department shall evaluate program regulations including but not
2 limited to the use of occupancy levels to determine the fee structure
3 and the frequency of inspections.

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

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

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

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

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

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

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

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

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

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

21 ~~((+12))~~ (14) \$57,000 of the general fund--state appropriation for
22 fiscal year 2012 and \$58,000 of the general fund--state appropriation
23 for fiscal year 2013 are provided solely for the midwifery licensure
24 and regulatory program to offset a reduction in revenue from fees.
25 There shall be no change to the current annual fees for new or renewed
26 licenses for the midwifery program, except from online access to HEAL-
27 WA. The department shall convene the midwifery advisory committee on
28 a quarterly basis to address issues related to licensed midwifery.

29 ~~((+13))~~ (15) \$118,000 of the general fund--state appropriation for
30 fiscal year 2012 and \$118,000 of the general fund--state appropriation
31 for fiscal year 2013 are provided solely for prevention of youth
32 suicides.

33 ~~((+14))~~ (16) \$87,000 of the general fund--state appropriation for
34 fiscal year 2012 and \$87,000 of the general fund--state appropriation
35 for fiscal year 2013 are provided solely for the senior falls
36 prevention program.

37 (17) \$19,000 of the health professions account--state appropriation

1 is provided solely for implementation of Senate Bill No. 6290 (military
2 spouses and partners). If the bill is not enacted by June 30, 2012,
3 the amount provided in this subsection shall lapse.

4 (18) \$50,000 of the health professions account--state appropriation
5 is provided solely for implementation of Engrossed Substitute Senate
6 Bill No. 6237 (career pathway/medical assistants). If the bill is not
7 enacted by June 30, 2012, the amount provided in this subsection shall
8 lapse.

9 (19) \$21,000 of the health professions account--state appropriation
10 is provided solely for implementation of Substitute Senate Bill No.
11 6328 (mental health professionals). If the bill is not enacted by June
12 30, 2012, the amount provided in this subsection shall lapse.

13 (20) \$148,000 of the health professions account--state
14 appropriation is provided solely for implementation of Engrossed
15 Substitute Senate Bill No. 6103 (reflexologists). If the bill is not
16 enacted by June 30, 2012, the amount provided in this subsection shall
17 lapse.

18 (21) \$28,000 of the health professions account--state appropriation
19 is provided solely for implementation of Engrossed Second Substitute
20 Senate Bill No. 5620 (dental anesthesia assistants). If the bill is
21 not enacted by June 30, 2012, the amount provided in this subsection
22 shall lapse.

23 (22) \$15,000 of the health professions account--state appropriation
24 is provided solely to implement Substitute House Bill No. 2056
25 (assisted living facilities). If the bill is not enacted by June 30,
26 2012, the amount provided in this subsection shall lapse.

27 (23) \$11,000 of the health professions account--state appropriation
28 is provided solely to implement Engrossed House Bill No. 2186 (licensed
29 midwives). If the bill is not enacted by June 30, 2012, the amount
30 provided in this subsection shall lapse.

31 (24) \$11,000 of the general fund--state appropriation for fiscal
32 year 2013 is provided solely to implement Engrossed Substitute House
33 Bill No. 2229 (hospital employees). If the bill is not enacted by June
34 30, 2012, the amount provided in this subsection shall lapse.

35 (25) \$48,000 of the health professions account--state appropriation
36 is provided solely to implement Engrossed Substitute House Bill No.
37 2314 (long-term care workers). If the bill is not enacted by June 30,
38 2012, the amount provided in this subsection shall lapse.

1 (26) \$280,000 of the health professions account--state
2 appropriation are provided solely to implement Engrossed Substitute
3 House Bill No. 2366 (suicide assessment and training). If the bill is
4 not enacted by June 30, 2012, the amounts provided in this subsection
5 shall lapse.

6 (27) \$11,000 of the general fund--state appropriation for fiscal
7 year 2013 is provided solely to implement Engrossed Substitute House
8 Bill No. 2582 (health care services billing). If the bill is not
9 enacted by June 30, 2012, the amount provided in this subsection shall
10 lapse.

11 (28) \$22,000 of the general fund--state appropriation for fiscal
12 year 2013 is provided solely to implement Substitute Senate Bill No.
13 6105 (prescription monitoring program). If the bill is not enacted by
14 June 30, 2012, the amount provided in this subsection shall lapse.

15 (29) \$30,000 of the health professions account--state appropriation
16 is provided solely for implementation of Engrossed Substitute House
17 Bill No. 2473 (medication assistant endorsement). If the bill is not
18 enacted by June 30, 2012, the amount provided in this subsection shall
19 lapse.

20 (30) Appropriations for fiscal year 2013 include funding for
21 consolidation of the department of ecology's low-level radioactive
22 waste site use permit program in the department of health.

23 **Sec. 220.** 2011 2nd sp.s. c 9 s 219 (uncodified) is amended to read
24 as follows:

25 **FOR THE DEPARTMENT OF CORRECTIONS**

26 The appropriations to the department of corrections in this act
27 shall be expended for the programs and in the amounts specified in this
28 section. However, after May 1, 2012, after approval by the director of
29 financial management and unless specifically prohibited by this act,
30 the department may transfer general fund--state appropriations for
31 fiscal year 2012 between programs. The department shall not transfer
32 funds, and the director of financial management shall not approve the
33 transfer, unless the transfer is consistent with the objective of
34 conserving, to the maximum extent possible, the expenditure of state
35 funds. The director of financial management shall notify the
36 appropriate fiscal committees of the senate and house of
37 representatives in writing seven days prior to approving any deviations

1 from appropriation levels. The written notification shall include a
2 narrative explanation and justification of the changes, along with
3 expenditures and allotments by budget unit and appropriation, both
4 before and after any allotment modifications or transfers.

5 (1) ADMINISTRATION AND SUPPORT SERVICES

6 General Fund--State Appropriation (FY 2012)	((\$54,529,000))
7	<u>\$52,529,000</u>
8 General Fund--State Appropriation (FY 2013)	((\$53,210,000))
9	<u>\$52,981,000</u>
10 TOTAL APPROPRIATION	((\$107,739,000))
11	<u>\$105,510,000</u>

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

25 (2) CORRECTIONAL OPERATIONS

26 General Fund--State Appropriation (FY 2012)	((\$609,105,000))
27	<u>\$596,916,000</u>
28 General Fund--State Appropriation (FY 2013)	((\$602,804,000))
29	<u>\$576,545,000</u>
30 General Fund--Federal Appropriation	\$3,324,000
31 Washington Auto Theft Prevention Authority Account--	
32 State Appropriation	\$14,079,000
33 <u>Enhanced 911 Account--State Appropriation</u>	<u>\$2,000,000</u>
34 TOTAL APPROPRIATION	((\$1,229,312,000))
35	<u>\$1,192,864,000</u>

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

1 (a) During the 2011-13 biennium, when contracts are established or
2 renewed for offender pay phone and other telephone services provided to
3 inmates, the department shall select the contractor or contractors
4 primarily based on the following factors: (i) The lowest rate charged
5 to both the inmate and the person paying for the telephone call; and
6 (ii) the lowest commission rates paid to the department, while
7 providing reasonable compensation to cover the costs of the department
8 to provide the telephone services to inmates and provide sufficient
9 revenues for the activities funded from the institutional welfare
10 betterment account.

11 (b) The Harborview medical center and the University of Washington
12 medical center shall provide inpatient and outpatient hospital services
13 to offenders confined in department of corrections facilities at a rate
14 no greater than the average rate that the department has negotiated
15 with other community hospitals in Washington state.

16 (c) \$102,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$102,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely to implement House Bill No. 1290
19 (health care employee overtime). If the bill is not enacted by June
20 30, 2011, the amounts provided in this subsection shall lapse.

21 (d) \$32,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$33,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely to implement Substitute House Bill
24 No. 1718 (offenders with developmental disabilities). If the bill is
25 not enacted by June 30, 2011, the amounts provided in this subsection
26 shall lapse.

27 (e) The department of corrections shall contract with local and
28 tribal governments for the provision of jail capacity to house
29 offenders. A contract shall not have a cost of incarceration in excess
30 of \$85 per day per offender. A contract shall not have a year-to-year
31 increase in excess of three percent per year. The contracts may
32 include rates for the medical care of offenders which exceed the daily
33 cost of incarceration and the limitation on year-to-year increase,
34 provided that medical payments conform to the department's offender
35 health plan, pharmacy formulary, and all off-site medical expenses are
36 preapproved by department utilization management staff.

37 (f) \$311,000 of the general fund--state appropriation for fiscal

1 year 2013 is provided solely for implementation of House Bill No. 2346
2 (correctional officer uniforms). If the bill is not enacted by June
3 30, 2012, the amount provided in this subsection shall lapse.

4 (g) \$41,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$165,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the department to maintain the
7 facility, property, and assets at the institution formerly known as the
8 maple lane school in Rochester. The department may not house
9 incarcerated offenders at the maple lane site until specifically
10 directed by the legislature. By November 1, 2012, the department shall
11 report to the appropriate fiscal committees of the house of
12 representatives and the senate with a plan for the future use of the
13 facility.

14 (3) COMMUNITY SUPERVISION

15	General Fund--State Appropriation (FY 2012)	((\$129,635,000))
16		<u>\$127,625,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$128,049,000))
18		<u>\$129,627,000</u>
19	Federal Narcotics Forfeiture Account--Federal	
20	Appropriation	\$372,000
21	Controlled Substances Account--State	
22	Appropriation	\$32,000
23	TOTAL APPROPRIATION	((\$258,088,000))
24		<u>\$257,656,000</u>

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

27 (a) \$875,000 of the general fund--state appropriation for fiscal
28 year 2012 is provided solely to implement Engrossed Substitute House
29 Bill No. 5891 (criminal justice cost savings). If the bill is not
30 enacted by June 30, 2011, the amount provided in this subsection shall
31 lapse.

32 (b) Within the funds provided in this section, the department of
33 corrections must establish a transitional reentry housing pilot program
34 by contracting with housing providers to continuously make available no
35 fewer than fifty beds in transitional reentry housing to meet the needs
36 of offenders transitioning to the community on earned early release and
37 who are in need of housing pursuant to RCW 9.94A.729(5)(d). The
38 department must give preference to housing providers that provide a

1 small, family-oriented living environment with between three and ten
2 beds and provide transition support that enables an offender to
3 participate in programming or services. The department shall track the
4 housing and recidivism status of offenders who participate in
5 transitional reentry housing and report to the governor and appropriate
6 committees of the legislature by December 1, 2013.

7 (4) CORRECTIONAL INDUSTRIES

8	General Fund--State Appropriation (FY 2012)	((\$3,535,000))
9		<u>\$2,513,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$3,458,000))
11		<u>\$2,431,000</u>
12	TOTAL APPROPRIATION	((\$6,993,000))
13		<u>\$4,944,000</u>

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

22 (5) INTERAGENCY PAYMENTS

23	General Fund--State Appropriation (FY 2012)	((\$37,053,000))
24		<u>\$36,183,000</u>
25	General Fund--State Appropriation (FY 2013)	((\$35,549,000))
26		<u>\$32,597,000</u>
27	TOTAL APPROPRIATION	((\$72,602,000))
28		<u>\$68,780,000</u>

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

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

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

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

7 **Sec. 221.** 2011 2nd sp.s. c 9 s 220 (uncodified) is amended to read
8 as follows:

9 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

10	General Fund--State Appropriation (FY 2012)	((\$2,278,000))
11		<u>\$2,273,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$2,264,000))
13		<u>\$2,244,000</u>
14	General Fund--Federal Appropriation	((\$19,082,000))
15		<u>\$19,012,000</u>
16	General Fund--Private/Local Appropriation	\$30,000
17	TOTAL APPROPRIATION	((\$23,654,000))
18		<u>\$23,559,000</u>

19 **Sec. 222.** 2011 2nd sp.s. c 9 s 221 (uncodified) is amended to read
20 as follows:

21 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

22	General Fund--Federal Appropriation	((\$267,301,000))
23		<u>\$267,088,000</u>
24	General Fund--Private/Local Appropriation	((\$33,931,000))
25		<u>\$33,861,000</u>
26	Unemployment Compensation Administration Account--	
27	Federal Appropriation	((\$350,622,000))
28		<u>\$349,430,000</u>
29	Administrative Contingency Account--State	
30	Appropriation	((\$20,948,000))
31		<u>\$20,942,000</u>
32	Employment Service Administrative Account--State	
33	Appropriation	((\$33,721,000))
34		<u>\$33,621,000</u>
35	TOTAL APPROPRIATION	((\$706,523,000))
36		<u>\$704,942,000</u>

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

3 (1) \$39,666,000 of the unemployment compensation administration
4 account--federal appropriation is from amounts made available to the
5 state by section 903 (d), (f), and (g) of the social security act (Reed
6 act). This amount is provided solely for continuing current
7 unemployment insurance functions and department services to employers
8 and job seekers.

9 (2) \$35,584,000 of the unemployment compensation administration
10 account--federal appropriation is from amounts made available to the
11 state by section 903 (d), (f), and (g) of the social security act (Reed
12 act). This amount is provided solely for the replacement of the
13 unemployment insurance tax information system for the employment
14 security department. The employment security department shall support
15 the department of revenue and department of labor and industries to
16 develop a common vision to ensure technological compatibility between
17 the three agencies to facilitate a coordinated business tax system for
18 the future that improves services to business customers. The amounts
19 provided in this subsection are conditioned on the department
20 satisfying the requirements of the project management oversight
21 standards and policies established by the office of the chief
22 information officer created in Engrossed Substitute Senate Bill No.
23 5931 (information technology management).

24 (3) \$25,000 of the unemployment compensation administration
25 account--federal appropriation is from amounts made available to the
26 state by section 903 (d), (f), and (g) of the social security act (Reed
27 act). This amount is provided solely for implementation of system
28 changes to the unemployment insurance tax information system required
29 under chapter 4, Laws of 2011 (unemployment insurance program).

30 (4) \$1,459,000 of the unemployment compensation administration
31 account--federal appropriation is from amounts available to the state
32 by section 903 (d), (f), and (g) of the social security act (Reed act).
33 This amount is provided solely for implementation of chapter 4, Laws of
34 2011 (unemployment insurance program).

35 (5) \$60,000 of the unemployment compensation administration
36 account--federal appropriation is provided solely for costs associated
37 with the initial review and evaluation of the training benefits program
38 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment

1 insurance program). The initial review shall be developed by the joint
2 legislative audit and review committee. This appropriation is provided
3 from funds made available to the state by section 903 (d), (f), and (g)
4 of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

Sec. 301. 2011 2nd sp.s. c 9 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2012)	(\$402,000)
	<u>\$401,000</u>
General Fund--State Appropriation (FY 2013)	(\$410,000)
	<u>\$404,000</u>
General Fund--Federal Appropriation	\$31,000
General Fund--Private/Local Appropriation	(\$782,000)
	<u>\$775,000</u>
TOTAL APPROPRIATION	(\$1,625,000)
	<u>\$1,611,000</u>

Sec. 302. 2011 2nd sp.s. c 9 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2012)	(\$47,630,000)
	<u>\$28,409,000</u>
General Fund--State Appropriation (FY 2013)	(\$46,226,000)
	<u>\$24,058,000</u>
General Fund--Federal Appropriation	(\$77,452,000)
	<u>\$100,000,000</u>
General Fund--Private/Local Appropriation	(\$16,691,000)
	<u>\$16,714,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	(\$3,642,000)
	<u>\$4,633,000</u>
Flood Control Assistance Account--State Appropriation	(\$1,940,000)
	<u>\$1,929,000</u>
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000

1	Waste Reduction/Recycling/Litter Control--State	
2	Appropriation	((\$11,478,000))
3		<u>\$9,718,000</u>
4	State Drought Preparedness Account--State	
5	Appropriation	((\$118,000))
6		<u>\$204,000</u>
7	State and Local Improvements Revolving Account	
8	(Water Supply Facilities)--State Appropriation	((\$423,000))
9		<u>\$422,000</u>
10	Freshwater Aquatic Algae Control Account--State	
11	Appropriation	\$509,000
12	Water Rights Tracking System Account--State Appropriation	\$46,000
13	Site Closure Account--State Appropriation	((\$703,000))
14		<u>\$620,000</u>
15	Wood Stove Education and Enforcement Account--State	
16	Appropriation	((\$612,000))
17		<u>\$723,000</u>
18	Worker and Community Right-to-Know Account--State	
19	Appropriation	((\$1,668,000))
20		<u>\$1,655,000</u>
21	Water Rights Processing Account--State Appropriation	((\$136,000))
22		<u>\$135,000</u>
23	State Toxics Control Account--State Appropriation	((\$112,575,000))
24		<u>\$149,326,000</u>
25	State Toxics Control Account--Private/Local	
26	Appropriation	((\$968,000))
27		<u>\$964,000</u>
28	Local Toxics Control Account--State Appropriation	((\$27,390,000))
29		<u>\$26,164,000</u>
30	Water Quality Permit Account--State Appropriation	((\$37,748,000))
31		<u>\$38,851,000</u>
32	Underground Storage Tank Account--State	
33	Appropriation	((\$3,254,000))
34		<u>\$3,216,000</u>
35	Biosolids Permit Account--State Appropriation	((\$1,805,000))
36		<u>\$1,791,000</u>
37	Hazardous Waste Assistance Account--State	
38	Appropriation	((\$5,857,000))

1		<u>\$5,799,000</u>
2	Air Pollution Control Account--State Appropriation . . .	((\$2,468,000))
3		<u>\$2,541,000</u>
4	Oil Spill Prevention Account--State Appropriation . . .	((\$5,566,000))
5		<u>\$5,495,000</u>
6	Air Operating Permit Account--State Appropriation . . .	((\$2,746,000))
7		<u>\$2,714,000</u>
8	Freshwater Aquatic Weeds Account--State	
9	Appropriation	((\$1,700,000))
10		<u>\$1,698,000</u>
11	Oil Spill Response Account--State Appropriation	\$7,076,000
12	Metals Mining Account--State Appropriation	\$14,000
13	Water Pollution Control Revolving Account--State	
14	Appropriation	((\$611,000))
15		<u>\$608,000</u>
16	Water Pollution Control Revolving Account--Federal	
17	Appropriation	((\$2,517,000))
18		<u>\$2,501,000</u>
19	TOTAL APPROPRIATION	((\$421,842,000))
20		<u>\$438,806,000</u>

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

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

28 (2) Pursuant to RCW 43.135.055, the department is authorized to
29 increase the following fees as necessary to meet the actual costs of
30 conducting business and the appropriation levels in this section:
31 Wastewater discharge permit, not more than 4.34 percent in fiscal year
32 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
33 more than 10 percent during the biennium; and air contaminate source
34 registration fee, not more than 36 percent during the biennium; and dam
35 safety and inspection fees, not more than 35 percent in fiscal year
36 2012 and 4.62 percent in fiscal year 2013.

37 (3) If Substitute House Bill No. 1294 (Puget Sound corps) is not
38 enacted by June 30, 2011, \$322,000 of the general fund--state

1 appropriation for fiscal year 2012 and \$322,000 of the general fund--
2 state appropriation for fiscal year 2013 shall be transferred to the
3 department of natural resources.

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

9 (5) Pursuant to RCW 70.93.180(5), the appropriations in this
10 section from the waste reduction, recycling, and litter control account
11 shall only be expended on activities listed under RCW 70.93.180(1) (a)
12 and (b), and the department shall not expend appropriations on RCW
13 70.93.180(1)(c). The department may not spend waste reduction,
14 recycling, and litter control account funds to support the following
15 activities: The beyond waste plan, work on national solid waste
16 recycling issues, work on construction and demolition recycling and
17 green building alternatives, education programs including the green
18 schools initiative, and management of the 1-800-recycle hotline and
19 database on school awards. Waste reduction, recycling, and litter
20 account control funds must be prioritized to support litter pickup
21 using correctional crews, regulatory programs, and technical assistance
22 to local governments.

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

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

1 enhanced permit processing to the appropriate committees of the
2 legislature on December 1, 2011, and October 1, 2012.

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

9 (b) \$500,000 of the general fund--state appropriation for fiscal
10 year 2013 is provided solely for processing water right permit
11 applications only if the department of ecology issues at least five
12 hundred water right decisions in fiscal year 2012, and if the
13 department of ecology does not issue at least five hundred water right
14 decisions in fiscal year 2012 the amount provided in this subsection
15 shall lapse and remain unexpended. The department of ecology shall
16 submit a report to the office of financial management and the state
17 treasurer by June 30, 2012, that documents whether five hundred water
18 right decisions were issued in fiscal year 2012. For the purposes of
19 this subsection, applications that are voluntarily withdrawn by an
20 applicant do not count towards the five hundred water right decision
21 requirement. For the purposes of water budget-neutral requests under
22 chapter 173-539A WAC, multiple domestic connections authorized within
23 a single water budget-neutral decision are considered one decision for
24 the purposes of this subsection.

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

28 (8) \$1,075,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,075,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for processing the backlog of
31 pending water rights permit applications in the water resources
32 program.

33 (9) \$297,000 of the state toxics control account--state
34 appropriation is provided solely for the implementation of Engrossed
35 Second Substitute Senate Bill No. 6211 (hazardous waste sites). If the
36 bill is not enacted by June 30, 2012, the amount provided in this
37 subsection shall lapse.

1 (10) Pursuant to House Bill No. 2304 (low-level waste), the
2 appropriations in this section for the low-level radioactive waste site
3 use permit program are for fiscal year 2012. Appropriations for fiscal
4 year 2013 are contained in section 219 of this act.

5 (11) Pursuant to RCW 90.16.090(2), the appropriations in this
6 section from the reclamation account--state appropriation shall be
7 expended for the activities listed in RCW 90.16.090(1), and the
8 expenditures need not be proportional to fee revenue sources.

9 (12) \$2,000,000 of the state toxics control account--state
10 appropriation is provided solely for the replacement of uncertified
11 solid fuel burning devices and solid fuel burning devices manufactured
12 prior to 1995 for low and middle-income families in air quality
13 nonattainment areas under the federal clean air act (42 U.S.C. Sec.
14 7401 et seq.). The replacement heating device may include certified
15 solid fuel burning devices, pellet stoves, or a cleaner natural gas or
16 electric home heating device.

17 (13) \$188,000 of the general fund--state appropriation for fiscal
18 year 2013 is provided solely for the implementation of Second
19 Substitute Senate Bill No. 6406 (state natural resources). If the bill
20 is not enacted by June 30, 2012, the amount provided in this subsection
21 shall lapse.

22 (14) \$77,000 of the general fund--state appropriation for fiscal
23 year 2013 is provided solely for the implementation of Engrossed Second
24 Substitute Senate Bill No. 5343 (anaerobic digesters). If the bill is
25 not enacted by June 30, 2012, the amount provided in this subsection
26 shall lapse.

27 **Sec. 303.** 2011 2nd sp.s. c 9 s 303 (uncodified) is amended to read
28 as follows:

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

30	General Fund--State Appropriation (FY 2012)	\$8,955,000
31	General Fund--State Appropriation (FY 2013)	\$8,379,000
32	General Fund--Federal Appropriation	\$5,905,000
33	Winter Recreation Program Account--State	
34	Appropriation	((\$1,761,000))
35		\$1,759,000
36	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
37	Snowmobile Account--State Appropriation	((\$4,848,000))

1		<u>\$4,844,000</u>
2	Aquatic Lands Enhancement Account--State	
3	Appropriation	((\$363,000))
4		<u>\$4,363,000</u>
5	Parks Renewal and Stewardship Account--State	
6	Appropriation	((\$116,087,000))
7		<u>\$106,788,000</u>
8	Parks Renewal and Stewardship Account--Private/Local	
9	Appropriation	\$300,000
10	TOTAL APPROPRIATION	((\$146,822,000))
11		<u>\$141,517,000</u>

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

14 (1) \$8,876,000 of the general fund--state appropriation for fiscal
15 year 2012 (~~and~~), \$8,300,000 of the general fund--state appropriation
16 for fiscal year 2013, and \$4,000,000 of the aquatic lands enhancement
17 account--state appropriation are provided solely to operate and
18 maintain state parks as the commission implements a new fee structure.
19 The goal of this structure is to make the parks system self-supporting.
20 By August 1, 2012, state parks must submit a report to the office of
21 financial management detailing its progress toward this goal and
22 outlining any additional statutory changes needed for successful
23 implementation.

24 (2) \$79,000 of the general fund--state appropriation for fiscal
25 year 2012 and \$79,000 of the general fund--state appropriation for
26 fiscal year 2013 are provided solely for a grant for the operation of
27 the Northwest avalanche center.

28 (3) \$53,928,000 of the parks renewal and stewardship account--state
29 appropriation is provided solely for implementation of Second
30 Substitute Senate Bill No. 5622 (state land recreation access). If the
31 bill is not enacted by June 30, 2011, the amount provided in this
32 subsection shall lapse.

33 (4) Prior to closing any state park, the commission must notify all
34 affected local governments and relevant nonprofit organizations of the
35 intended closure and provide an opportunity for the notified local
36 governments and nonprofit organizations to elect to acquire, or enter
37 into, a maintenance and operating contract with the commission that
38 would allow the park to remain open.

1 (5) \$592,000 of the parks renewal and stewardship account--state
2 appropriation is provided solely for the implementation of Substitute
3 Senate Bill No. 6387 (parks fiscal matters). If the bill is not
4 enacted by June 30, 2012, the amount provided in this subsection shall
5 lapse.

6 (6) Within the appropriations contained in this section, the
7 commission shall remove trees from Brooks memorial state park that have
8 been killed or damaged by fire in order to ensure the recovery of value
9 from the sale of any timber that is surplus to the needs of the park.
10 The commission shall remove such trees by September 30, 2012, and in a
11 manner consistent with RCW 79A.05.035.

12 (7) \$176,000 of the parks renewal and stewardship account--state
13 appropriation is provided solely for the implementation of Engrossed
14 Second Substitute House Bill No. 2373 (recreational resources). If the
15 bill is not enacted by June 30, 2012, the amount provided in this
16 subsection shall lapse.

17 (8) The state parks and recreation commission, in cooperation with
18 the Fort Worden lifelong learning center public development authority
19 authorized under RCW 35.21.730, shall provide a report to the
20 appropriate committees of the legislature by October 1, 2012, on a
21 potential transfer or partial transfer of Fort Worden state park
22 operations to the public development authority with the state retaining
23 title to the property. The report shall include a business plan and
24 supporting materials that provide information, options, and
25 recommendations on matters related to the transfer including, but not
26 limited to: The scope of the transfer; the time frame for and duration
27 of the transfer; the sustainability of park operations following the
28 transfer, including sources of revenue, estimated revenue, as well as
29 estimated annual operating and capital maintenance costs; potential
30 risks and liability for the state, as well as potential mitigation
31 measures; potential impacts on and transition plans for state
32 employees; ensuring the sustainability of park operations in
33 perpetuity; and contingency plans to address significant funding or
34 other park management challenges that may arise.

35 **Sec. 304.** 2011 2nd sp.s. c 9 s 304 (uncodified) is amended to read
36 as follows:

1	FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
2	General Fund--State Appropriation (FY 2012)	((\$954,000))
3		<u>\$898,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$973,000))
5		<u>\$824,000</u>
6	General Fund--Federal Appropriation	((\$3,299,000))
7		<u>\$3,295,000</u>
8	General Fund--Private/Local Appropriation	((\$274,000))
9		<u>\$24,000</u>
10	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
11	Vessel Response Account--State Appropriation	\$100,000
12	Firearms Range Account--State Appropriation	\$37,000
13	Recreation Resources Account--State Appropriation	((\$2,874,000))
14		<u>\$2,870,000</u>
15	NOVA Program Account--State Appropriation	\$900,000
16	TOTAL APPROPRIATION	((\$9,689,000))
17		<u>\$9,226,000</u>

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

26 **Sec. 305.** 2011 2nd sp.s. c 9 s 305 (uncodified) is amended to read
27 as follows:

28	FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE	
29	General Fund--State Appropriation (FY 2012)	((\$2,308,000))
30		<u>\$2,172,000</u>
31	General Fund--State Appropriation (FY 2013)	((\$2,275,000))
32		<u>\$2,069,000</u>
33	TOTAL APPROPRIATION	((\$4,583,000))
34		<u>\$4,241,000</u>

35 **Sec. 306.** 2011 2nd sp.s. c 9 s 306 (uncodified) is amended to read
36 as follows:

1 **FOR THE CONSERVATION COMMISSION**

2	General Fund--State Appropriation (FY 2012)	((\$6,789,000))
3		<u>\$6,740,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$6,792,000))
5		<u>\$6,479,000</u>
6	General Fund--Federal Appropriation	\$1,301,000
7	TOTAL APPROPRIATION	((\$14,882,000))
8		<u>\$14,520,000</u>

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

11 (1) The conservation commission, in cooperation with all
12 conservation districts, will seek to minimize conservation district
13 overhead costs. These efforts may include consolidating conservation
14 districts.

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

19 **Sec. 307.** 2011 2nd sp.s. c 9 s 307 (uncodified) is amended to read
20 as follows:

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

22	General Fund--State Appropriation (FY 2012)	((\$34,695,000))
23		<u>\$32,689,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$32,388,000))
25		<u>\$23,853,000</u>
26	General Fund--Federal Appropriation	((\$105,717,000))
27		<u>\$105,483,000</u>
28	General Fund--Private/Local Appropriation	((\$57,025,000))
29		<u>\$56,923,000</u>
30	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
31	Aquatic Lands Enhancement Account--State	
32	Appropriation	((\$8,230,000))
33		<u>\$12,113,000</u>
34	Recreational Fisheries Enhancement--State	
35	Appropriation	((\$3,550,000))
36		<u>\$2,794,000</u>
37	Warm Water Game Fish Account--State Appropriation . . .	((\$3,051,000))

1		<u>\$2,841,000</u>
2	Eastern Washington Pheasant Enhancement Account--State	
3	Appropriation	\$849,000
4	Aquatic Invasive Species Enforcement Account--State	
5	Appropriation	\$204,000
6	Aquatic Invasive Species Prevention Account--State	
7	Appropriation	((\$719,000))
8		<u>\$848,000</u>
9	State Wildlife Account--State Appropriation	((\$100,424,000))
10		<u>\$100,900,000</u>
11	Special Wildlife Account--State Appropriation	((\$2,384,000))
12		<u>\$2,382,000</u>
13	Special Wildlife Account--Federal Appropriation	\$500,000
14	Special Wildlife Account--Private/Local Appropriation	\$3,415,000
15	Wildlife Rehabilitation Account--State Appropriation	\$259,000
16	Regional Fisheries Enhancement Salmonid Recovery	
17	Account--Federal Appropriation	\$5,001,000
18	Oil Spill Prevention Account--State Appropriation	((\$887,000))
19		<u>\$883,000</u>
20	Oyster Reserve Land Account--State Appropriation	((\$921,000))
21		<u>\$919,000</u>
22	<u>Hydraulic Project Approval Account--State</u>	
23	<u>Appropriation</u>	<u>\$415,000</u>
24	<u>Recreation Resources Account--State Appropriation</u>	<u>\$4,621,000</u>
25	TOTAL APPROPRIATION	((\$360,610,000))
26		<u>\$358,283,000</u>

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

29 (1) \$294,000 of the aquatic lands enhancement account--state
30 appropriation is provided solely for the implementation of hatchery
31 reform recommendations defined by the hatchery scientific review group.

32 (2) \$355,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$355,000 of the general fund--state appropriation for
34 fiscal year 2013 are provided solely for the department to continue a
35 pilot project with the Confederated Tribes of the Colville Reservation
36 to develop expanded recreational fishing opportunities on Lake Rufus
37 Woods and its northern shoreline and to conduct joint enforcement of
38 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to

1 state and tribal intergovernmental agreements developed under the
2 Columbia River water supply program. For the purposes of the pilot
3 project:

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

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

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

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

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

20 (3) Prior to submitting its 2013-2015 biennial operating and
21 capital budget request related to state fish hatcheries to the office
22 of financial management, the department shall contract with the
23 hatchery scientific review group (HSRG) to review this request. This
24 review shall: (a) Determine if the proposed requests are consistent
25 with HSRG recommendations; (b) prioritize the components of the
26 requests based on their contributions to protecting wild salmonid
27 stocks and meeting the recommendations of the HSRG; and (c) evaluate
28 whether the proposed requests are being made in the most cost effective
29 manner. The department shall provide a copy of the HSRG review to the
30 office of financial management with their agency budget proposal.

31 (4) \$400,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$400,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for a state match to support the
34 Puget Sound nearshore partnership between the department and the U.S.
35 army corps of engineers.

36 (5) \$50,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$50,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for removal of derelict gear in
2 Washington waters.

3 (6) \$100,000 of the eastern Washington pheasant enhancement
4 account--state appropriation is provided solely for the department to
5 support efforts to enhance permanent and temporary pheasant habitat on
6 public and private lands in Grant, Franklin, and Adams counties. The
7 department may support efforts by entities including conservation
8 districts, nonprofit organizations, and landowners, and must require
9 such entities to provide significant nonstate matching resources, which
10 may be in the form of funds, material, or labor.

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

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

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

25 (10) \$18,514,000 of the state wildlife account--state appropriation
26 is provided solely for the implementation of Second Substitute Senate
27 Bill No. 5385 (state wildlife account). If the bill is not enacted by
28 June 30, 2011, the amount provided in this subsection shall lapse.

29 (11) (~~(\$9,418,000)~~) \$8,522,000 of the state wildlife account--state
30 appropriation is provided solely for the implementation of Second
31 Substitute Senate Bill No. 5622 (state land recreation access). If the
32 bill is not enacted by June 30, 2011, the amount provided in this
33 subsection shall lapse.

34 (12) \$50,000 of the state wildlife account--state appropriation is
35 provided solely for mitigation, claims, and assessment costs for injury
36 or loss of livestock caused by wolves, black bears, and cougars.

37 (13) \$552,000 of the aquatic lands enhancement account--state
38 appropriation is provided solely for increased law enforcement capacity

1 to reduce the occurrence of geoduck poaching and illegal harvest
2 activities. The department shall fill current vacant law enforcement
3 positions prior to filling the new positions created under this
4 subsection.

5 (14) \$56,000 of the state wildlife account--state appropriation is
6 provided solely for the implementation of Substitute Senate Bill No.
7 6387 (natural resource fiscal matters). If the bill is not enacted by
8 June 30, 2012, the amount provided in this subsection shall lapse.

9 (15) \$415,000 of the hydraulic project approval--state
10 appropriation is provided solely for the implementation of Second
11 Substitute Senate Bill No. 6406 (state natural resources). If the bill
12 is not enacted by June 30, 2012, the amount provided in this subsection
13 shall lapse.

14 **Sec. 308.** 2011 2nd sp.s. c 9 s 308 (uncodified) is amended to read
15 as follows:

16 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

17	General Fund--State Appropriation (FY 2012)	((\$31,324,000))
18		<u>\$30,914,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$35,791,000))
20		<u>\$30,721,000</u>
21	General Fund--Federal Appropriation	((\$27,919,000))
22		<u>\$27,873,000</u>
23	General Fund--Private/Local Appropriation	((\$2,374,000))
24		<u>\$2,372,000</u>
25	Forest Development Account--State Appropriation	((\$41,717,000))
26		<u>\$46,338,000</u>
27	ORV and Nonhighway Vehicle Account--State	
28	Appropriation	((\$4,387,000))
29		<u>\$4,373,000</u>
30	Surveys and Maps Account--State Appropriation	((\$2,346,000))
31		<u>\$2,118,000</u>
32	Aquatic Lands Enhancement Account--State	
33	Appropriation	((\$7,224,000))
34		<u>\$79,000</u>
35	Resources Management Cost Account--State	
36	Appropriation	((\$82,097,000))
37		<u>\$90,274,000</u>

1	Surface Mining Reclamation Account--State	
2	Appropriation	((\$3,484,000))
3		<u>\$3,470,000</u>
4	Disaster Response Account--State Appropriation	\$5,000,000
5	Forest and Fish Support Account--State Appropriation	((\$7,933,000))
6		<u>\$10,484,000</u>
7	Aquatic Land Dredged Material Disposal Site	
8	Account--State Appropriation	\$838,000
9	Natural Resources Conservation Areas Stewardship	
10	Account--State Appropriation	\$34,000
11	<u>Marine Resources Stewardship Account--State</u>	
12	<u>Appropriation</u>	<u>\$2,100,000</u>
13	State Toxics Control Account--State Appropriation	\$80,000
14	Air Pollution Control Account--State Appropriation	((\$669,000))
15		<u>\$540,000</u>
16	NOVA Program Account--State Appropriation	((\$639,000))
17		<u>\$635,000</u>
18	Derelict Vessel Removal Account--State Appropriation	\$1,761,000
19	Agricultural College Trust Management Account--State	
20	Appropriation	((\$1,854,000))
21		<u>\$1,848,000</u>
22	<u>Forest Practices Application Account--State</u>	
23	<u>Appropriation</u>	<u>\$780,000</u>
24	TOTAL APPROPRIATION	((\$257,471,000))
25		<u>\$262,632,000</u>

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

28 (1) \$710,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$915,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for deposit into the agricultural
31 college trust management account and are provided solely to manage
32 approximately 70,700 acres of Washington State University's
33 agricultural college trust lands.

34 (2) \$8,030,000 of the general fund--state appropriation for fiscal
35 year 2012, ((~~\$10,037,000~~)) \$7,276,000 of the general fund--state
36 appropriation for fiscal year 2013, \$2,138,000 of the forest
37 development account--state appropriation, and \$5,000,000 of the
38 disaster response account--state appropriation are provided solely for

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

10 ~~(3) ((\$4,000,000 of the forest and fish support account--state~~
11 ~~appropriation is provided solely for adaptive management, monitoring,~~
12 ~~and participation grants to tribes. If federal funding for this~~
13 ~~purpose is reinstated, the amount provided in this subsection shall~~
14 ~~lapse.~~

15 ~~(4) \$333,000 of the forest and fish support account--state~~
16 ~~appropriation is provided solely for adaptive management, monitoring,~~
17 ~~and participation grants to nongovernmental organizations.))~~ \$4,250,000
18 of the forest and fish support account--state appropriation is provided
19 solely for outcome-based, performance contracts with tribes to
20 participate in the implementation of the forest practices program.
21 Contracts awarded in fiscal year 2013 may only contain indirect cost
22 set at or below the rate in the contracting tribe's indirect cost
23 agreement with the federal government. If federal funding for this
24 purpose is reinstated, the amount provided in this subsection shall
25 lapse.

26 (4) \$468,000 of the forest and fish support account--state
27 appropriation is provided solely for outcome-based performance
28 contracts with nongovernmental organizations to participate in the
29 implementation of the forest practices program. Contracts awarded in
30 fiscal year 2013 may only contain indirect cost set at or below a rate
31 of eighteen percent.

32 (5) ~~(\$487,000)~~ During the 2011-2013 fiscal biennium, \$717,000 of
33 the ((general fund)) forest and fish support account--state
34 appropriation is provided solely to fund interagency agreements with
35 the department of ecology and the department of fish and wildlife as
36 part of the adaptive management process.

37 (6) \$1,000,000 of the general fund--federal appropriation and
38 \$1,000,000 of the forest and fish support account--state appropriation

1 are provided solely for continuing scientific studies already underway
2 as part of the adaptive management process. Funds may not be used to
3 initiate new studies unless the department secures new federal funding
4 for the adaptive management process.

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

9 (8) \$440,000 of the state general fund--state appropriation for
10 fiscal year 2012 and \$440,000 of the state general fund--state
11 appropriation for fiscal year 2013 are provided solely for forest work
12 crews that support correctional camps and are contingent upon
13 continuing operations of Naselle youth camp.

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

19 (10) In partnership with the department of ecology, the departments
20 shall deliver a report to the governor, the appropriate committees of
21 the legislature, and the forest practices board by September 1, 2012,
22 documenting forest practices adaptive management program reforms
23 implemented, or recommended, that streamline existing processes to
24 increase program efficiencies and effectiveness. The departments shall
25 collaborate with interested adaptive management program participants in
26 the development of the report.

27 (11) \$780,000 of the forest practices application account--state
28 appropriation, \$18,000 of the forest development account--state
29 appropriation, \$22,000 of the resources management cost account--state
30 appropriation, and \$2,000 of the surface mining reclamation account--
31 state appropriation are provided solely for the implementation of
32 Second Substitute Senate Bill No. 6406 (state natural resources). If
33 the bill is not enacted by June 30, 2012, the amounts provided in this
34 subsection shall lapse.

35 (12) \$2,100,000 of the marine resources stewardship account--state
36 appropriation is provided solely for the implementation of Second
37 Substitute Senate Bill No. 6263 (marine management planning). If the

1 bill is not enacted by June 30, 2012, the amount provided in this
2 subsection shall lapse.

3 **Sec. 309.** 2011 2nd sp.s. c 9 s 309 (uncodified) is amended to read
4 as follows:

5 **FOR THE DEPARTMENT OF AGRICULTURE**

6	General Fund--State Appropriation (FY 2012)	((\$15,484,000))
7		<u>\$13,294,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$14,875,000))
9		<u>\$12,425,000</u>
10	General Fund--Federal Appropriation	((\$22,940,000))
11		<u>\$22,817,000</u>
12	General Fund--Private/Local Appropriation	\$190,000
13	Aquatic Lands Enhancement Account--State	
14	Appropriation	((\$2,553,000))
15		<u>\$2,544,000</u>
16	State Toxics Control Account--State Appropriation	((\$5,118,000))
17		<u>\$9,378,000</u>
18	Water Quality Permit Account--State Appropriation	\$60,000
19	Freshwater Aquatic Weeds Account--State Appropriation	\$280,000
20	TOTAL APPROPRIATION	((\$61,500,000))
21		<u>\$60,988,000</u>

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

27 **Sec. 310.** 2011 2nd sp.s. c 9 s 310 (uncodified) is amended to read
28 as follows:

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

30	Pollution Liability Insurance Program Trust	
31	Account--State Appropriation	((\$668,000))
32		<u>\$661,000</u>

33 **Sec. 311.** 2011 2nd sp.s. c 9 s 311 (uncodified) is amended to read
34 as follows:

1	FOR THE PUGET SOUND PARTNERSHIP	
2	General Fund--State Appropriation (FY 2012)	((\$2,399,000))
3		<u>\$2,273,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$2,424,000))
5		<u>\$2,253,000</u>
6	General Fund--Federal Appropriation	((\$9,581,000))
7		<u>\$12,428,000</u>
8	General Fund--Private/Local Appropriation	\$25,000
9	Aquatic Lands Enhancement Account--State Appropriation	\$493,000
10	State Toxics Control Account--State Appropriation	((\$665,000))
11		<u>\$658,000</u>
12	TOTAL APPROPRIATION	((\$15,587,000))
13		<u>\$18,130,000</u>

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

16 (1) \$665,000 of the state toxics control account-- state
17 appropriation is provided solely for activities that contribute to
18 Puget Sound protection and recovery, including provision of independent
19 advice and assessment of the state's oil spill prevention,
20 preparedness, and response programs, including review of existing
21 activities and recommendations for any necessary improvements. The
22 partnership may carry out this function through an existing committee,
23 such as the ecosystem coordination board or the leadership council, or
24 may appoint a special advisory council. Because this is a unique
25 statewide program, the partnership may invite participation from
26 outside the Puget Sound region.

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

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2011 2nd sp.s. c 9 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2012)	((\$1,167,000))
	<u>\$1,164,000</u>
General Fund--State Appropriation (FY 2013)	((\$1,307,000))
	<u>\$1,286,000</u>
Architects' License Account--State Appropriation	((\$1,084,000))
	<u>\$1,076,000</u>
Professional Engineers' Account--State	
Appropriation	((\$3,518,000))
	<u>\$3,495,000</u>
Real Estate Commission Account--State Appropriation	((\$9,833,000))
	<u>\$9,717,000</u>
Uniform Commercial Code Account--State	
Appropriation	((\$3,120,000))
	<u>\$3,108,000</u>
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation	((\$1,687,000))
	<u>\$1,662,000</u>
Business and Professions Account--State	
Appropriation	((\$15,592,000))
	<u>\$15,622,000</u>
Real Estate Research Account--State Appropriation	\$622,000
Geologists' Account--State Appropriation	\$51,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	((\$38,288,000))
	<u>\$38,110,000</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

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

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

7 (3) \$150,000 of the business and professions account--state
8 appropriation is provided solely to implement Substitute House Bill No.
9 2301 (mixed martial arts, boxing, martial arts, and wrestling). If the
10 bill is not enacted by June 30, 2012, the amount provided in this
11 subsection shall lapse.

12 **Sec. 402.** 2011 2nd sp.s. c 9 s 402 (uncodified) is amended to read
13 as follows:

14 **FOR THE STATE PATROL**

15	General Fund--State Appropriation (FY 2012)	((\$37,352,000))
16		<u>\$35,414,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$35,108,000))
18		<u>\$32,941,000</u>
19	General Fund--Federal Appropriation	\$16,081,000
20	General Fund--Private/Local Appropriation	\$3,021,000
21	Death Investigations Account--State Appropriation . . .	((\$5,551,000))
22		<u>\$5,537,000</u>
23	County Criminal Justice Assistance Account--State	
24	Appropriation	((\$3,215,000))
25		<u>\$3,207,000</u>
26	Municipal Criminal Justice Assistance Account--State	
27	Appropriation	((\$1,290,000))
28		<u>\$1,286,000</u>
29	Fire Service Trust Account--State Appropriation	\$131,000
30	Disaster Response Account--State Appropriation	\$8,002,000
31	Fire Service Training Account--State Appropriation . . .	((\$9,394,000))
32		<u>\$9,386,000</u>
33	Aquatic Invasive Species Enforcement Account--State	
34	Appropriation	\$54,000
35	State Toxics Control Account--State Appropriation	\$505,000
36	Fingerprint Identification Account--State	
37	Appropriation	((\$10,090,000))

1		<u>\$10,067,000</u>
2	Vehicle License Fraud Account--State Appropriation	((\$339,000))
3		<u>\$437,000</u>
4	TOTAL APPROPRIATION	((\$130,133,000))
5		<u>\$126,069,000</u>

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

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

15 (2) \$8,000,000 of the disaster response account--state
16 appropriation is provided solely for Washington state fire service
17 resource mobilization costs incurred in response to an emergency or
18 disaster authorized under RCW 43.43.960 and 43.43.964. \$500,000 of
19 this appropriation is available for mobilization to all risk disasters,
20 other than fires, in accordance with these statutes. The state patrol
21 shall submit a report quarterly to the office of financial management
22 and the legislative fiscal committees detailing information on current
23 and planned expenditures from this account. This work shall be done in
24 coordination with the military department.

25 (3) \$400,000 of the fire service training account--state
26 appropriation is provided solely for the firefighter apprenticeship
27 training program.

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

32 (5) \$59,000 of the fingerprint identification account--state
33 appropriation is provided solely for implementation of Engrossed Second
34 Substitute House Bill No. 1776 (child care center licensing). If the
35 bill is not enacted by June 30, 2011, the amount provided in this
36 subsection shall lapse.

37 (6) \$6,000 of the fingerprint identification account--state
38 appropriation is provided solely for implementation of Engrossed

1 Substitute House Bill No. 1494 (vulnerable adult referrals). If the
2 bill is not enacted by June 30, 2011, the amount provided in this
3 subsection shall lapse.

(End of part)

PART V
EDUCATION

Sec. 501. 2011 2nd sp.s. c 9 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	((\$25,406,000))
	<u>\$25,330,000</u>
General Fund--State Appropriation (FY 2013)	((\$22,502,000))
	<u>\$24,784,000</u>
General Fund--Federal Appropriation	((\$77,065,000))
	<u>\$77,011,000</u>
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	((\$128,973,000))
	<u>\$131,125,000</u>

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

(1) A maximum of ((~~\$16,139,000~~)) \$16,063,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,335,000~~)) \$13,117,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) ((~~\$9,775,000~~)) \$9,340,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$8,532,000~~)) \$7,827,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

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

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

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

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

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

30 (d) (~~(\$1,744,000)~~) \$2,103,000 of the general fund--state
31 appropriation for fiscal year 2012 and (~~(\$1,362,000)~~) \$1,721,000 of the
32 general fund--state appropriation for fiscal year 2013 are provided
33 solely to the professional educator standards board for the following:

34 (i) (~~(\$1,050,000)~~) \$1,409,000 in fiscal year 2012 and
35 (~~(\$1,050,000)~~) \$1,409,000 in fiscal year 2013 are for the operation and
36 expenses of the Washington professional educator standards board; and

37 (ii) \$694,000 of the general fund--state appropriation for fiscal
38 year 2012 and \$312,000 of the general fund--state appropriation for

1 fiscal year 2013 are for conditional scholarship loans and mentor
2 stipends provided through the alternative routes to certification
3 program administered by the professional educator standards board,
4 including the pipeline for paraeducators program and the retooling to
5 teach conditional loan programs. Funding within this subsection
6 (1)(d)(ii) is also provided for the recruiting Washington teachers
7 program. Funding reductions in this subsection (1)(d)(ii) in the 2011-
8 2013 fiscal biennium are intended to be one-time.

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

14 (f) \$50,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$50,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the ongoing work of the
17 education opportunity gap oversight and accountability committee.

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

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

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

36 (j) \$25,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$25,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for project citizen, a program

1 sponsored by the national conference of state legislatures and the
2 center for civic education to promote participation in government by
3 middle school students.

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

9 (l) \$128,000 of the general fund--state appropriation for fiscal
10 year 2013 is provided solely pursuant to Substitute House Bill No. 2254
11 (foster care outcomes). The office of the superintendent of public
12 instruction shall report on the implementation of the state's plan of
13 cross-system collaboration to promote educational stability and improve
14 education outcomes of foster youth. The first report is due December
15 1, 2012, and annually thereafter through 2015. If the bill is not
16 enacted by June 30, 2012, the amount provided in this subsection shall
17 lapse.

18 (2) \$9,267,000 of the general fund--state appropriation for fiscal
19 year 2012 and (~~(\$9,167,000)~~) \$11,667,000 of the general fund--state
20 appropriation for fiscal year 2013 are for statewide programs.

21 (a) HEALTH AND SAFETY

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

29 (ii) \$50,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$50,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for a nonviolence and leadership
32 training program provided by the institute for community leadership.

33 (b) TECHNOLOGY

34 \$1,221,000 of the general fund--state appropriation for fiscal year
35 2012 and \$1,221,000 of the general fund--state appropriation for fiscal
36 year 2013 are provided solely for K-20 telecommunications network
37 technical support in the K-12 sector to prevent system failures and
38 avoid interruptions in school utilization of the data processing and

1 video-conferencing capabilities of the network. These funds may be
2 used to purchase engineering and advanced technical support for the
3 network.

4 (c) GRANTS AND ALLOCATIONS

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

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

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

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

35 (v) \$135,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$135,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely for dropout prevention programs at

1 the office of the superintendent of public instruction, including the
2 jobs for America's graduates (JAG) program.

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

9 (vii) \$500,000 of the general fund--state appropriation for fiscal
10 year 2013 is provided solely to continue phasing in the Washington
11 kindergarten inventory of developing skills (WaKIDS). The funds shall
12 be used first, in combination with other available funds, to implement
13 WaKIDS in state-funded full-day kindergarten schools. Remaining funds
14 may be used for the purpose of convening a workgroup to gather input
15 and recommendations with respect to phasing in full implementation, or
16 to pay costs for half-day or nonstate-funded full-day kindergarten
17 participants. Funds shall not be used for time spent recording or
18 entering data. It is the goal of the legislature that WaKIDS be fully
19 implemented in the 2014-15 school year, except for those who have been
20 excused from participation based on request from a parent or guardian,
21 contingent on feedback from participants regarding any needed
22 amendments or adjustments.

23 (viii) \$2,000,000 of the general fund--state appropriation for
24 fiscal year 2013 is provided solely for an urban school turnaround
25 initiative as follows:

26 (A) The office of the superintendent of public instruction shall
27 select three schools in the largest urban school district in the state.
28 The selected schools shall be among the state's lowest-performing
29 schools; be located within the same community and form a continuum of
30 education for the students in that community; have significant
31 educational achievement gaps; and include a mix of elementary, middle,
32 or high schools.

33 (B) The office shall allocate the funds under this subsection
34 (viii) to the school district to be used exclusively in the selected
35 schools. The district may not charge an overhead or indirect fee for
36 the allocated funds or supplant other state, federal, or local funds in
37 the selected schools. The school district shall use the funds for
38 intensive supplemental instruction, services, and materials in the

1 selected schools in the 2012-13 school year, including but not limited
2 to professional development for school staff; updated curriculum,
3 materials, and technology; extended learning opportunities for
4 students; reduced class size; summer enrichment activities;
5 school-based health clinics; and other research-based initiatives to
6 dramatically turn around the performance and close the achievement gap
7 in the schools. Priorities for the expenditure of the funds shall be
8 determined by the leadership and staff of each school.

9 (C) The office shall monitor the activities in the selected schools
10 and the expenditure of funds to ensure the intent of this subsection
11 (viii) is met, and submit a report to the appropriate committees of the
12 legislature by December 1, 2013, including outcomes resulting from the
13 urban school turnaround initiative. The report submitted to the
14 legislature must include a comparison of student learning achievement
15 in the selected schools with schools of comparable demographics that
16 have not participated in the grant program.

17 (D) Funding provided in this subsection (viii) is intended to be
18 one-time.

19 **Sec. 502.** 2011 2nd sp.s. c 9 s 502 (uncodified) is amended to read
20 as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT	
General Fund--State Appropriation (FY 2012)	((\$5,253,769,000))
	<u>\$5,241,233,000</u>
General Fund--State Appropriation (FY 2013)	((\$5,205,868,000))
	<u>\$5,170,854,000</u>
General Fund--Federal Appropriation	((\$22,078,000))
	<u>\$22,327,000</u>
TOTAL APPROPRIATION	((\$10,481,715,000))
	<u>\$10,434,414,000</u>

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

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

36 (b) For the 2011-12 and 2012-13 school years, the superintendent

1 shall allocate general apportionment funding to school districts as
2 provided in the funding formulas and salary schedules in sections 502
3 and 503 of this act, excluding (c) of this subsection.

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

8 (d) The appropriations in this section include federal funds
9 provided through section 101 of P.L. No. 111-226 (education jobs fund),
10 which shall be used to support general apportionment program funding.
11 In distributing general apportionment allocations under this section
12 for the 2011-12 school year, the superintendent shall include the
13 additional amount of (~~(\$3,078,000)~~) \$3,327,000 allocated by the United
14 States department of education on September 16, 2011, provided through
15 101 of P.L. No. 111-226 (education jobs fund) as part of each
16 district's general apportionment allocation.

17 (e) The enrollment of any district shall be the annual average
18 number of full-time equivalent students and part-time students as
19 provided in RCW 28A.150.350, enrolled on the fourth day of school in
20 September and on the first school day of each month October through
21 June, including students who are in attendance pursuant to RCW
22 28A.335.160 and 28A.225.250 who do not reside within the servicing
23 school district. Any school district concluding its basic education
24 program in May must report the enrollment of the last school day held
25 in May in lieu of a June enrollment.

26 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

27 Allocations for certificated instructional staff salaries for the
28 2011-12 and 2012-13 school years are determined using formula-generated
29 staff units calculated pursuant to this subsection.

30 (a) Certificated instructional staff units, as defined in RCW
31 28A.150.410, shall be allocated to reflect the minimum class size
32 allocations, requirements, and school prototypes assumptions as
33 provided in RCW 28A.150.260. The superintendent shall make allocations
34 to school districts based on the district's annual average full-time
35 equivalent student enrollment in each grade.

36 (b) Additional certificated instructional staff units provided in
37 this subsection (2) that exceed the minimum requirements in RCW

1 28A.150.260 are enhancements outside the program of basic education,
2 except as otherwise provided in this section.

3 (c)(i) The superintendent shall base allocations for each level of
4 prototypical school on the following regular education average class
5 size of full-time equivalent students per teacher, except as provided
6 in (c)(ii) of this subsection:

7 General education class size:

8	Grade	RCW 28A.150.260
9	Grades K-3	25.23
10	Grade 4	27.00
11	Grades 5-6	27.00
12	Grades 7-8	28.53
13	Grades 9-12	28.74

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

17 (ii) For each level of prototypical school at which more than fifty
18 percent of the students were eligible for free and reduced-price meals
19 in the prior school year, the superintendent shall allocate funding
20 based on the following average class size of full-time equivalent
21 students per teacher:

22 General education class size in high poverty school:

23	Grades K-3	24.10
24	Grade 4	27.00
25	Grades 5-6	27.00
26	Grades 7-8	28.53
27	Grades 9-12	28.74

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

31 (iv) Laboratory science, advanced placement, and international

1 baccalaureate courses are funded at the same class size assumptions as
2 general education schools in the same grade; and

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

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

13 Career and Technical Education

14	students	2.02 per 1000 student FTE's
15	Skill Center students	2.36 per 1000 student FTE's

16 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

27	Career and Technical Education students	2.5 percent
28	Skill Center students	19.75 percent

29 (4) CLASSIFIED STAFF ALLOCATIONS

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

35 (5) CENTRAL OFFICE ALLOCATIONS

36 In addition to classified and administrative staff units allocated
37 in subsections (3) and (4) of this section, classified and
38

1 administrative staff units are provided for the 2011-12 and 2012-13
2 school year for the central office administrative costs of operating a
3 school district, at the following rates:

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

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

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

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

28 (6) FRINGE BENEFIT ALLOCATIONS

29 Fringe benefit allocations shall be calculated at a rate of 16.33
30 percent in the 2011-12 school year and (~~(16.33)~~) 16.34 percent in the
31 2012-13 school year for certificated salary allocations provided under
32 subsections (2), (3), and (5) of this section, and a rate of 18.73
33 percent in the 2011-12 school year and 18.73 percent in the 2012-13
34 school year for classified salary allocations provided under
35 subsections (4) and (5) of this section.

36 (7) INSURANCE BENEFIT ALLOCATIONS
37

38 Insurance benefit allocations shall be calculated at the

1 maintenance rate specified in section 504 of this act, based on the
 2 number of benefit units determined as follows:

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

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

12 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS
 13 Funding is allocated per annual average full-time equivalent
 14 student for the materials, supplies, and operating costs (MSOC)
 15 incurred by school districts, consistent with the requirements of RCW
 16 28A.150.260.

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

MSOC RATES/STUDENT FTE

MSOC Component	2011-12	2012-13
	SCHOOL YEAR	SCHOOL YEAR
Technology	\$57.42	((\$58.17)) <u>\$58.29</u>
Utilities and Insurance	\$156.03	((\$158.05)) <u>\$158.36</u>
Curriculum and Textbooks	\$61.65	((\$62.45)) <u>\$62.58</u>
Other Supplies and Library Materials		((\$132.59)) <u>\$132.85</u>
	\$130.89	
Instructional Professional Development for Certificated and Classified Staff	\$9.53	((\$9.66)) <u>\$9.68</u>
Facilities Maintenance	\$77.30	((\$78.30)) <u>\$78.46</u>
Security and Central Office	\$53.55	((\$54.25)) <u>\$54.35</u>
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	((\$553.47)) <u>\$554.57</u>

1 (b) Students in approved skill center programs generate per student
2 FTE MSOC allocations which equal the rate for general education
3 students calculated in (a) of this subsection, multiplied by a factor
4 of 2.171.

5 (c) Students in approved exploratory and preparatory career and
6 technical education programs generate a per student MSOC allocation
7 that is equal to the rate for general education students calculated in
8 (a) of this subsection, multiplied by a factor of 2.442.

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

12 (9) SUBSTITUTE TEACHER ALLOCATIONS

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

17 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

18 (a) Amounts provided in this section are adjusted to reflect
19 provisions of House Bill No. 2065 (allocation of funding for funding
20 for students enrolled in alternative learning experiences).

21 (b) The superintendent of public instruction shall require all
22 districts receiving general apportionment funding for alternative
23 learning experience (ALE) programs as defined in WAC 392-121-182 to
24 provide separate financial accounting of expenditures for the ALE
25 programs offered in district or with a provider, including but not
26 limited to private companies and multidistrict cooperatives, as well as
27 accurate, monthly headcount and FTE enrollment claimed for basic
28 education, including separate counts of resident and nonresident
29 students.

30 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

31 Funding in this section is sufficient to fund voluntary full day
32 kindergarten programs in qualifying high poverty schools, pursuant to
33 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls
34 for the voluntary full-day program in a qualifying school shall count
35 as one-half of one full-time equivalent student for purpose of making
36 allocations under this section. Funding in this section provides full-

1 day kindergarten programs for 21 percent of kindergarten enrollment in
2 the 2011-12 school year, and 22 percent in the 2012-13 school year.
3 Funding priority shall be given to schools with the highest poverty
4 levels, as measured by prior year free and reduced price lunch
5 eligibility rates in each school. Funding in this section is
6 sufficient to fund voluntary full day kindergarten programs for July
7 and August of the 2010-11 school year.

8 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
9 NECESSARY PLANTS

10 For small school districts and remote and necessary school plants
11 within any district which have been judged to be remote and necessary
12 by the superintendent of public instruction, additional staff units are
13 provided to ensure a minimum level of staffing support. Additional
14 administrative and certificated instructional staff units provided to
15 districts in this subsection shall be reduced by the general education
16 staff units, excluding career and technical education and skills center
17 enhancement units, otherwise provided in subsections (2) through (5) of
18 this section on a per district basis.

19 (a) For districts enrolling not more than twenty-five average
20 annual full-time equivalent students in grades K-8, and for small
21 school plants within any school district which have been judged to be
22 remote and necessary by the superintendent of public instruction and
23 enroll not more than twenty-five average annual full-time equivalent
24 students in grades K-8:

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

30 (ii) For those enrolling students in grades 7 or 8, 1.68
31 certificated instructional staff units and 0.32 certificated
32 administrative staff units for enrollment of not more than five
33 students, plus one-tenth of a certificated instructional staff unit for
34 each additional student enrolled;

35 (b) For specified enrollments in districts enrolling more than
36 twenty-five but not more than one hundred average annual full-time
37 equivalent students in grades K-8, and for small school plants within

1 any school district which enroll more than twenty-five average annual
2 full-time equivalent students in grades K-8 and have been judged to be
3 remote and necessary by the superintendent of public instruction:

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

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

10 (c) For districts operating no more than two high schools with
11 enrollments of less than three hundred average annual full-time
12 equivalent students, for enrollment in grades 9-12 in each such school,
13 other than alternative schools, except as noted in this subsection:

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

19 (ii) For all other small high schools under this subsection, nine
20 certificated instructional staff units and one-half of a certificated
21 administrative staff unit for the first sixty average annual full-time
22 equivalent students, and additional staff units based on a ratio of
23 0.8732 certificated instructional staff units and 0.1268 certificated
24 administrative staff units per each additional forty-three and one-half
25 average annual full-time equivalent students;

26 (iii) Districts receiving staff units under this subsection shall
27 add students enrolled in a district alternative high school and any
28 grades nine through twelve alternative learning experience programs
29 with the small high school enrollment for calculations under this
30 subsection;

31 (d) For each nonhigh school district having an enrollment of more
32 than seventy annual average full-time equivalent students and less than
33 one hundred eighty students, operating a grades K-8 program or a grades
34 1-8 program, an additional one-half of a certificated instructional
35 staff unit;

36 (e) For each nonhigh school district having an enrollment of more
37 than fifty annual average full-time equivalent students and less than

1 one hundred eighty students, operating a grades K-6 program or a grades
2 1-6 program, an additional one-half of a certificated instructional
3 staff unit;

4 (f)(i) For enrollments generating certificated staff unit
5 allocations under (a) through (e) of this subsection, one classified
6 staff unit for each 2.94 certificated staff units allocated under such
7 subsections;

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

12 (g) School districts receiving additional staff units to support
13 small student enrollments and remote and necessary plants under
14 subsection (12) of this section shall generate additional MSOC
15 allocations consistent with the nonemployee related costs (NERC)
16 allocation formula in place for the 2010-11 school year as provided
17 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
18 budget), adjusted annually for inflation.

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

28 (14) The superintendent may distribute funding for the following
29 programs outside the basic education formula during fiscal years 2012
30 and 2013 as follows:

31 (a) \$589,000 of the general fund--state appropriation for fiscal
32 year 2012 and (~~(\$597,000)~~) \$598,000 of the general fund--state
33 appropriation for fiscal year 2013 are provided solely for fire
34 protection for school districts located in a fire protection district
35 as now or hereafter established pursuant to chapter 52.04 RCW.

36 (b) \$436,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$436,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for programs providing skills

1 training for secondary students who are enrolled in extended day
2 school-to-work programs, as approved by the superintendent of public
3 instruction. The funds shall be allocated at a rate not to exceed \$500
4 per full-time equivalent student enrolled in those programs.

5 (c) Funding in this section is sufficient to fund adjustments to
6 school districts' allocations resulting from the implementation of the
7 prototypical school funding formula, pursuant to chapter 236, Laws of
8 2010 (K-12 education funding). The funding in this section is intended
9 to hold school districts harmless in total for funding changes
10 resulting from conversion to the prototypical school formula in the
11 general apportionment program, the learning assistance program, the
12 transitional bilingual program, and the highly capable program, after
13 adjustment for changes in enrollment and other caseload adjustments.

14 (15) \$208,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$211,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for school district emergencies as
17 certified by the superintendent of public instruction. At the close of
18 the fiscal year the superintendent of public instruction shall report
19 to the office of financial management and the appropriate fiscal
20 committees of the legislature on the allocations provided to districts
21 and the nature of the emergency.

22 (16) Funding in this section is sufficient to fund a maximum of
23 1.6 FTE enrollment for skills center students pursuant to chapter 463,
24 Laws of 2007.

25 (17) Beginning in the 2011-12 school year, students participating
26 in running start programs may be funded up to a combined maximum
27 enrollment of 1.2 FTE including school district and institution of
28 higher education enrollment. In calculating the combined 1.2 FTE, the
29 office of the superintendent of public instruction may average the
30 participating student's September through June enrollment to account
31 for differences in the start and end dates for courses provided by the
32 high school and higher education institution. Additionally, the office
33 of the superintendent of public instruction, in consultation with the
34 state board for community and technical colleges, the higher education
35 coordinating board, and the education data center, shall annually track
36 and report to the fiscal committees of the legislature on the combined
37 FTE experience of students participating in the running start program,

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

3 (18) If two or more school districts consolidate and each district
4 was receiving additional basic education formula staff units pursuant
5 to subsection (12) of this section, the following apply:

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

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

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

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

29 **Sec. 503.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read
30 as follows:

31 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**
32 **COMPENSATION**

33 (1) The following calculations determine the salaries used in the
34 state allocations for certificated instructional, certificated
35 administrative, and classified staff units as provided in RCW
36 28A.150.280 and under section 503 of this act:

1 (a) Salary allocations for certificated instructional staff units
 2 are determined for each district by multiplying the district's
 3 certificated instructional total base salary shown on LEAP Document 2
 4 by the district's average staff mix factor for certificated
 5 instructional staff in that school year, computed using LEAP document
 6 1; and

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

11 (2) For the purposes of this section:

12 (a) "LEAP Document 1" means the staff mix factors for certificated
 13 instructional staff according to education and years of experience, as
 14 developed by the legislative evaluation and accountability program
 15 committee on May 23, 2011, at 16:10 hours; and

16 (b) "LEAP Document 2" means the school year salary allocations for
 17 certificated administrative staff and classified staff and derived and
 18 total base salaries for certificated instructional staff as developed
 19 by the legislative evaluation and accountability program committee on
 20 May 23, 2011, at 16:10 hours.

21 (3) Incremental fringe benefit factors are applied to salary
 22 adjustments at a rate of 15.69 percent for school year 2011-12 and
 23 (~~(15.69)~~) 15.70 percent for school year 2012-13 for certificated
 24 instructional and certificated administrative staff and 15.23 percent
 25 for school year 2011-12 and 15.23 percent for the 2012-13 school year
 26 for classified staff.

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

30 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

31 ***Education Experience***

33	Years									MA+90
34	of									OR
35	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
36	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989

1	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11	11				45,883	49,169	51,558	49,295	52,581	54,969
12	12				47,332	50,777	53,238	50,850	54,188	56,650
13	13					52,425	54,959	52,460	55,836	58,370
14	14					54,081	56,745	54,117	57,600	60,157
15	15					55,488	58,221	55,523	59,098	61,721
16	16 or more					56,597	59,385	56,634	60,279	62,955

17

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

Education Experience

18

21	Years										MA+90
22	of										OR
23	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
24	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
25	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
26	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	
27	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377	
28	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857	
29	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339	
30	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797	
31	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768	
32	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254	
33	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785	
34	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356	
35	11				45,883	49,169	51,558	49,295	52,581	54,969	

1	12	47,332	50,777	53,238	50,850	54,188	56,650
2	13		52,425	54,959	52,460	55,836	58,370
3	14		54,081	56,745	54,117	57,600	60,157
4	15		55,488	58,221	55,523	59,098	61,721
5	16 or more		56,597	59,385	56,634	60,279	62,955

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

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

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

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

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

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

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

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

Sec. 504. 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read as follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
2 **COMPENSATION ADJUSTMENTS**

3 General Fund--Federal Appropriation \$2,000

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

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

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

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

23 (d) The appropriations in this subsection (1) include associated
24 incremental fringe benefit allocations at 15.69 percent for the 2011-12
25 school year and (~~(15.69))~~ 15.70 percent for the 2012-13 school year for
26 certificated instructional and certificated administrative staff and
27 15.23 percent for the 2011-12 school year and 15.23 percent for the
28 2012-13 school year for classified staff.

29 (e) The appropriations in this section include the increased or
30 decreased portion of salaries and incremental fringe benefits for all
31 relevant state-funded school programs in part V of this act. Changes
32 for general apportionment (basic education) are based on the salary
33 allocation schedules and methodology in sections 503 and 504 of this
34 act. Changes for special education result from changes in each
35 district's basic education allocation per student. Changes for
36 educational service districts and institutional education programs are
37 determined by the superintendent of public instruction using the

1 methodology for general apportionment salaries and benefits in sections
2 503 and 504 of this act.

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

5 (2) The maintenance rate for insurance benefit allocations is
6 \$768.00 per month for the 2011-12 and 2012-13 school years. The
7 appropriations in this section reflect the incremental change in cost
8 of allocating rates of \$768.00 per month for the 2011-12 school year
9 and \$768.00 per month for the 2012-13 school year.

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

12 **Sec. 505.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read
13 as follows:

14 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

15 General Fund--State Appropriation (FY 2012)	((\$322,033,000))
	<u>\$322,243,000</u>
17 General Fund--State Appropriation (FY 2013)	((\$273,380,000))
	<u>\$273,642,000</u>
19 TOTAL APPROPRIATION	((\$595,413,000))
	<u>\$595,885,000</u>

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

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

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

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

33 (3) Any amounts appropriated for maintenance level funding for
34 pupil transportation that exceed actual maintenance level expenditures
35 as calculated under the funding formula that takes effect September 1,
36 2011, shall be distributed to districts according to RCW
37 28A.160.192(2)(b).

1 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation
2 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be
3 expended for regional transportation coordinators and related
4 activities. The transportation coordinators shall ensure that data
5 submitted by school districts for state transportation funding shall,
6 to the greatest extent practical, reflect the actual transportation
7 activity of each district.

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

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

21 (7) Funding levels in this section reflect waivers granted by the
22 state board of education for four-day school weeks as allowed under RCW
23 28A.305.141.

24 (8) Starting with the 2012-13 school year, the office of the
25 superintendent of public instruction shall disburse payments for bus
26 depreciation in August.

27 (9) The office of the superintendent of public instruction shall
28 develop, in consultation with the Washington association of school
29 business officials and the Washington association for pupil
30 transportation, a unit-cost transportation formula or hybrid formula
31 for legislative consideration and potential adoption. The
32 transportation-allocation formula shall take into account statistically
33 significant cost drivers, recognize fixed costs, and simplify the
34 current regression-analysis transportation-allocation method. The
35 formula or hybrid formula developed should be based on currently
36 collected data identified under RCW 28A.160.192(1)(a). These data are
37 to include basic and special student loads, school district land area,
38 average distance to school, roadway miles, and number of locations

1 served. The office of the superintendent of public instruction shall
2 report to the legislative fiscal committees, the education committees
3 of the senate and the house of representatives, and to the office of
4 financial management by September 30, 2012, for legislative
5 consideration and possible amendment or adoption of the unit-cost or
6 hybrid formula for the 2013-14 school year.

7 **Sec. 506.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read
8 as follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
10 **PROGRAMS**

11	General Fund--State Appropriation (FY 2012)	((\$653,904,000))
12		<u>\$648,369,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$694,237,000))
14		<u>\$679,832,000</u>
15	General Fund--Federal Appropriation	((\$486,936,000))
16		<u>\$486,922,000</u>
17	Education Legacy Trust Account--State Appropriation	\$756,000
18	TOTAL APPROPRIATION	((\$1,835,833,000))
19		<u>\$1,815,879,000</u>

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

22 (1) Funding for special education programs is provided on an excess
23 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
24 that special education students as a class receive their full share of
25 the general apportionment allocation accruing through sections 502 and
26 504 of this act. To the extent a school district cannot provide an
27 appropriate education for special education students under chapter
28 28A.155 RCW through the general apportionment allocation, it shall
29 provide services through the special education excess cost allocation
30 funded in this section.

- 31 (2)(a) The superintendent of public instruction shall ensure that:
- 32 (i) Special education students are basic education students first;
 - 33 (ii) As a class, special education students are entitled to the
34 full basic education allocation; and
 - 35 (iii) Special education students are basic education students for
36 the entire school day.

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

5 (c) Beginning with the 2010-11 school year award cycle, the office
6 of the superintendent of public instruction shall make award
7 determinations for state safety net funding in August of each school
8 year. Determinations on school district eligibility for state safety
9 net awards shall be based on analysis of actual expenditure data from
10 the current school year.

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

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

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

21 (5) The following applies throughout this section: The definitions
22 for enrollment and enrollment percent are as specified in RCW
23 28A.150.390(3). Each district's general fund--state funded special
24 education enrollment shall be the lesser of the district's actual
25 enrollment percent or 12.7 percent.

26 (6) At the request of any interdistrict cooperative of at least 15
27 districts in which all excess cost services for special education
28 students of the districts are provided by the cooperative, the maximum
29 enrollment percent shall be calculated in accordance with RCW
30 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate
31 rather than individual district units. For purposes of this
32 subsection, the average basic education allocation per full-time
33 equivalent student shall be calculated in the aggregate rather than
34 individual district units.

35 (7) \$8,914,000 of the general fund--state appropriation for fiscal
36 year 2012, \$34,200,000 of the general fund--state appropriation for
37 fiscal year 2013, and \$29,574,000 of the general fund--federal
38 appropriation are provided solely for safety net awards for districts

1 with demonstrated needs for special education funding beyond the
2 amounts provided in subsection (4) of this section. If the federal
3 safety net awards based on the federal eligibility threshold exceed the
4 federal appropriation in this subsection (7) in any fiscal year, the
5 superintendent shall expend all available federal discretionary funds
6 necessary to meet this need. At the conclusion of each school year,
7 the superintendent shall recover safety net funds that were distributed
8 prospectively but for which districts were not subsequently eligible.

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

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

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

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

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

31 (11) \$251,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$251,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for two additional full-time
34 equivalent staff to support the work of the safety net committee and to
35 provide training and support to districts applying for safety net
36 awards.

37 (12) \$50,000 of the general fund--state appropriation for fiscal
38 year 2012, \$50,000 of the general fund--state appropriation for fiscal

1 year 2013, and \$100,000 of the general fund--federal appropriation
2 shall be expended to support a special education ombudsman program
3 within the office of superintendent of public instruction.

4 **Sec. 507.** 2011 2nd sp.s. c 9 s 508 (uncodified) is amended to read
5 as follows:

6 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**
7 **DISTRICTS**

8	General Fund--State Appropriation (FY 2012)	((\$7,889,000))
9		<u>\$7,894,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$7,904,000))
11		<u>\$7,912,000</u>
12	TOTAL APPROPRIATION	((\$15,793,000))
13		<u>\$15,806,000</u>

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

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

19 (2) Funding within this section is provided for regional
20 professional development related to mathematics and science curriculum
21 and instructional strategies. Funding shall be distributed among the
22 educational service districts in the same proportion as distributions
23 in the 2007-2009 biennium. Each educational service district shall use
24 this funding solely for salary and benefits for a certificated
25 instructional staff with expertise in the appropriate subject matter
26 and in professional development delivery, and for travel, materials,
27 and other expenditures related to providing regional professional
28 development support.

29 (3) The educational service districts, at the request of the state
30 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
31 receive and screen applications for school accreditation, conduct
32 school accreditation site visits pursuant to state board of education
33 rules, and submit to the state board of education post-site visit
34 recommendations for school accreditation. The educational service
35 districts may assess a cooperative service fee to recover actual plus
36 reasonable indirect costs for the purposes of this subsection.

1 **Sec. 508.** 2011 2nd sp.s. c 9 s 509 (uncodified) is amended to read
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
4 **ASSISTANCE**

5	General Fund--State Appropriation (FY 2012)	((\$300,761,000))
6		<u>\$300,768,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$299,276,000))
8		<u>\$298,166,000</u>
9	<u>General Fund--Federal Appropriation</u>	<u>\$4,400,000</u>
10	TOTAL APPROPRIATION	((\$600,037,000))
11		<u>\$603,334,000</u>

12 The appropriations in this section are subject to the following
13 conditions and limitations: For purposes of RCW 84.52.0531, the
14 increase per full-time equivalent student is 3 percent from the 2010-11
15 school year to the 2011-12 school year and 5 percent from the 2011-12
16 school year to the 2012-13 school year.
17

18 **Sec. 509.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read
19 as follows:

20 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
21 **EDUCATION PROGRAMS**

22	General Fund--State Appropriation (FY 2012)	((\$17,507,000))
23		<u>\$16,694,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$16,969,000))
25		<u>\$15,867,000</u>
26	TOTAL APPROPRIATION	((\$34,476,000))
27		<u>\$32,561,000</u>

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

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

33 (2) State funding provided under this section is based on salaries
34 and other expenditures for a 220-day school year. The superintendent
35 of public instruction shall monitor school district expenditure plans
36 for institutional education programs to ensure that districts plan for
37 a full-time summer program.

1 (3) State funding for each institutional education program shall be
2 based on the institution's annual average full-time equivalent student
3 enrollment. Staffing ratios for each category of institution shall
4 remain the same as those funded in the 1995-97 biennium.

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

8 (5) (~~(\$669,000)~~) \$585,000 of the general fund--state appropriation
9 for fiscal year 2012 and (~~(\$669,000)~~) \$549,000 of the general fund--
10 state appropriation for fiscal year 2013 are provided solely to
11 maintain at least one certificated instructional staff and related
12 support services at an institution whenever the K-12 enrollment is not
13 sufficient to support one full-time equivalent certificated
14 instructional staff to furnish the educational program. The following
15 types of institutions are included: Residential programs under the
16 department of social and health services for developmentally disabled
17 juveniles, programs for juveniles under the department of corrections,
18 programs for juveniles under the juvenile rehabilitation
19 administration, and programs for juveniles operated by city and county
20 jails.

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

23 **Sec. 510.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read
24 as follows:

25 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

26	General Fund--State Appropriation (FY 2012)	((\$8,759,000))
27		<u>\$8,745,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$8,842,000))
29		<u>\$8,788,000</u>
30	TOTAL APPROPRIATION	((\$17,601,000))
31		<u>\$17,533,000</u>

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

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

1 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
 2 shall allocate funding to school district programs for highly capable
 3 students as provided in RCW 28A.150.260(10)(c). In calculating the
 4 allocations, the superintendent shall assume the following: (i)
 5 Additional instruction of 2.1590 hours per week per funded highly
 6 capable program student; (ii) fifteen highly capable program students
 7 per teacher; (iii) 36 instructional weeks per year; (iv) 900
 8 instructional hours per teacher; and (v) the district's average staff
 9 mix and compensation rates as provided in sections 503 and 504 of this
 10 act.

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

15 (3) \$85,000 of the general fund--state appropriation for fiscal
 16 year 2012 and \$85,000 of the general fund--state appropriation for
 17 fiscal year 2013 are provided solely for the centrum program at Fort
 18 Worden state park.

19 **Sec. 511.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read
 20 as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
 22 **PROGRAMS**

23	General Fund--State Appropriation (FY 2012)	\$58,078,000
24	General Fund--State Appropriation (FY 2013)	(\$98,309,000)
25		<u>\$103,435,000</u>
26	General Fund--Federal Appropriation	(\$219,161,000)
27		<u>\$219,147,000</u>
28	General Fund--Private/Local Appropriation	\$4,000,000
29	Education Legacy Trust Account--State Appropriation . .	(\$1,598,000)
30		<u>\$1,596,000</u>
31	TOTAL APPROPRIATION	(\$381,146,000)
32		<u>\$386,256,000</u>

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

35 (1) \$40,822,000 of the general fund--state appropriation for fiscal
 36 year 2012, ~~(\$41,613,000)~~ \$41,614,000 of the general fund--state
 37 appropriation for fiscal year 2013, \$1,350,000 of the education legacy

1 trust account--state appropriation, and \$15,868,000 of the general
2 fund-- federal appropriation are provided solely for development and
3 implementation of the Washington state assessment system, including:
4 (a) Development and implementation of retake assessments for high
5 school students who are not successful in one or more content areas and
6 (b) development and implementation of alternative assessments or
7 appeals procedures to implement the certificate of academic
8 achievement. The superintendent of public instruction shall report
9 quarterly on the progress on development and implementation of
10 alternative assessments or appeals procedures. Within these amounts,
11 the superintendent of public instruction shall contract for the early
12 return of 10th grade student assessment results, on or around June 10th
13 of each year. State funding shall be limited to one collection of
14 evidence payment per student, per content-area assessment.

15 (2) \$356,000 of the general fund--state appropriation for fiscal
16 year 2012 and \$356,000 of the general fund--state appropriation for
17 fiscal year 2013 are provided solely for the Washington state
18 leadership and assistance for science education reform (LASER) regional
19 partnership activities coordinated at the Pacific science center,
20 including instructional material purchases, teacher and principal
21 professional development, and school and community engagement events.

22 (3) \$980,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$980,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for improving technology
25 infrastructure, monitoring and reporting on school district technology
26 development, promoting standards for school district technology,
27 promoting statewide coordination and planning for technology
28 development, and providing regional educational technology support
29 centers, including state support activities, under chapter 28A.650 RCW.

30 (4) \$3,852,000 of the general fund--state appropriation for fiscal
31 year 2012 and \$2,624,000 of the general fund--state appropriation for
32 fiscal year 2013 are provided solely for continued implementation of
33 chapter 235, Laws of 2010 (education reform) including development of
34 new performance-based evaluation systems for certificated educators.

35 (5)(a) (~~(\$40,681,000)~~) \$39,296,000 of the general fund--state
36 appropriation for fiscal year 2013 is provided solely for the following
37 bonuses for teachers who hold valid, unexpired certification from the

1 national board for professional teaching standards and who are teaching
2 in a Washington public school, subject to the following conditions and
3 limitations:

4 (i) For national board certified teachers, a bonus of \$5,090 per
5 teacher in the 2011-12 and 2012-13 school years, adjusted for inflation
6 in each school year in which Initiative 732 cost of living adjustments
7 are provided;

8 (ii) An additional \$5,000 annual bonus shall be paid to national
9 board certified teachers who teach in either: (A) High schools where
10 at least 50 percent of student headcount enrollment is eligible for
11 federal free or reduced price lunch, (B) middle schools where at least
12 60 percent of student headcount enrollment is eligible for federal free
13 or reduced price lunch, or (C) elementary schools where at least 70
14 percent of student headcount enrollment is eligible for federal free or
15 reduced price lunch;

16 (iii) The superintendent of public instruction shall adopt rules to
17 ensure that national board certified teachers meet the qualifications
18 for bonuses under (a)(ii) of this subsection for less than one full
19 school year receive bonuses in a pro-rated manner. Beginning in the
20 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection
21 will be paid in July of each school year. Bonuses in (a)(i) and (ii)
22 of this subsection shall be reduced by a factor of 40 percent for first
23 year NBPTS certified teachers, to reflect the portion of the
24 instructional school year they are certified; and

25 (iv) During the 2011-12 and 2012-13 school years, and within
26 available funds, certificated instructional staff who have met the
27 eligibility requirements and have applied for certification from the
28 national board for professional teaching standards may receive a
29 conditional loan of two thousand dollars or the amount set by the
30 office of the superintendent of public instruction to contribute toward
31 the current assessment fee, not including the initial up-front
32 candidacy payment. The fee shall be an advance on the first annual
33 bonus under RCW 28A.405.415. The conditional loan is provided in
34 addition to compensation received under a district's salary schedule
35 and shall not be included in calculations of a district's average
36 salary and associated salary limitation under RCW 28A.400.200.
37 Recipients who fail to receive certification after three years are
38 required to repay the conditional loan. The office of the

1 superintendent of public instruction shall adopt rules to define the
2 terms for initial grant of the assessment fee and repayment, including
3 applicable fees. To the extent necessary, the superintendent may use
4 revenues from the repayment of conditional loan scholarships to ensure
5 payment of all national board bonus payments required by this section
6 in each school year.

7 (6) \$477,000 of the general fund--state appropriation for fiscal
8 year 2012 and \$477,000 of the general fund--state appropriation for
9 fiscal year 2013 are provided solely for the leadership internship
10 program for superintendents, principals, and program administrators.

11 (7) \$950,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$950,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for the Washington reading corps.
14 The superintendent shall allocate reading corps members to low-
15 performing schools and school districts that are implementing
16 comprehensive, proven, research-based reading programs. Two or more
17 schools may combine their Washington reading corps programs.

18 (8) \$810,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$810,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for the development of a
21 leadership academy for school principals and administrators. The
22 superintendent of public instruction shall contract with an independent
23 organization to design, field test, and implement a state-of-the-art
24 education leadership academy that will be accessible throughout the
25 state. Initial development of the content of the academy activities
26 shall be supported by private funds. Semiannually the independent
27 organization shall report on amounts committed by foundations and
28 others to support the development and implementation of this program.
29 Leadership academy partners shall include the state level organizations
30 for school administrators and principals, the superintendent of public
31 instruction, the professional educator standards board, and others as
32 the independent organization shall identify.

33 (9) \$3,234,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$3,234,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for grants to school districts to
36 provide a continuum of care for children and families to help children
37 become ready to learn. Grant proposals from school districts shall
38 contain local plans designed collaboratively with community service

1 providers. If a continuum of care program exists in the area in which
2 the school district is located, the local plan shall provide for
3 coordination with existing programs to the greatest extent possible.

4 (10) \$1,500,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$1,500,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the implementation of chapter
7 288, Laws of 2011 (actual student success program), including
8 allocations to the opportunity internship program, the jobs for
9 America's graduates program, the building bridges program, services
10 provided by a college scholarship organization. Funding shall not be
11 used in the 2011-2013 fiscal biennium to provide awards for schools and
12 school districts.

13 (11) \$859,000 of the general fund--state appropriation for fiscal
14 year 2012, (~~(\$846,000)~~) \$808,000 of the general fund--state
15 appropriation for fiscal year 2013, and \$248,000 of the education
16 legacy trust account--state appropriation are for administrative
17 support of education reform programs.

18 (12) \$2,000,000 of the general fund--state appropriation for fiscal
19 year 2012 and \$2,000,000 of the general fund--state appropriation for
20 fiscal year 2013 are provided solely for a statewide information
21 technology (IT) academy program. This public-private partnership will
22 provide educational software, as well as IT certification and software
23 training opportunities for students and staff in public schools.

24 (13) \$977,000 of the general fund--state appropriation for fiscal
25 year 2012 and \$977,000 of the general fund--state appropriation for
26 fiscal year 2013 are provided solely for secondary career and technical
27 education grants pursuant to chapter 170, Laws of 2008. If equally
28 matched by private donations, \$300,000 of the 2012 appropriation and
29 \$300,000 of the 2013 appropriation shall be used to support FIRST
30 robotics programs.

31 (14) \$125,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$125,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for (a) staff at the office of the
34 superintendent of public instruction to coordinate and promote efforts
35 to develop integrated math, science, technology, and engineering
36 programs in schools and districts across the state; and (b) grants of
37 \$2,500 to provide twenty middle and high school teachers each year with

1 professional development training for implementing integrated math,
2 science, technology, and engineering programs in their schools.

3 (15) \$135,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$135,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for science, technology,
6 engineering and mathematics lighthouse projects, consistent with
7 chapter 238, Laws of 2010.

8 (16) \$1,000,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$1,000,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for a beginning educator support
11 program. School districts and/or regional consortia may apply for
12 grant funding. The superintendent shall implement this program in 5 to
13 15 school districts and/or regional consortia. The program provided by
14 a district and/or regional consortia shall include: A paid
15 orientation; assignment of a qualified mentor; development of a
16 professional growth plan for each beginning teacher aligned with
17 professional certification; release time for mentors and new teachers
18 to work together; and teacher observation time with accomplished peers.
19 \$250,000 may be used to provide statewide professional development
20 opportunities for mentors and beginning educators.

21 (17) \$5,767,000 of the general fund--state appropriation for fiscal
22 year 2013 is provided solely pursuant to Engrossed Substitute Senate
23 Bill No. 5895 (certificated employee evaluations). If the bill is not
24 enacted by June 30, 2012, the amount provided in this subsection shall
25 lapse.

26 (18) \$780,000 of the general fund--state appropriation for fiscal
27 year 2013 is provided solely to implement Senate Bill No. 6202
28 (establishing alternative forms of governance for certain public
29 schools). The superintendent of public instruction will make funds
30 available, via interagency agreement, to the office of the governor and
31 the public employment relations commission as necessary to implement
32 the bill. If the bill is not enacted by June 30, 2012, the amount
33 provided in this subsection shall lapse.

34 **Sec. 512.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read
35 as follows:

36 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**

1 **BILINGUAL PROGRAMS**

2	General Fund--State Appropriation (FY 2012)	((\$79,496,000))
3		<u>\$79,575,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$82,856,000))
5		<u>\$80,666,000</u>
6	General Fund--Federal Appropriation	\$71,001,000
7	TOTAL APPROPRIATION	((\$233,353,000))
8		<u>\$231,242,000</u>

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

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

15 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
16 shall allocate funding to school districts for transitional bilingual
17 programs as provided in RCW 28A.150.260(10)(b). In calculating the
18 allocations, the superintendent shall assume the following averages:

19 (i) Additional instruction of 4.7780 hours per week per transitional
20 bilingual program student; (ii) fifteen transitional bilingual program
21 students per teacher; (iii) 36 instructional weeks per year; (iv) 900
22 instructional hours per teacher; and (v) the district's average staff
23 mix and compensation rates as provided in sections 503 and 504 of this
24 act.

25 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
26 allocate funding to school districts for transitional bilingual
27 instruction programs as provided in section 514, chapter 564, Laws of
28 2009, as amended through section 1411 of this act.

29 (c) The allocations in this section reflect the implementation of
30 a new funding formula for the transitional bilingual instructional
31 program, effective September 1, 2011, as specified in RCW
32 28A.150.260(10)(b).

33 (3) The superintendent may withhold allocations to school districts
34 in subsection (2) of this section solely for the central provision of
35 assessments as provided in RCW 28A.180.090 (1) and (2) up to the
36 following amounts: 2.79 percent for school year 2011-12 and ((2.09))
37 2.11 percent for school year 2012-13.

38 (4) The general fund--federal appropriation in this section is for

1 migrant education under Title I Part C and English language
2 acquisition, and language enhancement grants under Title III of the
3 elementary and secondary education act.

4 (5)(a) The office of the superintendent of public instruction shall
5 implement a funding model for the transitional bilingual program,
6 beginning in school year 2012-13, that is scaled to provide more
7 support to students requiring most intensive intervention, (students
8 with beginning levels of English language proficiency) and less support
9 to students requiring less intervention. The funding model shall also
10 provide up to two years of (~~bonus~~) additional funding upon successful
11 exit from the bilingual program to facilitate successful transition to
12 a standard program of education, except for students that successfully
13 exit the bilingual program prior to grade two. This additional funding
14 shall begin in school year 2013-14 with students achieving proficiency
15 in school year 2012-13 and transitioning to a standard program of
16 education for school year 2013-14. The amount of the additional
17 funding shall be established in the biennial omnibus budget.

18 (b) It is expected that per-pupil funding for all students served
19 in kindergarten and grade one will be the same as would have been
20 necessary to maintain the statewide average prior to establishing
21 differential per-pupil amounts. For all other students served in the
22 program, it is expected that level 2 proficiency will be set at ((the
23 same)) a level ((as would have been provided)) that represents the
24 median funding level necessary to maintain the statewide average prior
25 to establishing differential per-pupil amounts; ((level 1 will be 125
26 percent of level 2; level 3 through the level prior to exit will be 75
27 percent of level 2; and two bonus years upon successful demonstration
28 of proficiency will be 100 percent of level 2)) levels 1 and 3 shall be
29 set such that level 1 is substantially greater than level 2, and level
30 3 is substantially less; each of the two years of additional per-pupil
31 funding is expected to be equivalent to level 2. Total funding in
32 aggregate for all levels for the 2012-13 school year is equivalent to
33 what total funding in aggregate would have been prior to the
34 application of differential per-pupil amounts. For school year 2012-13
35 when funds are not yet distributed for proficient students exiting the
36 program, auxiliary funds shall be provided in a similarly differential
37 distribution, such that total program allocations are not less than
38 what total program allocations would have been prior to establishing

1 differential per-pupil amounts. Prior to implementing in school year
2 2012-13, the office of the superintendent of public instruction shall
3 provide to the senate and house of representatives ways and means
4 committees recommended rates based on the results of proficiency test
5 procurement, expressed as both per-pupil rates and hours of
6 instruction as provided in RCW 28A.150.260(10)(b).

7 (c) Each bilingual student shall be tested for proficiency level
8 and, therefore, eligibility for the transitional bilingual program each
9 year. The ~~((bonus))~~ additional payments for up to two school years
10 following successful exit from the transitional bilingual program, for
11 students in grades two through twelve, shall be allocated to the
12 ~~((exiting))~~ school district in which the student is enrolled. If the
13 student graduates or ~~((transfers to another district prior to the~~
14 ~~district receiving both years' bonuses))~~ or otherwise leaves the
15 system, the district shall receive the ~~((bonus))~~ additional payments
16 for only the length of time the student remains enrolled in the
17 ~~((exiting))~~ district.

18 (d) ~~((The quality education council shall examine the revised~~
19 ~~funding model developed under this subsection and provide a report to~~
20 ~~the education and fiscal committees of the legislature by December 1,~~
21 ~~2011, that includes recommendations for:~~

22 ~~(i) Changing the prototypical school funding formula for the~~
23 ~~transitional bilingual program to align with the revised model in an~~
24 ~~accurate and transparent manner;~~

25 ~~(ii) Reconciling the revised model with statutory requirements for~~
26 ~~categorical funding of the transitional bilingual instructional program~~
27 ~~that is restricted to students eligible for and enrolled in that~~
28 ~~program;~~

29 ~~(iii) Clarifying the elements of the transitional bilingual~~
30 ~~instructional program that fall under the definition of basic education~~
31 ~~and the impact of the revised model on them; and~~

32 ~~(iv) The extent that the disparate financial impact of the revised~~
33 ~~model on different school districts should be addressed and options for~~
34 ~~addressing it.~~

35 (e)) The office of the superintendent of public instruction shall
36 report to the senate and house of representatives ways and means
37 committees and education committees annually by December 31st of each

1 year, through 2018, regarding any measurable changes in proficiency,
2 time-in-program, and transition experience.

3 (6) \$35,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$35,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely to track current and former
6 transitional bilingual program students.

7 **Sec. 513.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read
8 as follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
10 **ASSISTANCE PROGRAM**

11	General Fund--State Appropriation (FY 2012)	((\$102,470,000))
12		<u>\$102,619,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$103,666,000))
14		<u>\$128,779,000</u>
15	General Fund--Federal Appropriation	\$492,207,000
16	Education Legacy Trust Account--State	
17	Appropriation	((\$47,980,000))
18		<u>\$23,990,000</u>
19	TOTAL APPROPRIATION	((\$746,323,000))
20		<u>\$747,595,000</u>

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

23 (1) The general fund--state appropriations in this section are
24 subject to the following conditions and limitations:

25 (a) The appropriations include such funds as are necessary to
26 complete the school year ending in the fiscal year and for prior fiscal
27 year adjustments.

28 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
29 shall allocate funding to school districts for learning assistance
30 programs as provided in RCW 28A.150.260(10)(a). In calculating the
31 allocations, the superintendent shall assume the following averages:
32 (A) Additional instruction of 1.51560 hours per week per funded
33 learning assistance program student; (B) fifteen learning assistance
34 program students per teacher; (C) 36 instructional weeks per year; (D)
35 900 instructional hours per teacher; and (E) the district's average
36 staff mix and compensation rates as provided in sections 503 and 504 of
37 this act.

1 (ii) From July 1, 2011, to August 31, 2011, the superintendent
2 shall allocate funding to school districts for learning assistance
3 programs as provided in section 515, chapter 564, Laws of 2009, as
4 amended through section 1412 of this act.

5 (c) A school district's funded students for the learning assistance
6 program shall be the sum of the district's full-time equivalent
7 enrollment in grades K-12 for the prior school year multiplied by the
8 district's percentage of October headcount enrollment in grades K-12
9 eligible for free or reduced price lunch in the prior school year.

10 (2) Allocations made pursuant to subsection (1) of this section
11 shall be adjusted to reflect ineligible applications identified through
12 the annual income verification process required by the national school
13 lunch program, as recommended in the report of the state auditor on the
14 learning assistance program dated February, 2010.

15 (3) The general fund--federal appropriation in this section is
16 provided for Title I Part A allocations of the no child left behind act
17 of 2001.

18 (4) A school district may carry over from one year to the next up
19 to 10 percent of the general fund-state or education legacy trust funds
20 allocated under this program; however, carryover funds shall be
21 expended for the learning assistance program.

22 (5) The office of the superintendent of public instruction shall
23 research and recommend options for an adjustment factor for middle
24 school and high school free and reduced price lunch eligibility
25 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report
26 to the fiscal committees of the legislature by June 1, 2012. For the
27 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

28 **Sec. 514.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to
29 read as follows:

30 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

31 (1) Amounts distributed to districts by the superintendent through
32 part V of this act are for allocations purposes only and do not entitle
33 a particular district, district employee, or student to a specific
34 service, beyond what has been expressly provided in statute. Part V of
35 this act restates the requirements of various sections of Title 28A
36 RCW. If any conflict exists, the provisions of Title 28A RCW control
37 unless this act explicitly states that it is providing an enhancement.

1 Any amounts provided in part V of this act in excess of the amounts
2 required by Title 28A RCW provided in statute, are not within the
3 program of basic education.

4 (2) To the maximum extent practicable, when adopting new or revised
5 rules or policies relating to the administration of allocations in part
6 V of this act that result in fiscal impact, the office of the
7 superintendent of public instruction shall attempt to seek legislative
8 approval through the budget request process.

9 (3) Appropriations made in this act to the office of the
10 superintendent of public instruction shall initially be allotted as
11 required by this act. Subsequent allotment modifications shall not
12 include transfers of moneys between sections of this act except as
13 expressly provided in subsection (4) of this section.

14 (4) The appropriations to the office of the superintendent of
15 public instruction in this act shall be expended for the programs and
16 amounts specified in this act. However, after May 1, 2012, unless
17 specifically prohibited by this act and after approval by the director
18 of financial management, the superintendent of public instruction may
19 transfer state general fund appropriations for fiscal year 2012 among
20 the following programs to meet the apportionment schedule for a
21 specified formula in another of these programs: General apportionment;
22 employee compensation adjustments; pupil transportation; special
23 education programs; institutional education programs; transitional
24 bilingual programs; and learning assistance programs.

25 (5) The director of financial management shall notify the
26 appropriate legislative fiscal committees in writing prior to approving
27 any allotment modifications or transfers under this section.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2011 2nd sp.s. c 9 s 601 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2012)	(\$533,009,000)
	<u>\$532,851,000</u>
General Fund--State Appropriation (FY 2013)	(\$525,644,000)
	<u>\$517,453,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation	\$8,037,000
Education Legacy Trust Account--State	
Appropriation	(\$95,370,000)
	<u>\$95,256,000</u>
TOTAL APPROPRIATION	(\$1,162,060,000)
	<u>\$1,153,597,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2012 and \$28,761,000 of the general fund--state appropriation for fiscal year 2013 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2012 and at least 6,200 full-time equivalent students in fiscal year 2013.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2012 and \$2,725,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

1 (3) \$4,500,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$4,500,000 of the general fund--state appropriation for
3 fiscal year 2013 is provided solely for worker retraining.

4 (4) Of the amounts appropriated in this section, \$5,000,000 is
5 provided solely for the student achievement initiative.

6 (5) When implementing the appropriations in this section, the state
7 board and the trustees of the individual community and technical
8 colleges shall minimize impact on academic programs, maximize
9 reductions in administration, and shall at least maintain, and endeavor
10 to increase, enrollment opportunities and degree and certificate
11 production in high employer-demand fields of study at their academic
12 year 2008-09 levels.

13 (6) Community and technical colleges are not required to send mass
14 mailings of course catalogs to residents of their districts. Community
15 and technical colleges shall consider lower cost alternatives, such as
16 mailing postcards or brochures that direct individuals to online
17 information and other ways of acquiring print catalogs.

18 (7) Bellevue college is authorized to offer (~~applied~~)
19 baccalaureate degrees in information technology, health care services
20 and management, biotechnology, and preprofessional preparation for
21 medical fields. These degrees shall be directed at high school
22 graduates and transfer- oriented degree and professional and technical
23 degree holders. In fiscal year 2012, Bellevue college will develop a
24 two-year plan for offering these new degrees. The plan will assume
25 funding for these new degrees shall come through redistribution of its
26 current per full-time enrollment funding. The plan shall be delivered
27 to the legislature by June 30, 2012.

28 (8) The Seattle community college district is authorized to offer
29 (~~applied~~) baccalaureate degree programs in business/international
30 business and technology management, interactive and artistic digital
31 media, sustainability, building science technology, and allied and
32 global health. These degrees shall be directed at high school
33 graduates and professional and technical degree holders. In fiscal
34 year 2012, Seattle community colleges shall develop a two-year plan for
35 offering these new degrees. The plan will assume that funding for
36 these new degrees comes through redistribution of its current per full-
37 time enrollment funding. The plan shall be delivered to the
38 legislature by June 30, 2012.

1 (9) \$131,000 of the general fund--state appropriation for fiscal
 2 year 2013 is provided solely for the implementation of Second
 3 Substitute House Bill No. 2156 (workforce training/aerospace). If the
 4 bill is not enacted by June 30, 2012, the amount provided in this
 5 subsection shall lapse.

6 (10) \$200,000 of the general fund--state appropriation for fiscal
 7 year 2012 and \$1,851,000 of the general fund--state appropriation for
 8 fiscal year 2013 is provided solely for implementation of the
 9 customized training program under RCW 28B.67.020.

10 **Sec. 602.** 2011 2nd sp.s. c 9 s 602 (uncodified) is amended to read
 11 as follows:

12 **FOR THE UNIVERSITY OF WASHINGTON**

13	General Fund--State Appropriation (FY 2012)	((\$201,388,000))
14		<u>\$201,279,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$206,358,000))
16		<u>\$196,959,000</u>
17	Education Legacy Trust Account--State Appropriation	\$18,579,000
18	<u>Economic Development Strategic Reserve Account--</u>	
19	<u>State Appropriation</u>	<u>\$1,500,000</u>
20	<u>State Toxics Control Account--State Appropriation</u>	<u>\$5,000,000</u>
21	Biotoxin Account--State Appropriation	\$450,000
22	Accident Account--State Appropriation	((\$6,699,000))
23		<u>\$6,681,000</u>
24	Medical Aid Account--State Appropriation	((\$6,502,000))
25		<u>\$6,488,000</u>
26	TOTAL APPROPRIATION	((\$439,976,000))
27		<u>\$436,936,000</u>

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

30 (1) In implementing the appropriations in this section, the
 31 president and regents shall seek to minimize impacts on student
 32 services and instructional programs by maximizing reductions in
 33 administration and other noninstructional activities.

34 (2) \$150,000 of the general fund--state appropriation for fiscal
 35 year 2012 and \$150,000 of the general fund--state appropriation for
 36 fiscal year 2013 are provided solely for the development of integrated
 37 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho

1 (WWAMI) medical education program in Spokane and eastern Washington.
2 Funding is contingent on appropriations being provided to Washington
3 State University for WWAMI program expansion in Spokane and eastern
4 Washington.

5 (3) \$52,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$52,000 of the general fund--state appropriation for
7 fiscal year 2013 are provided solely for the center for international
8 trade in forest products in the college of forest resources.

9 (4) \$88,000 of the general fund--state appropriation for fiscal
10 year 2012 is provided solely for implementation of Engrossed Second
11 Substitute Senate Bill No. 5485 (state's natural resources). If the
12 bill is not enacted by June 30, 2011, the amount provided in this
13 subsection shall lapse.

14 (5) \$143,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$144,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the ongoing management of the
17 Washington park arboretum.

18 (6) \$3,800,000 of the general fund--state appropriation for fiscal
19 year 2013 is provided solely for an expansion in engineering
20 enrollments.

21 (7) \$1,500,000 of the economic development strategic reserve
22 account--state appropriation is provided solely to implement Substitute
23 Senate Bill No. 5982 (aerospace technology center). If the bill is not
24 enacted by June 30, 2012, the amount provided in this subsection shall
25 lapse.

26 (8) \$242,000 of the general fund--state appropriation for fiscal
27 year 2013 is provided solely to implement Second Substitute Senate Bill
28 No. 6406 (state's natural resources). If the bill is not enacted by
29 June 30, 2012, the amount provided in this subsection shall lapse.

30 (9) Amounts appropriated in this section are sufficient to cover
31 the costs associated with the implementation of Engrossed Substitute
32 Senate Bill No. 6486 (collective bargaining for post-doctoral
33 researchers).

34 **Sec. 603.** 2011 2nd sp.s. c 9 s 603 (uncodified) is amended to read
35 as follows:

36 **FOR WASHINGTON STATE UNIVERSITY**

37 General Fund--State Appropriation (FY 2012) ((\$134,512,000))

1		<u>\$134,471,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$136,087,000))
3		<u>\$128,872,000</u>
4	Education Legacy Trust Account--State Appropriation	\$33,065,000
5	<u>State Toxics Control Account--State Appropriation</u>	<u>\$5,000,000</u>
6	TOTAL APPROPRIATION	((\$303,664,000))
7		<u>\$301,408,000</u>

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

10 (1) In implementing the appropriations in this section, the
11 president and regents shall seek to minimize impacts on student
12 services and instructional programs by maximizing reductions in
13 administration and other noninstructional activities.

14 (2) Within available funds, Washington State University shall serve
15 an additional cohort of fifteen full-time equivalent students in the
16 mechanical engineering program located at Olympic College.

17 (3) \$300,000 of the general fund--state appropriation for fiscal
18 year 2012 and \$300,000 of the general fund--state appropriation for
19 fiscal year 2013 are provided solely for the expansion of health
20 sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho
21 (WWAMI) medical education program in Spokane and eastern Washington.
22 Funding is contingent on appropriations being provided to the
23 University of Washington for integrated medical curriculum development
24 for WWAMI.

25 (4) \$3,800,000 of the general fund--state appropriation for fiscal
26 year 2013 is provided solely for an expansion in engineering
27 enrollments.

28 (5) \$25,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$50,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for the Washington State
31 University extension energy program to conduct a study of densified
32 biomass as a renewable fuel used for heating homes, businesses, and
33 other facilities. A report of the findings shall be submitted to the
34 governor and the appropriate committees of the legislature by December
35 1, 2012.

36 (6) Amounts appropriated in this section are sufficient to cover
37 the costs associated with the implementation of Engrossed Substitute

1 Senate Bill No. 6486 (collective bargaining for post-doctoral
2 researchers).

3 **Sec. 604.** 2011 2nd sp.s. c 9 s 604 (uncodified) is amended to read
4 as follows:

5 **FOR EASTERN WASHINGTON UNIVERSITY**

6	General Fund--State Appropriation (FY 2012)	((\$26,257,000))
7		<u>\$26,242,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$26,541,000))
9		<u>\$25,907,000</u>
10	Education Legacy Trust Account--State Appropriation	\$16,087,000
11	TOTAL APPROPRIATION	((\$68,885,000))
12		<u>\$68,236,000</u>

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

15 (1) In implementing the appropriations in this section, the
16 president and governing board shall seek to minimize impacts on student
17 services and instructional programs by maximizing reductions in
18 administration and other noninstructional activities.

19 (2) At least \$200,000 of the general fund--state appropriation for
20 fiscal year 2012 and at least \$200,000 of the general fund--state
21 appropriation for fiscal year 2013 shall be expended on the Northwest
22 autism center.

23 **Sec. 605.** 2011 2nd sp.s. c 9 s 605 (uncodified) is amended to read
24 as follows:

25 **FOR CENTRAL WASHINGTON UNIVERSITY**

26	General Fund--State Appropriation (FY 2012)	((\$22,468,000))
27		<u>\$23,269,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$22,525,000))
29		<u>\$22,764,000</u>
30	Education Legacy Trust Account--State Appropriation	\$19,076,000
31	TOTAL APPROPRIATION	((\$64,069,000))
32		<u>\$65,109,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations: In implementing the appropriations in this
35 section, the president and governing board shall seek to minimize

1 impacts on student services and instructional programs by maximizing
2 reductions in administration and other noninstructional activities.

3 **Sec. 606.** 2011 2nd sp.s. c 9 s 606 (uncodified) is amended to read
4 as follows:

5 **FOR THE EVERGREEN STATE COLLEGE**

6	General Fund--State Appropriation (FY 2012)	((\$15,595,000))
7		<u>\$15,582,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$15,339,000))
9		<u>\$15,174,000</u>
10	Education Legacy Trust Account--State Appropriation	\$5,450,000
11	TOTAL APPROPRIATION	((\$36,384,000))
12		<u>\$36,206,000</u>

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

15 (1) In implementing the appropriations in this section, the
16 president and governing board shall seek to minimize impacts on student
17 services and instructional programs by maximizing reductions in
18 administration and other noninstructional activities.

19 (2) \$50,000 of the general fund--state appropriation for fiscal
20 year 2012 and \$25,000 of the general fund--state appropriation for
21 fiscal year 2013 are provided solely for the Washington state institute
22 for public policy to conduct a detailed study of the commitment of
23 sexually violent predators to the special commitment center pursuant to
24 chapter 71.09 RCW and the subsequent release of those persons to
25 less-restrictive alternatives.

26 (a) Specifically, the institute's study shall examine:

27 (i) The projected future demand for the special commitment center,
28 including profiles and characteristics of persons referred and
29 committed to the special commitment center since its inception, whether
30 the profiles of those persons have changed over time, and, given
31 current trends, the likelihood of the continuing rate of referral;

32 (ii) Residents' participation in treatment over time and the impact
33 of treatment on eventual release to a less-restrictive alternative;

34 (iii) The annual review process and the process for a committed
35 person to petition for conditional or unconditional release,
36 specifically:

37 (A) The time frames for conducting mandatory reviews;

1 (B) The role of the special commitment center clinical team;

2 (C) Options and standards utilized by other jurisdictions or
3 similar processes to conduct periodic reviews, including specialized
4 courts, parole boards, independent review boards, and other commitment
5 proceedings;

6 (iv) The capacity and future demand for appropriate less
7 restrictive alternatives for moving residents out of the special
8 commitment center, including:

9 (A) The capacity and demand for secure community transition
10 facilities;

11 (B) Options for specialized populations such as the elderly or
12 those with developmental disabilities and whether more cost-efficient
13 options might be used to house those populations while keeping the
14 public safe;

15 (C) Prospects for moving residents to noninstitutionalized settings
16 beyond a secure community transition facility.

17 (b) The department of social and health services shall cooperate
18 with the institute in conducting its examination and must provide the
19 institute with requested data and records in a timely manner.

20 (c) The institute shall provide a status report to the governor and
21 the legislature no later than November 1, 2011, with a final report due
22 no later than November 1, 2012.

23 (3) \$50,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$50,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for the institute for public
26 policy to provide research support to the council on quality education.

27 (4) To the extent federal or private funding is available for this
28 purpose, the Washington state institute for public policy and the
29 center for reinventing public education at the University of Washington
30 shall examine the relationship between participation in pension systems
31 and teacher quality and mobility patterns in the state. The department
32 of retirement systems shall facilitate researchers' access to necessary
33 individual-level data necessary to effectively conduct the study. The
34 researchers shall ensure that no individually identifiable information
35 will be disclosed at any time. An interim report on project findings
36 shall be completed by November 15, 2010, and a final report shall be
37 submitted to the governor and to the relevant committees of the
38 legislature by October 15, 2011.

1 (5) Funding provided in this section is sufficient for The
2 Evergreen State College to continue operations of the Longhouse Center
3 and the Northwest Indian applied research institute.

4 (6) If, and to the extent that private funding is available for
5 this purpose, the Washington state institute for public policy shall
6 study and report on the child welfare and educational characteristics
7 and outcomes for foster youth who are served by educational advocates.
8 The department of social and health services and the office of the
9 superintendent of public instruction shall facilitate researchers'
10 access to data necessary to effectively complete the study. The
11 institute shall submit an interim report with baseline characteristics
12 of youth served by educational advocates by December 2011 and a final
13 report by October 31, 2012, to the governor and to the appropriate
14 committees of the legislature.

15 (7) \$75,000 of the general fund--state appropriation for fiscal
16 year 2012 is provided to the Washington state institute for public
17 policy (WSIPP) to conduct a review of state investments in the family
18 caregiver and support program. Funding for this program is provided by
19 assumed savings from diverting seniors from entering into long-term
20 care medicaid placements by supporting informal caregivers. WSIPP
21 shall work with the department of social and health services to
22 establish and review outcome data for this investment. A preliminary
23 report on the outcomes of the investment into this program is due to
24 the appropriate legislative committees by December 15, 2011, and a
25 final report is due to the appropriate legislative committees by August
26 30, 2012.

27 (8) \$17,000 of the general fund--state appropriation for fiscal
28 year 2013 are provided solely to implement Substitute Senate Bill No.
29 6492 (competency to stand trial). If the bill is not enacted by June
30 30, 2012, the amount provided in this subsection shall lapse.

31 (9) \$50,000 of the general fund--state appropriation for fiscal
32 year 2013 is provided solely to implement Second Substitute House Bill
33 No. 2264 (child welfare/contracting). If the bill is not enacted by
34 June 30, 2012, the amount provided in this subsection shall lapse.

35 (10) \$46,000 of the general fund--state appropriation for fiscal
36 year 2013 is provided solely for the implementation of section 10 of
37 Engrossed Substitute House Bill No. 2363 (domestic violence). If the

1 bill is not enacted by June 30, 2012, the amount provided in this
2 subsection shall lapse.

3 (11) \$100,000 of the general fund--state appropriation for fiscal
4 year 2013 is provided solely for the Washington state institute for
5 public policy to conduct a revenue analysis of gaming activities based
6 on two models: A Washington lottery system with the same gaming
7 activities conducted by the Oregon state lottery; and a gaming system
8 allowing house-banked card room licensees currently operating at least
9 five card games to conduct electronic scratch ticket games. The
10 revenue analysis shall estimate revenues over three biennia, beginning
11 July 1, 2013, and consider the revenue impact of implementation for
12 each model. Further, the revenue analysis shall provide gross
13 receipts, costs, retailer compensation, and net revenues for both
14 models. A report of the revenue analysis for the two models is due to
15 the appropriate committees of the legislature by December 1, 2012.

16 **Sec. 607.** 2011 2nd sp.s. c 9 s 607 (uncodified) is amended to read
17 as follows:

18 **FOR WESTERN WASHINGTON UNIVERSITY**

19	General Fund--State Appropriation (FY 2012)	((\$33,754,000))
20		<u>\$33,733,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$33,743,000))
22		<u>\$32,847,000</u>
23	Education Legacy Trust Account--State	
24	Appropriation	((\$13,266,000))
25		<u>\$13,204,000</u>
26	TOTAL APPROPRIATION	((\$80,763,000))
27		<u>\$79,784,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations: In implementing the appropriations in this
30 section, the president and governing board shall seek to minimize
31 impacts on student services and instructional programs by maximizing
32 reductions in administration and other noninstructional activities.

33 NEW SECTION. **Sec. 608. COUNCIL FOR HIGHER EDUCATION**
34 2011 2nd sp.s. c 9 s 610 (uncodified) and 2011 1st sp.s. c 50 s 614
35 (uncodified) are repealed.

1 NEW SECTION. **Sec. 609. OFFICE OF STUDENT FINANCIAL ASSISTANCE**

2 2011 2nd sp.s. c 9 s 611 (uncodified) and 2011 1st sp.s. c 50 s 615
3 (uncodified) are repealed.

4 **Sec. 610.** 2011 2nd sp.s. c 9 s 608 (uncodified) is amended to read
5 as follows:

6 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
7 **ADMINISTRATION**

8	General Fund--State Appropriation (FY 2012)	((\$1,036,000))
9		<u>\$1,041,000</u>
10	General Fund--Federal Appropriation	\$1,976,000
11	TOTAL APPROPRIATION	((\$3,012,000))
12		<u>\$3,017,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations: The higher education coordinating board is
15 authorized to increase or establish fees for initial degree
16 authorization, degree authorization renewal, degree authorization
17 reapplication, new program applications, and new site applications
18 pursuant to RCW 28B.85.060.

19 **Sec. 611.** 2011 2nd sp.s. c 9 s 609 (uncodified) is amended to read
20 as follows:

21 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
22 **PROGRAMS**

23	General Fund--State Appropriation (FY 2012)	\$217,939,000
24	General Fund--Federal Appropriation	\$5,829,000
25	Opportunity Pathways Account--State Appropriation	\$73,500,000
26	TOTAL APPROPRIATION	\$297,268,000

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

29 (1) \$200,413,000 of the general fund--state appropriation for
30 fiscal year 2012 and \$73,500,000 of the opportunity pathways account--
31 state appropriation are provided solely for student financial aid
32 payments under the state need grant and the state work study program
33 including up to a four percent administrative allowance for the state
34 work study program.

35 (2) Within the funds appropriated in this section, eligibility for
36 the state need grant shall include students with family incomes at or

1 below 70 percent of the state median family income (MFI), adjusted for
2 family size, and shall include students enrolled in three to five
3 credit-bearing quarter credits, or the equivalent semester credits.
4 The higher education coordinating board shall report to the legislature
5 by December 1, 2013, regarding the number of students enrolled in three
6 to five credit-bearing quarter credits, or the equivalent semester
7 credits, and their academic progress including degree completion.
8 Awards for all students shall be adjusted by the estimated amount by
9 which Pell grant increases exceed projected increases in the
10 noninstructional costs of attendance. Awards for students with incomes
11 between 51 and 70 percent of the state median shall be prorated at the
12 following percentages of the award amount granted to those with incomes
13 below 51 percent of the MFI: 70 percent for students with family
14 incomes between 51 and 55 percent MFI; 65 percent for students with
15 family incomes between 56 and 60 percent MFI; 60 percent for students
16 with family incomes between 61 and 65 percent MFI; and 50 percent for
17 students with family incomes between 66 and 70 percent MFI.

18 (3) For fiscal year 2012, the board shall defer loan or conditional
19 scholarship repayments to the future teachers conditional scholarship
20 and loan repayment program for up to one year for each participant if
21 the participant has shown evidence of efforts to find a teaching job
22 but has been unable to secure a teaching job per the requirements of
23 the program.

24 (4) \$500,000 of the general fund--state appropriation for fiscal
25 year 2012 is provided solely for the leadership 1000 program.

26 (5) \$2,436,000 of the general fund--state appropriation for fiscal
27 year 2012 is provided solely for the passport to college program. The
28 maximum scholarship award shall be \$5,000. The board shall contract
29 with a nonprofit organization to provide support services to increase
30 student completion in their postsecondary program and shall, under this
31 contract provide a minimum of \$500,000 in fiscal year 2012. Any
32 amounts provided in this subsection that remain unobligated at the
33 close of fiscal year 2012 must be transferred to the state education
34 trust account in RCW 28B.92.140 for purposes of the passport to college
35 program.

36 (6) \$250,000 of the general fund--state appropriation for fiscal
37 year 2012 is provided solely for implementation of the aerospace
38 training scholarship and student loan program as specified in Engrossed

1 Substitute House Bill No. 1846 (aerospace student loans). If this bill
2 is not enacted by June 30, 2011, the amount provided in this subsection
3 shall lapse.

4 NEW SECTION. **Sec. 612.** A new section is added to 2011 1st sp.s.
5 c 50 (uncodified) to read as follows:

6 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION**
7 **AND ADMINISTRATION**

8	General Fund--State Appropriation (FY 2013)	\$4,937,000
9	General Fund--Federal Appropriation	\$2,376,000
10	TOTAL APPROPRIATION	\$7,313,000

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

13 (1) The office of the student achievement council is authorized to
14 increase or establish fees for initial degree authorization, degree
15 authorization renewal, degree authorization reapplication, new program
16 applications, and new site applications pursuant to RCW 28B.85.060.

17 (2) \$1,043,000 of the general fund--state appropriation for fiscal
18 year 2013 is provided solely for the implementation of Engrossed Second
19 Substitute Senate Bill No. 6232 (higher education coordination). If
20 the bill is not enacted by June 30, 2012, the amount provided in this
21 subsection shall lapse.

22 NEW SECTION. **Sec. 613.** A new section is added to 2011 1st sp.s.
23 c 50 (uncodified) to read as follows:

24 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT**
25 **FINANCIAL ASSISTANCE**

26	General Fund--State Appropriation (FY 2013)	\$245,989,000
27	General Fund--Federal Appropriation	\$5,812,000
28	Washington Opportunity Pathways Account--State	
29	Appropriation	\$73,500,000
30	TOTAL APPROPRIATION	\$325,301,000

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

33 (1) \$237,018,000 of the general fund--state appropriation for
34 fiscal year 2013, and \$73,500,000 of the opportunity pathways account--
35 state appropriation are provided solely for student financial aid

1 payments under the state need grant and the state work study programs
2 including up to a four percent administrative allowance for the state
3 work study program.

4 (2) Within the funds appropriated in this section, eligibility for
5 the state need grant shall include students with family incomes at or
6 below 70 percent of the state median family income (MFI), adjusted for
7 family size, and shall include students enrolled in three to five
8 credit-bearing quarter credits, or the equivalent semester credits.
9 The office of student financial assistance shall report to the
10 legislature by December 1, 2013, regarding the number of students
11 enrolled in three to five credit-bearing quarter credits, or the
12 equivalent semester credits, and their academic progress including
13 degree completion. Awards for all students shall be adjusted by the
14 estimated amount by which Pell grant increases exceed projected
15 increases in the noninstructional costs of attendance. Awards for
16 students with incomes between 51 and 70 percent of the state median
17 shall be prorated at the following percentages of the award amount
18 granted to those with incomes below 51 percent of the MFI: 70 percent
19 for students with family incomes between 51 and 55 percent MFI; 65
20 percent for students with family incomes between 56 and 60 percent MFI;
21 60 percent for students with family incomes between 61 and 65 percent
22 MFI; and 50 percent for students with family incomes between 66 and 70
23 percent MFI. For the 2012-13 academic year, awards for eligible
24 students attending for-profit institutions of higher education shall
25 not be subject to a fifty percent reduction.

26 (3) \$1,250,000 of the general fund--state appropriation for fiscal
27 year 2013 is provided solely for implementation of the aerospace
28 training scholarship and student loan program as specified in Engrossed
29 Substitute House Bill No. 1846 (aerospace student loans). If the bill
30 is not enacted by June 30, 2012, the amount provided in this subsection
31 shall lapse.

32 (4) For fiscal year 2013, the board shall defer loan or conditional
33 scholarship repayments to the future teachers conditional scholarship
34 and loan repayment program for up to one year for each participant if
35 the participant has shown evidence of efforts to find a teaching job
36 but has been unable to secure a teaching job per the requirements of
37 the program.

1 (5) \$1,000,000 of the education legacy trust account--state
2 appropriation is provided solely for the gaining early awareness and
3 readiness for undergraduate programs project.

4 (6) \$500,000 of the general fund--state appropriation for fiscal
5 year 2013 is provided solely for the leadership 1000 program.

6 (7) \$2,436,000 of the general fund--state appropriation for fiscal
7 year 2013 is provided solely for the passport to college program. The
8 maximum scholarship award shall be \$5,000. The board shall contract
9 with a nonprofit organization to provide support services to increase
10 student completion in their postsecondary program and shall, under this
11 contract, provide a minimum of \$500,000 in fiscal year 2013 for this
12 purpose.

13 (8) In addition to the entities listed in RCW 28B.122.010, the
14 aerospace student loan program may provide loans to students attending
15 an aerospace training program at Renton technical college.

16 (9) The office of student financial assistance and the department
17 of health shall prioritize a portion of any nonfederal balances in the
18 health professional loan repayment and scholarship fund for conditional
19 loan repayment contracts with psychiatrists and with advanced
20 registered nurse practitioners for work at one of the state-operated
21 psychiatric hospitals. The office and department shall designate the
22 state hospitals as health professional shortage areas if necessary for
23 this purpose. The office of student financial assistance shall
24 coordinate with the department of social and health services to
25 effectively incorporate these conditional loan repayments into the
26 department's advanced psychiatric professional recruitment and
27 retention strategies.

28 **Sec. 614.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to
29 read as follows:

30	FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD	
31	General Fund--State Appropriation (FY 2012)	((\$1,382,000))
32		<u>\$1,272,000</u>
33	General Fund--State Appropriation (FY 2013)	((\$1,388,000))
34		<u>\$1,306,000</u>
35	General Fund--Federal Appropriation	((\$62,758,000))
36		<u>\$62,733,000</u>
37	TOTAL APPROPRIATION	((\$65,528,000))

1 \$65,311,000

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

4 (1) For the 2011-2013 fiscal biennium the board shall not designate
5 recipients of the Washington award for vocational excellence or
6 recognize them at award ceremonies as provided in RCW 28C.04.535.

7 (2) \$36,000 of the general fund--state appropriation for fiscal
8 year 2013 is provided solely for the implementation of Second
9 Substitute House Bill No. 2156 (workforce training/aerospace). If this
10 bill is not enacted by June 30, 2012, the amount provided in the
11 subsection shall lapse.

12 **Sec. 615.** 2011 2nd sp.s. c 9 s 612 (uncodified) is amended to read
13 as follows:

14 **FOR THE DEPARTMENT OF EARLY LEARNING**

15	General Fund--State Appropriation (FY 2012)	((\$27,571,000))
16		<u>\$25,247,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$27,558,000))
18		<u>\$25,235,000</u>
19	General Fund--Federal Appropriation	((\$261,753,000))
20		<u>\$279,762,000</u>
21	<u>Home Visiting Services Account--Federal</u>	
22	<u>Appropriation</u>	<u>\$300,000</u>
23	Opportunity Pathways Account--State Appropriation	\$80,000,000
24	TOTAL APPROPRIATION	((\$396,882,000))
25		<u>\$410,544,000</u>

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

28 (1) \$16,028,000 of the general fund--state appropriation for fiscal
29 year 2012, \$16,028,000 of the general fund--state appropriation of
30 fiscal year 2013, \$80,000,000 of the opportunity pathways account
31 appropriation, and \$2,256,000 of the general fund--federal
32 appropriation are provided solely for the early childhood education
33 assistance program services. Of these amounts, \$10,284,000 is a
34 portion of the biennial amount of state maintenance of effort dollars
35 required to receive federal child care and development fund grant
36 dollars.

1 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the
2 department is authorized to increase child care center and child care
3 family home licensure fees in fiscal years 2012 and 2013 for costs to
4 the department for the licensure activity, including costs of necessary
5 inspection. These increases are necessary to support expenditures
6 authorized in this section.

7 (3) (~~(\$638,000)~~) \$64,000 of the general fund--state appropriation
8 for fiscal year 2012 (~~(and)~~), \$638,000 of the general fund--state
9 appropriation for fiscal year 2013, and \$574,000 of the general fund--
10 federal appropriation are provided solely for child care resource and
11 referral network services.

12 (~~(4) (~~(\$200,000 of the general fund--state appropriation for fiscal~~~~
13 ~~year 2012 and \$200,000 of the general fund--state appropriation for~~
14 ~~fiscal year 2013 are provided solely to develop and provide culturally~~
15 ~~relevant supports for parents, family, and other caregivers.~~

16 (+5)) The department is the lead agency for and recipient of the
17 federal child care and development fund grant. Amounts within this
18 grant shall be used to fund child care licensing, quality initiatives,
19 agency administration, and other costs associated with child care
20 subsidies. The department shall transfer a portion of this grant to
21 the department of social and health services to fund the child care
22 subsidies paid by the department of social and health services on
23 behalf of the department of early learning.

24 ((+6)) (5) The appropriations in this section reflect reductions
25 in the appropriations for the department's administrative expenses. It
26 is the intent of the legislature that these 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 program.

30 ((+7)) (6) \$934,000 of the general fund--state appropriation for
31 fiscal year 2012, \$934,000 of the general fund--state appropriation for
32 fiscal year 2013, and \$2,400,000 of the general fund--federal
33 appropriation are provided solely for expenditure into the home
34 visiting services account. This funding is intended to meet federal
35 maintenance of effort requirements and to secure private matching
36 funds.

37 (a) All federal funds received by the department for home visiting
38 activities must be deposited into the home visiting services account.

1 (b) The department must consult with stakeholders during the
2 development of the Washington home visiting plan and any future
3 proposals for federal funding.

4 (c) No more than \$300,000 of the home visiting services account--
5 federal appropriation may be expended for program administration
6 pursuant to RCW 43.215.130(1)(c). No other funds may be expended for
7 that purpose.

8 ~~((+8))~~ (7) In addition to groups that were given prioritized
9 access to the working connections child care program effective March 1,
10 2011, the department shall also give prioritized access into the
11 program to families in which a parent of a child in care is a minor who
12 is not living with a parent or guardian and who is a full-time student
13 in a high school that has a school-sponsored on-site child care center.

14 ~~((+9))~~ (8) Within available amounts, the department in
15 consultation with the office of financial management and the department
16 of social and health services shall report quarterly enrollments and
17 active caseload for the working connections child care program to the
18 legislative fiscal committees. The report shall also identify the
19 number of cases participating in both temporary assistance for needy
20 families and working connections child care.

21 ~~((+10))~~ (9) \$2,522,000 of the general fund--state appropriation
22 for fiscal year 2012, \$2,522,000 of the general fund--state
23 appropriation for fiscal year 2013, and \$4,304,000 of the general
24 fund--federal appropriation are provided solely for the medicaid
25 treatment child care (MTCC) program. The department shall contract for
26 MTCC services to provide therapeutic child care and other specialized
27 treatment services to abused, neglected, at-risk, and/or drug-affected
28 children. Priority for services shall be given to children referred
29 from the department of social and health services children's
30 administration. In addition to referrals made by children's
31 administration, the department shall authorize services for children
32 referred to the MTCC program, as long as the children meet the
33 eligibility requirements as outlined in the Washington state plan for
34 the MTCC program. Of the amounts appropriated in this subsection,
35 \$60,000 per fiscal year may be used by the department for administering
36 the MTCC program, if needed.

37 (10) \$150,000 of the general fund--state appropriation for fiscal
38 year 2012 and \$150,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for a contract with a nonprofit
2 entity experienced in the provision of promoting early literacy for
3 children through pediatric office visits.

4 **Sec. 616.** 2011 2nd sp.s. c 9 s 613 (uncodified) is amended to read
5 as follows:

6 **FOR THE STATE SCHOOL FOR THE BLIND**

7	General Fund--State Appropriation (FY 2012)	((\$5,782,000))
8		<u>\$5,776,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$5,749,000))
10		<u>\$5,674,000</u>
11	((General Fund--Private/Local Appropriation	\$1,961,000))
12	TOTAL APPROPRIATION	((\$13,492,000))
13		<u>\$11,450,000</u>

14 ~~((The appropriations in this section are subject to the following~~
15 ~~conditions and limitations:—\$271,000 of the general fund—~~
16 ~~private/local appropriation is provided solely for the school for the~~
17 ~~blind to offer short course programs, allowing students the opportunity~~
18 ~~to leave their home schools for short periods and receive intensive~~
19 ~~training. The school for the blind shall provide this service to the~~
20 ~~extent that it is funded by contracts with school districts and~~
21 ~~educational services districts.))~~

22 **Sec. 617.** 2011 2nd sp.s. c 9 s 614 (uncodified) is amended to read
23 as follows:

24 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
25 **LOSS**

26	General Fund--State Appropriation (FY 2012)	((\$8,449,000))
27		<u>\$8,441,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$8,446,000))
29		<u>\$8,339,000</u>
30	((General Fund--Private/Local Appropriation	\$526,000))
31	TOTAL APPROPRIATION	((\$17,421,000))
32		<u>\$16,780,000</u>

33 **Sec. 618.** 2011 2nd sp.s. c 9 s 615 (uncodified) is amended to read
34 as follows:

1	FOR THE WASHINGTON STATE ARTS COMMISSION	
2	General Fund--Federal Appropriation	\$2,065,000
3	General Fund--Private/Local Appropriation	\$1,056,000
4	Washington State Heritage Center Account--State	
5	Appropriation	((\$2,213,000))
6		<u>\$2,189,000</u>
7	TOTAL APPROPRIATION	((\$5,334,000))
8		<u>\$5,310,000</u>

9 **Sec. 619.** 2011 2nd sp.s. c 9 s 616 (uncodified) is amended to read
10 as follows:

11	FOR THE WASHINGTON STATE HISTORICAL SOCIETY	
12	Washington State Heritage Center Account--State	
13	Appropriation	((\$4,241,000))
14		<u>\$4,209,000</u>

15 **Sec. 620.** 2011 2nd sp.s. c 9 s 617 (uncodified) is amended to read
16 as follows:

17	FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY	
18	Washington State Heritage Center Account--State	
19	Appropriation	((\$2,962,000))
20		<u>\$2,959,000</u>

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2011 2nd sp.s. c 9 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 702. 2011 2nd sp.s. c 9 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
2 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

3	General Fund--State Appropriation (FY 2012)	((\$27,516,000))
4		<u>\$27,400,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$30,758,000))
6		<u>\$30,572,000</u>
7	Nondebt-Limit Reimbursable Bond Retirement	
8	Account--State Appropriation	\$140,128,000
9	TOTAL APPROPRIATION	((\$198,402,000))
10		<u>\$198,100,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations: The general fund appropriation is for
13 expenditure into the nondebt-limit general fund bond retirement
14 account. The entire general fund--state appropriation for fiscal year
15 2012 shall be expended into the nondebt-limit general fund bond
16 retirement account by June 30, 2012.

17 NEW SECTION. **Sec. 703.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **FOR THE SAVINGS INCENTIVE ACCOUNT AND EDUCATION SAVINGS ACCOUNT**

20 For fiscal years 2012 and 2013, no appropriations are made for
21 deposit to the savings incentive account or the education savings
22 account under RCW 43.79.460 and 43.79.465.

- 23 The following acts or parts of acts are hereby repealed:
24 (1) 2011 1st sp.s. c 50 s 709 (uncodified); and
25 (2) 2011 1st sp.s. c 50 s 710 (uncodified).

26 NEW SECTION. **Sec. 704.** A new section is added to 2011 1st sp.s.
27 c 50 (uncodified) to read as follows:

28 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT**

29 General Fund--State Appropriation (FY 2013) \$1,150,000

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 disaster response account.

33 **Sec. 705.** 2011 1st sp.s. c 50 s 715 (uncodified) is amended to
34 read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**
2 **COSTS**

3 General Fund--State Appropriation (FY 2012) ((~~\$591,000~~)
4 \$1,102,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: The director of financial management shall
7 distribute ((~~\$338,000~~)) \$501,000 to Franklin county, \$128,000 to
8 Jefferson county, ((and)) \$125,000 to Okanogan county, \$161,000 to
9 Yakima county, and \$187,000 to King county for extraordinary criminal
10 justice costs.

11 NEW SECTION. Sec. 706. A new section is added to 2011 1st sp.s.
12 c 50 (uncodified) to read as follows:

13 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ARROW COMMISSION**
14 General Fund--State Appropriation (FY 2013) \$200,000

15 The appropriation in this section is subject to the following
16 conditions and limitations: The appropriation is provided solely for
17 the implementation of Engrossed Substitute Senate Bill No. 6345 (agency
18 reallocation and realignment of Washington commission). If the bill is
19 not enacted by June 30, 2012, the appropriation in this section shall
20 lapse.

21 NEW SECTION. Sec. 707. CENTRAL SERVICE EFFICIENCIES

22 The following acts or parts of acts are each repealed:
23 (1) 2011 2nd sp.s. c 9 s 705 (uncodified); and
24 (2) 2011 2nd sp.s. c 9 s 707 (uncodified).

25 NEW SECTION. Sec. 708. A new section is added to 2011 1st sp.s.
26 c 50 (uncodified) to read as follows:

27 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**
28 **FROM THE FOREST DEVELOPMENT ACCOUNT**

29 Forest Development Account--State Appropriation \$10,000,000

30 The appropriation in this section is provided solely for
31 distribution of state forest land revenues to taxing authorities that
32 received such revenue from fiscal year 2002 through fiscal year 2011
33 and is subject to the following conditions and limitations:

1 (1) Within fifteen days of the effective date of this section, the
2 department shall transmit funds in the amounts specified in subsection
3 (3) of this section to the county treasurers of the counties receiving
4 the funds.

5 (2) The county treasurers of the counties listed in this section
6 shall distribute funds received from this appropriation to taxing
7 authorities in proportion to the state forest transfer land funds
8 distributed to the taxing authorities based on information available
9 for the fiscal years 2002 through 2011. Funds to be credited to the
10 state of Washington and funds credited to school district general
11 levies shall be remitted to the state of Washington within thirty days
12 after the effective date of this section for deposit into the state
13 general fund.

14 (3) Funds shall be distributed in the following amounts:

15	Clallam	\$848,854
16	Clark	\$630,368
17	Cowlitz	\$418,159
18	Grays Harbor	\$266,365
19	Jefferson	\$239,722
20	King	\$328,725
21	Kitsap	\$73,839
22	Klickitat	\$197,968
23	Lewis	\$887,679
24	Mason	\$425,935
25	Okanogan	\$4
26	Pacific	\$352,540
27	Pierce	\$334,179
28	Skagit	\$1,534,497
29	Skamania	\$66,648
30	Snohomish	\$1,565,549
31	Stevens	\$6,709
32	Thurston	\$783,735
33	Wahkiakum	\$285,339
34	Whatcom	\$753,186
35	Total	\$10,000,000

1 NEW SECTION. **Sec. 709.** A new section is added to 2011 1st sp.s.
2 c 50 (uncodified) to read as follows:

3 **FOR SUNDRY CLAIMS**

4 The following sums, or so much thereof as may be necessary, are
5 appropriated from the general fund, unless otherwise indicated, for
6 relief of various individuals, firms, and corporations for sundry
7 claims. These appropriations are to be disbursed on vouchers approved
8 by the director of financial management, except as otherwise provided,
9 for reimbursement of criminal defendants acquitted on the basis of
10 self-defense, pursuant to RCW 9A.16.110, as follows:

- 11 (1) Clint L. Powell, Jr., claim number 99970048 \$58,155.10
- 12 (2) Chance L. Hawkins, claim number 99970049 \$28,838.95
- 13 (3) Edgar L. Hawkins, claim number 99970050 \$25,507.00
- 14 (4) James Abbott, claim number 99970051 \$9,880.00
- 15 (5) Richard Frisk, claim number 99970052 \$32,788.50
- 16 (6) Brian Barnd-Spjut, claim number 99970053 \$122,821.79

17 NEW SECTION. **Sec. 710.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE AGENCY RETIREMENT SYSTEM**
20 **CONTRIBUTIONS**

21	General Fund--State Appropriation (FY 2013)	(\$44,196,000)
22	General Fund--Federal Appropriation	(\$10,044,000)
23	General Fund--Private/Local Appropriation	(\$1,025,000)
24	Education Legacy Trust Account--State Appropriation	(\$43,000)
25	Dedicated Funds and Accounts Appropriation	(\$16,193,000)
26	TOTAL APPROPRIATION	(\$71,501,000)

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

- 29 (1) The appropriations in this section are provided solely to
30 reduce agency and institution appropriations to reflect reduced pension
31 contributions. The office of financial management shall update agency
32 appropriations schedules to reflect changes in funding levels in this
33 section as identified by agency and fund in LEAP document PUL-2012
34 dated March 15, 2012. The office of financial management shall make
35 any further allotment adjustments necessary to reflect agency mergers
36 or consolidations assumed in this act. The allotment reductions under

1 this section shall be placed in unallotted status and remain
2 unexpended.

3 (2) The appropriations in this section reflect reduced retirement
4 system contributions resulting from the provisions of Senate Bill No.
5 6378 (reforming the state retirement plans). If the bill is not
6 enacted by June 30, 2012, the amounts provided in this section shall
7 lapse.

8 NEW SECTION. **Sec. 711.** A new section is added to 2011 1st sp.s.
9 c 50 (uncodified) to read as follows:

10 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--SCHOOL DISTRICT RETIREMENT**
11 **SYSTEM CONTRIBUTIONS**

12 General Fund--State Appropriation (FY 2013) (\$98,836,000)

13 The appropriation in this section is subject to the following
14 conditions and limitations:

15 (1) The appropriation in this section is provided solely for
16 adjustments to allocations to school districts to reflect reduced
17 retirement system contributions resulting from the provisions of Senate
18 Bill No. 6378 (reforming the state retirement plans). The office of
19 financial management shall reduce allotments for the office of the
20 superintendent of public instruction by these amounts. The allotment
21 reductions under this section shall be placed in unallotted status and
22 remain unexpended.

23 (2) The appropriation in this section reflects reduced retirement
24 system contributions resulting from the provisions of Senate Bill No.
25 6378 (reforming the state retirement plans). If the bill is not
26 enacted by June 30, 2012, the amount provided in this section shall
27 lapse.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$8,368,000~~)) \$8,289,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$49,418,000~~)) \$44,078,000

General Fund Appropriation for prosecuting attorney distributions \$6,281,000

General Fund Appropriation for boating safety and education distributions \$4,000,000

General Fund Appropriation for other tax distributions \$58,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((~~\$40,421,000~~)) \$58,229,000

County Criminal Justice Assistance Appropriation ((~~\$69,801,000~~)) \$69,566,000

Municipal Criminal Justice Assistance Appropriation ((~~\$26,950,000~~)) \$26,843,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((~~\$16,589,000~~)) \$12,159,000

Liquor Excise Tax Account Appropriation for liquor

1	excise tax distribution	((\$52,152,000))
2		<u>\$25,617,000</u>
3	Streamlined Sales and Use Tax Mitigation Account	
4	Appropriation for distribution to local taxing	
5	jurisdictions to mitigate the unintended revenue	
6	redistribution effect of the sourcing law	
7	changes	((\$49,635,000))
8		<u>\$49,309,000</u>
9	Columbia River Water Delivery Account Appropriation for	
10	the Confederated Tribes of the Colville	
11	Reservation	((\$7,441,000))
12		<u>\$7,478,000</u>
13	Columbia River Water Delivery Account Appropriation for	
14	the Spokane Tribe of Indians	((\$4,748,000))
15		<u>\$4,794,000</u>
16	Liquor Revolving Account Appropriation for liquor	
17	profits distribution	((\$69,318,000))
18		<u>\$85,132,000</u>
19	TOTAL APPROPRIATION	((\$411,301,000))
20		<u>\$407,953,000</u>

21 The total expenditures from the state treasury under the
22 appropriations in this section shall not exceed the funds available
23 under statutory distributions for the stated purposes.

24 **Sec. 802.** 2011 1st sp.s. c 50 s 802 (uncodified) is amended to
25 read as follows:

26 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**
27 **ACCOUNT**

28	Impaired Driver Safety Account Appropriation	((\$2,501,000))
29		<u>\$2,439,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations: The amount appropriated in this section
32 shall be distributed quarterly during the 2011-2013 fiscal biennium in
33 accordance with RCW 82.14.310. This funding is provided to counties
34 for the costs of implementing criminal justice legislation including,
35 but not limited to: Chapter 206, Laws of 1998 (drunk driving
36 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
37 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998

1 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
2 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
3 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
4 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
5 215, Laws of 1998 (DUI provisions).

6 **Sec. 803.** 2011 1st sp.s. c 50 s 803 (uncodified) is amended to
7 read as follows:

8 **FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**
9 Impaired Driver Safety Account Appropriation (~~(\$1,666,000)~~)
10 \$1,626,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The amount appropriated in this section
13 shall be distributed quarterly during the 2011-2013 biennium to all
14 cities ratably based on population as last determined by the office of
15 financial management. The distributions to any city that substantially
16 decriminalizes or repeals its criminal code after July 1, 1990, and
17 that does not reimburse the county for costs associated with criminal
18 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
19 which the city is located. This funding is provided to cities for the
20 costs of implementing criminal justice legislation including, but not
21 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
22 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
23 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
24 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
25 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
26 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
27 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
28 Laws of 1998 (DUI provisions).

29 **Sec. 804.** 2011 2nd sp.s. c 9 s 801 (uncodified) is amended to read
30 as follows:

31 **FOR THE STATE TREASURER--TRANSFERS**
32 State Treasurer's Service Account: For transfer to
33 the state general fund, \$16,300,000
34 for fiscal year 2012 and (~~(\$21,300,000)~~)
35 \$24,800,000 for fiscal year 2013 (~~(\$37,600,000)~~)
36 \$41,100,000

1 Waste Reduction, Recycling, and Litter Control
2 Account: For transfer to the state general
3 fund, (~~(\$3,500,000)~~) \$4,847,000 for fiscal year
4 2012 and (~~(\$3,500,000)~~) \$4,847,000 for fiscal
5 year 2013 (~~(\$7,000,000)~~)
6 \$9,694,000
7 Aquatics Lands Enhancement Account: For transfer to
8 the state general fund, \$3,500,000 for fiscal
9 year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000
10 Savings Incentive Account: For transfer to the state
11 general fund, \$44,618,000 for fiscal year 2012 \$44,618,000
12 Distinguished Professorship Trust Fund: For transfer to
13 the state general fund for fiscal year 2012, an amount
14 not to exceed the actual cash balance of the fund \$3,024,000
15 Washington Graduate Fellowship Trust Fund: For transfer
16 to the state general fund for fiscal year 2012, an
17 amount not to exceed the actual cash balance of
18 the fund \$1,028,000
19 College Faculty Awards Trust Fund: For transfer
20 to the state general fund for fiscal year 2012, an amount
21 not to exceed the actual cash balance of the fund \$1,996,000
22 Data Processing Revolving Account: For transfer
23 to the state general fund, \$5,960,000 for fiscal
24 year 2012 \$5,960,000
25 Drinking Water Assistance Account: For transfer to
26 the drinking water assistance repayment account \$38,000,000
27 Economic Development Strategic Reserve Account: For
28 transfer to the state general fund, \$2,100,000
29 for fiscal year 2012 and \$2,100,000 for fiscal
30 year 2013 \$4,200,000
31 General Fund: For transfer to the streamlined sales
32 and use tax account, (~~(\$24,846,000)~~) \$24,520,000
33 for fiscal year 2012 and \$24,789,000 for fiscal
34 year 2013 (~~(\$49,635,000)~~)
35 \$49,309,000
36 Public Works Assistance Account: For transfer to the
37 water pollution control revolving account,
38 \$7,750,000 for fiscal year 2012 and \$7,750,000 for

1 state general fund, \$250,000 for fiscal year 2012 and
 2 \$250,000 for fiscal year 2013 \$500,000
 3 Aquatic Lands Enhancement Account: For transfer to
 4 the marine resources stewardship trust account,
 5 \$2,100,000 for fiscal year 2013. However, if
 6 Second Substitute Senate Bill No. 6263 (marine
 7 planning) is not enacted by June 30, 2012, then
 8 the transfer shall not occur \$2,100,000
 9 Financial Services Regulation Fund: For transfer to
 10 the state general fund, \$4,000,000 for fiscal
 11 year 2012 \$4,000,000
 12 Local Toxics Control Account: For transfer to the state
 13 toxics control account, \$25,000,000 for fiscal
 14 year 2012 and \$25,000,000 for fiscal year 2013 \$50,000,000
 15 Washington State Heritage Center Account: For transfer
 16 to the state general fund, \$2,000,000 for fiscal
 17 year 2013 \$2,000,000

(End of part)

1 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WPEA, WPEA CC**
2 **COALITION, WFSE CC COALITION, WFSE CWU, WFSE TESC**

3 Agreements have been reached between the governor and the following
4 unions: Washington public employees association, Washington public
5 employees association higher education community college coalition,
6 Washington federation of state employees higher education community
7 college coalition, Washington federation of state employees Central
8 Washington University, and Washington federation of state employees The
9 Evergreen State College, under the provisions of chapter 41.80 RCW for
10 fiscal year 2013. Except as provided in subsection (2) of this
11 section, funding is reduced to reflect a 3.0 percent temporary salary
12 reduction for all employees whose monthly full-time equivalent salary
13 is \$2,500 or more per month through June 29, 2013. Effective June 30,
14 2013, the salary schedules effective July 1, 2009, through June 30,
15 2011, will be reinstated. For employees entitled to leave, temporary
16 salary reduction leave is granted for fiscal year 2013.

17 NEW SECTION. **Sec. 903.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--YAKIMA VALLEY**
20 **COMMUNITY COLLEGE--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION**

21 An agreement has been reached between Yakima Valley Community
22 College and Washington public employees association under the
23 provisions of chapter 41.80 RCW for fiscal year 2013. The agreement is
24 consistent with the funding reduction provided in the 2011-2013 omnibus
25 appropriations act, which reflected a 3.0 percent temporary salary
26 reduction to all employees whose monthly full-time equivalent salary is
27 \$2,500 or more per month through June 29, 2013.

28 NEW SECTION. **Sec. 904.** A new section is added to 2011 1st sp.s.
29 c 50 (uncodified) to read as follows:

30 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
31 **UNIVERSITY--PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

32 An agreement has been reached between Western Washington University
33 and the Washington public school employees of Washington bargaining
34 units D and PTE under the provisions of chapter 41.80 RCW for fiscal
35 year 2013. The agreement is consistent with the funding reduction
36 provided in the 2011-2013 omnibus appropriations act, which reflected

1 a 3.0 percent temporary salary reduction to all employees whose monthly
2 full-time equivalent salary is \$2,500 or more per month through June
3 29, 2013. The reduction will be implemented according to the terms and
4 conditions of this agreement.

5 NEW SECTION. **Sec. 905.** A new section is added to 2011 1st sp.s.
6 c 50 (uncodified) to read as follows:

7 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
8 **UNIVERSITY--WFSE**

9 An agreement has been reached between Western Washington University
10 and the Washington federation of state employees bargaining units A, B,
11 and E under the provisions of chapter 41.80 RCW for fiscal year 2013.
12 The agreement is consistent with the funding reduction provided in the
13 2011-2013 omnibus appropriations act, which reflected a 3.0 percent
14 temporary salary reduction to all employees whose monthly full-time
15 equivalent salary is \$2,500 or more per month through June 29, 2013.
16 The reduction will be implemented according to the terms and conditions
17 of this agreement.

18 NEW SECTION. **Sec. 906.** A new section is added to 2011 1st sp.s.
19 c 50 (uncodified) to read as follows:

20 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--EASTERN WASHINGTON**
21 **UNIVERSITY--WFSE**

22 An agreement has been reached between Eastern Washington University
23 and the Washington federation of state employees under the provisions
24 of chapter 41.80 RCW for fiscal year 2013. The agreement is consistent
25 with the funding reduction provided in the 2011-2013 omnibus
26 appropriations act, which reflected a 3.0 percent temporary salary
27 reduction to all employees whose monthly full-time equivalent salary is
28 \$2,500 or more per month through June 29, 2013. The reduction will be
29 implemented according to the terms and conditions of this agreement.

30 NEW SECTION. **Sec. 907.** A new section is added to 2011 1st sp.s.
31 c 50 (uncodified) to read as follows:

32 Chapter 50, Laws of 2011 1st sp. sess. (the biennial operating
33 budget) included funding for the pension system cost of legislation
34 adopted during the 2011 session of the legislature. No supplemental
35 rates are authorized for funding that legislation during the remainder

1 of the 2011-2013 fiscal biennium. Pension contribution rates for the
2 public employees' retirement system, the public safety employees'
3 retirement system, the school employees' retirement systems, and the
4 teachers' retirement system are established.

5 (1) For the public employees' retirement system:

6 (a) Beginning April 1, 2012, an employer contribution rate of 7.08
7 percent shall be charged;

8 (b) Beginning July 1, 2012, an employer contribution rate of 4.87
9 percent shall be charged.

10 (2) For the public safety employees' retirement system:

11 (a) Beginning April 1, 2012, an employer contribution rate of 8.74
12 percent shall be charged;

13 (b) Beginning July 1, 2012, an employer contribution rate of 6.53
14 percent shall be charged.

15 (3) For the school employees' retirement system:

16 (a) Beginning April 1, 2012, an employer contribution rate of 7.58
17 percent shall be charged;

18 (b) Beginning September 1, 2012, an employer contribution rate of
19 5.25 percent shall be charged.

20 (4) For the teachers' retirement system:

21 (a) Beginning April 1, 2012, an employer contribution rate of 8.04
22 percent shall be charged; and

23 (b) Beginning September 21, 2012, an employer contribution rate of
24 5.63 percent shall be charged.

25 These rates are inclusive of a department of retirement systems
26 expense charge of 0.16 percent and of rate adjustments resulting from
27 the enactment of Senate Bill No. 6378 (state retirement systems). The
28 department of retirement systems shall collect employee contributions
29 as provided in chapter 41.45 RCW.

30 **Sec. 908.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to
31 read as follows:

32 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

33 Appropriations for state agencies in this act are sufficient for
34 nonrepresented state employee health benefits for state agencies,
35 including institutions of higher education, and are subject to the
36 following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan, shall not exceed \$850 per eligible employee for
4 fiscal year 2012. For fiscal year 2013 the monthly employer funding
5 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

6 (b) In order to achieve the level of funding provided for health
7 benefits, the public employees' benefits board shall require any or all
8 of the following: Employee premium copayments, increases in point-of-
9 service cost sharing, the implementation of managed competition, or
10 make other changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on
12 behalf of the uniform medical plan as a result of rebates on
13 prescription drugs, audits of hospitals, subrogation payments, or any
14 other moneys recovered as a result of prior uniform medical plan claims
15 payments, into the public employees' and retirees' insurance account to
16 be used for insurance benefits. Such receipts shall not be used for
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the
19 public employees' benefits board, shall provide subsidies for health
20 benefit premiums to eligible retired or disabled public employees and
21 school district employees who are eligible for medicare, pursuant to
22 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
23 \$150.00 per month.

24 (3) Technical colleges, school districts, and educational service
25 districts shall remit to the health care authority for deposit into the
26 public employees' and retirees' insurance account established in RCW
27 41.05.120 the following amounts:

28 (a) For each full-time employee, \$66.01 per month beginning
29 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

30 (b) For each part-time employee, who at the time of the remittance
31 is employed in an eligible position as defined in RCW 41.32.010 or
32 41.40.010 and is eligible for employer fringe benefit contributions for
33 basic benefits, \$66.01 each month beginning September 1, 2011, and
34 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
35 proportion of employer fringe benefit contributions for a full-time
36 employee that the part-time employee receives. The remittance
37 requirements specified in this subsection shall not apply to employees

1 of a technical college, school district, or educational service
2 district who purchase insurance benefits through contracts with the
3 health care authority.

4 **Sec. 909.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to
5 read as follows:

6 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
7 **BENEFITS**

8 Appropriations for state agencies in this act are sufficient for
9 represented employees outside the super coalition for health benefits,
10 and are subject to the following conditions and limitations:

11 (1)(a) The monthly employer funding rate for insurance benefit
12 premiums, public employees' benefits board administration, and the
13 uniform medical plan, shall not exceed \$850 per eligible employee for
14 fiscal year 2012. For fiscal year 2013 the monthly employer funding
15 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

16 (b) In order to achieve the level of funding provided for health
17 benefits, the public employees' benefits board shall require any or all
18 of the following: Employee premium copayments, increases in point-of-
19 service cost sharing, the implementation of managed competition, or
20 make other changes to benefits consistent with RCW 41.05.065.

21 (c) The health care authority shall deposit any moneys received on
22 behalf of the uniform medical plan as a result of rebates on
23 prescription drugs, audits of hospitals, subrogation payments, or any
24 other moneys recovered as a result of prior uniform medical plan claims
25 payments, into the public employees' and retirees' insurance account to
26 be used for insurance benefits. Such receipts shall not be used for
27 administrative expenditures.

28 (2) The health care authority, subject to the approval of the
29 public employees' benefits board, shall provide subsidies for health
30 benefit premiums to eligible retired or disabled public employees and
31 school district employees who are eligible for medicare, pursuant to
32 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
33 \$150.00 per month.

34 (3) Technical colleges, school districts, and educational service
35 districts shall remit to the health care authority for deposit into the
36 public employees' and retirees' insurance account established in RCW
37 41.05.120 the following amounts:

1 (a) For each full-time employee, \$66.01 per month beginning
2 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

3 (b) For each part-time employee, who at the time of the remittance
4 is employed in an eligible position as defined in RCW 41.32.010 or
5 41.40.010 and is eligible for employer fringe benefit contributions for
6 basic benefits, \$66.01 each month beginning September 1, 2011, and
7 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
8 proportion of employer fringe benefit contributions for a full-time
9 employee that the part-time employee receives. The remittance
10 requirements specified in this subsection shall not apply to employees
11 of a technical college, school district, or educational service
12 district who purchase insurance benefits through contracts with the
13 health care authority.

14 **Sec. 910.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to
15 read as follows:

16 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
17 **BENEFITS**

18 The collective bargaining agreement negotiated with the super
19 coalition under chapter 41.80 RCW includes employer premiums at 85
20 percent of the total weighted average of the projected health care
21 premiums across all plans and tiers. Appropriations in this act for
22 state agencies, including institutions of higher education are
23 sufficient to fund state employees health benefits for employees
24 represented by the super coalition on health benefits, and are subject
25 to the following conditions and limitations:

26 (1)(a) The monthly employer funding rate for insurance benefit
27 premiums, public employees' benefits board administration, and the
28 uniform medical plan, shall not exceed \$850 per eligible employee for
29 fiscal year 2012. For fiscal year 2013 the monthly employer funding
30 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

31 (b) In order to achieve the level of funding provided for health
32 benefits, the public employees' benefits board shall require any or all
33 of the following: Employee premium copayments, increases in point-of-
34 service cost sharing, the implementation of managed competition, or
35 make other changes to benefits consistent with RCW 41.05.065.

36 (c) The health care authority shall deposit any moneys received on
37 behalf of the uniform medical plan as a result of rebates on

1 prescription drugs, audits of hospitals, subrogation payments, or any
2 other moneys recovered as a result of prior uniform medical plan claims
3 payments, into the public employees' and retirees' insurance account to
4 be used for insurance benefits. Such receipts shall not be used for
5 administrative expenditures.

6 (2) The health care authority, subject to the approval of the
7 public employees' benefits board, shall provide subsidies for health
8 benefit premiums to eligible retired or disabled public employees and
9 school district employees who are eligible for medicare, pursuant to
10 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
11 \$150.00 per month.

12 NEW SECTION. **Sec. 911.** A new section is added to 2011 1st sp.s.
13 c 50 (uncodified) to read as follows:

14 For purposes of RCW 43.88.110(7), any cash deficit in existence at
15 the close of fiscal year 2012 shall be liquidated over the remainder of
16 the 2011-2013 fiscal biennium.

17 **Sec. 912.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each
18 amended to read as follows:

19 (1) Tuition fees shall be established under the provisions of this
20 chapter.

21 (2) Beginning in the 2011-12 academic year, reductions or increases
22 in full-time tuition fees shall be as provided in the omnibus
23 appropriations act for resident undergraduate students at community and
24 technical colleges. The governing boards of the state universities,
25 regional universities, and The Evergreen State College; and the state
26 board for community and technical colleges may reduce or increase full-
27 time tuition fees for all students other than resident undergraduates,
28 including nonresident students, summer school students, and students in
29 other self-supporting degree programs. Percentage increases in full-
30 time tuition may exceed the fiscal growth factor. Except during the
31 2011-2013 fiscal biennium, the state board for community and technical
32 colleges may pilot or institute differential tuition models. The board
33 may define scale, scope, and rationale for the models.

34 (3)(a) Beginning with the 2011-12 academic year and through the end
35 of the 2014-15 academic year, the governing boards of the state
36 universities, the regional universities, and The Evergreen State

1 College may reduce or increase full-time tuition fees for all students,
2 including summer school students and students in other self-supporting
3 degree programs. Percentage increases in full-time tuition fees may
4 exceed the fiscal growth factor. Reductions or increases may be made
5 for all or portions of an institution's programs, campuses, courses, or
6 students; however, during the 2011-2013 fiscal biennium, reductions or
7 increases in tuition must be uniform among resident undergraduate
8 students.

9 (b) Prior to reducing or increasing tuition for each academic year,
10 the governing boards of the state universities, the regional
11 universities, and The Evergreen State College shall consult with
12 existing student associations or organizations with student
13 undergraduate and graduate representatives regarding the impacts of
14 potential tuition increases. Governing boards shall be required to
15 provide data regarding the percentage of students receiving financial
16 aid, the sources of aid, and the percentage of total costs of
17 attendance paid for by aid.

18 (c) Prior to reducing or increasing tuition for each academic year,
19 the state board for community and technical college system shall
20 consult with existing student associations or organizations with
21 undergraduate student representation regarding the impacts of potential
22 tuition increases. The state board for community and technical
23 colleges shall provide data regarding the percentage of students
24 receiving financial aid, the sources of aid, and the percentage of
25 total costs of attendance paid for by aid.

26 (4) Beginning with the 2015-16 academic year through the 2018-19
27 academic year, the governing boards of the state universities, regional
28 universities, and The Evergreen State College may set tuition for
29 resident undergraduates as follows:

30 (a) If state funding for a college or university falls below the
31 state funding provided in the operating budget for fiscal year 2011,
32 the governing board may increase tuition up to the limits set in (d) of
33 this subsection, reduce enrollments, or both;

34 (b) If state funding for a college or university is at least at the
35 level of state funding provided in the operating budget for fiscal year
36 2011, the governing board may increase tuition up to the limits set in
37 (d) of this subsection and shall continue to at least maintain the

1 actual enrollment levels for fiscal year 2011 or increase enrollments
2 as required in the omnibus appropriations act; (~~and~~)

3 (c) If state funding is increased so that combined with resident
4 undergraduate tuition the sixtieth percentile of the total per-student
5 funding at similar public institutions of higher education in the
6 global challenge states under RCW 28B.15.068 is exceeded, the governing
7 board shall decrease tuition by the amount needed for the total per-
8 student funding to be at the sixtieth percentile under RCW 28B.15.068;
9 and

10 (d) The amount of tuition set by the governing board for an
11 institution under this subsection (4) may not exceed the sixtieth
12 percentile of the resident undergraduate tuition of similar public
13 institutions of higher education in the global challenge states.

14 (5) The tuition fees established under this chapter shall not apply
15 to high school students enrolling in participating institutions of
16 higher education under RCW 28A.600.300 through 28A.600.400.

17 (6) The tuition fees established under this chapter shall not apply
18 to eligible students enrolling in a dropout reengagement program
19 through an interlocal agreement between a school district and a
20 community or technical college under RCW 28A.175.100 through
21 28A.175.110.

22 (7) The tuition fees established under this chapter shall not apply
23 to eligible students enrolling in a community or technical college
24 participating in the pilot program under RCW 28B.50.534 for the purpose
25 of obtaining a high school diploma.

26 (8) Beginning in the 2019-20 academic year, reductions or increases
27 in full-time tuition fees for resident undergraduates at four-year
28 institutions of higher education shall be as provided in the omnibus
29 appropriations act.

30 (9) The legislative advisory committee to the committee on advanced
31 tuition payment established in RCW 28B.95.170 shall:

32 (a) Review the impact of differential tuition rates on the funded
33 status and future unit price of the Washington advanced college tuition
34 payment program; and

35 (b) No later than January 14, 2013, make a recommendation to the
36 appropriate policy and fiscal committees of the legislature regarding
37 how differential tuition should be addressed in order to maintain the

1 ongoing solvency of the Washington advanced college tuition payment
2 program.

3 **Sec. 913.** RCW 2.68.020 and 2009 c 564 s 1802 and 2009 c 564 s 918
4 are each reenacted and amended to read as follows:

5 There is created an account in the custody of the state treasurer
6 to be known as the judicial information system account. The
7 administrative office of the courts shall maintain and administer the
8 account, in which shall be deposited all moneys received from in-state
9 noncourt users and any out-of-state users of the judicial information
10 system and moneys as specified in RCW 2.68.040 for the purposes of
11 providing judicial information system access to noncourt users and
12 providing an adequate level of automated services to the judiciary.
13 The legislature shall appropriate the funds in the account for the
14 purposes of the judicial information system. The account shall be used
15 for the acquisition of equipment, software, supplies, services, and
16 other costs incidental to the acquisition, development, operation, and
17 administration of information services, telecommunications, systems,
18 software, supplies, and equipment, including the payment of principal
19 and interest on items paid in installments. (~~During the 2007-2009~~
20 ~~fiscal biennium, the legislature may transfer from the judicial~~
21 ~~information system account to the state general fund such amounts as~~
22 ~~reflect the excess fund balance of the account.)) During the ((2009-~~
23 ~~2011)) 2011-2013 fiscal biennium, the legislature may ((transfer))
24 appropriate from the judicial information system account to the state
25 (~~general fund such amounts as reflect the excess fund balance of the~~
26 ~~account)) law library.~~~~

27 **Sec. 914.** RCW 38.52.540 and 2010 1st sp.s. c 19 s 18 are each
28 amended to read as follows:

29 (1) The enhanced 911 account is created in the state treasury. All
30 receipts from the state enhanced 911 excise taxes imposed by RCW
31 82.14B.030 must be deposited into the account. Moneys in the account
32 must be used only to support the statewide coordination and management
33 of the enhanced 911 system, for the implementation of wireless enhanced
34 911 statewide, for the modernization of enhanced 911 emergency
35 communications systems statewide, and to help supplement, within
36 available funds, the operational costs of the system, including

1 adequate funding of counties to enable implementation of wireless
2 enhanced 911 service and reimbursement of radio communications service
3 companies for costs incurred in providing wireless enhanced 911 service
4 pursuant to negotiated contracts between the counties or their agents
5 and the radio communications service companies. For the 2011-2013
6 fiscal biennium, the account may be used for modernizing narrowband
7 radio capability in the department of corrections. A county must show
8 just cause, including but not limited to a true and accurate accounting
9 of the funds expended, for any inability to provide reimbursement to
10 radio communications service companies of costs incurred in providing
11 enhanced 911 service.

12 (2) Funds generated by the enhanced 911 excise tax imposed by RCW
13 82.14B.030(5) may not be distributed to any county that has not imposed
14 the maximum county enhanced 911 excise tax allowed under RCW
15 82.14B.030(1). Funds generated by the enhanced 911 excise tax imposed
16 by RCW 82.14B.030(6) may not be distributed to any county that has not
17 imposed the maximum county enhanced 911 excise tax allowed under RCW
18 82.14B.030(2).

19 (3) The state enhanced 911 coordinator, with the advice and
20 assistance of the enhanced 911 advisory committee, is authorized to
21 enter into statewide agreements to improve the efficiency of enhanced
22 911 services for all counties and shall specify by rule the additional
23 purposes for which moneys, if available, may be expended from this
24 account.

25 **Sec. 915.** RCW 41.05.120 and 2005 c 518 s 921 and 2005 c 143 s 3
26 are each reenacted and amended to read as follows:

27 (1) The public employees' and retirees' insurance account is hereby
28 established in the custody of the state treasurer, to be used by the
29 administrator for the deposit of contributions, the remittance paid by
30 school districts and educational service districts under RCW
31 28A.400.410, reserves, dividends, and refunds, for payment of premiums
32 for employee and retiree insurance benefit contracts and subsidy
33 amounts provided under RCW 41.05.085, and transfers from the
34 (~~medical~~) flexible spending administrative account as authorized in
35 RCW 41.05.123. Moneys from the account shall be disbursed by the state
36 treasurer by warrants on vouchers duly authorized by the administrator.

1 Moneys from the account may be transferred to the medical flexible
2 spending account to provide reserves and start-up costs for the
3 operation of the medical flexible spending account program.

4 (2) The state treasurer and the state investment board may invest
5 moneys in the public employees' and retirees' insurance account. All
6 such investments shall be in accordance with RCW 43.84.080 or
7 43.84.150, whichever is applicable. The administrator shall determine
8 whether the state treasurer or the state investment board or both shall
9 invest moneys in the public employees' insurance account.

10 (3) During the 2005-07 fiscal biennium, the legislature may
11 transfer from the public employees' and retirees' insurance account
12 such amounts as reflect the excess fund balance of the fund.

13 (4) During the 2011-2013 fiscal biennium, moneys in the public
14 employees' and retirees' insurance account may be lent to the school
15 employees' insurance administrative account as directed by the
16 legislature.

17 **Sec. 916.** RCW 43.07.129 and 2011 1st sp.s. c 50 s 940 are each
18 amended to read as follows:

19 The Washington state heritage center account is created in the
20 custody of the state treasurer. All moneys received under RCW
21 36.18.010(11) and 43.07.128 must be deposited in the account.
22 Expenditures from the account may be made only for the following
23 purposes:

24 (1) Payment of the certificate of participation issued for the
25 Washington state heritage center;

26 (2) Capital maintenance of the Washington state heritage center;
27 and

28 (3) Program operations that serve the public, relate to the
29 collections and exhibits housed in the Washington state heritage
30 center, or fulfill the missions of the state archives, state library,
31 and capital museum.

32 Only the secretary of state or the secretary of state's designee
33 may authorize expenditures from the account. An appropriation is not
34 required for expenditures, but the account is subject to allotment
35 procedures under chapter 43.88 RCW. During the 2011-2013 fiscal
36 biennium, the legislature may appropriate from the Washington state

1 heritage center account for the purposes of state arts, historical, and
2 library programs and may transfer to the state general fund such
3 amounts as reflect the excess fund balance of the account.

4 **Sec. 917.** RCW 43.30.720 and 2003 1st sp.s. c 25 s 938 are each
5 amended to read as follows:

6 All receipts from the sale of stock or seed shall be deposited in
7 a state forest nursery revolving fund to be maintained by the
8 department, which is hereby authorized to use all money in said fund
9 for the maintenance of the state tree nursery or the planting of
10 denuded state owned lands.

11 During the ((2003-2005)) 2011-2013 fiscal biennium, the legislature
12 may transfer from the state forest nursery revolving fund to the state
13 general fund such amounts as reflect the excess fund balance of the
14 fund.

15 **Sec. 918.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each
16 amended to read as follows:

17 There is created a local fund known as the "financial services
18 regulation fund" which shall consist of all moneys received by the
19 divisions of the department of financial institutions, except for the
20 division of securities which shall deposit thirteen percent of all
21 moneys received, except as provided in RCW 43.320.115, and which shall
22 be used for the purchase of supplies and necessary equipment; the
23 payment of salaries, wages, and utilities; the establishment of
24 reserves; and other incidental costs required for the proper regulation
25 of individuals and entities subject to regulation by the department.
26 The state treasurer shall be the custodian of the fund. Disbursements
27 from the fund shall be on authorization of the director of financial
28 institutions or the director's designee. In order to maintain an
29 effective expenditure and revenue control, the fund shall be subject in
30 all respects to chapter 43.88 RCW, but no appropriation is required to
31 permit expenditures and payment of obligations from the fund.

32 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
33 may transfer from the financial services regulation fund to the state
34 general fund such amounts as reflect the excess fund balance of the
35 fund.

1 **Sec. 919.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
2 reenacted and amended to read as follows:

3 (1) The state toxics control account and the local toxics control
4 account are hereby created in the state treasury.

5 (2) The following moneys shall be deposited into the state toxics
6 control account: (a) Those revenues which are raised by the tax
7 imposed under RCW 82.21.030 and which are attributable to that portion
8 of the rate equal to thirty-three one-hundredths of one percent; (b)
9 the costs of remedial actions recovered under this chapter or chapter
10 70.105A RCW; (c) penalties collected or recovered under this chapter;
11 and (d) any other money appropriated or transferred to the account by
12 the legislature. Moneys in the account may be used only to carry out
13 the purposes of this chapter, including but not limited to the
14 following activities:

15 (i) The state's responsibility for hazardous waste planning,
16 management, regulation, enforcement, technical assistance, and public
17 education required under chapter 70.105 RCW;

18 (ii) The state's responsibility for solid waste planning,
19 management, regulation, enforcement, technical assistance, and public
20 education required under chapter 70.95 RCW;

21 (iii) The hazardous waste cleanup program required under this
22 chapter;

23 (iv) State matching funds required under the federal cleanup law;

24 (v) Financial assistance for local programs in accordance with
25 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

26 (vi) State government programs for the safe reduction, recycling,
27 or disposal of hazardous wastes from households, small businesses, and
28 agriculture;

29 (vii) Hazardous materials emergency response training;

30 (viii) Water and environmental health protection and monitoring
31 programs;

32 (ix) Programs authorized under chapter 70.146 RCW;

33 (x) A public participation program, including regional citizen
34 advisory committees;

35 (xi) Public funding to assist potentially liable persons to pay for
36 the costs of remedial action in compliance with cleanup standards under
37 RCW 70.105D.030(2)(e) but only when the amount and terms of such
38 funding are established under a settlement agreement under RCW

1 70.105D.040(4) and when the director has found that the funding will
2 achieve both (A) a substantially more expeditious or enhanced cleanup
3 than would otherwise occur, and (B) the prevention or mitigation of
4 unfair economic hardship;

5 (xii) Development and demonstration of alternative management
6 technologies designed to carry out the hazardous waste management
7 priorities of RCW 70.105.150;

8 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
9 update technical assistance;

10 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
11 permitting teams; (~~and~~)

12 (xv) During the 2011-2013 fiscal biennium, actions for reducing
13 public exposure to toxic air pollution; and

14 (xvi) During the 2011-2013 fiscal biennium, the University of
15 Washington college of environment, Washington State University college
16 of agriculture, human, and natural services, the department of health
17 environmental health programs, the department of agriculture plant
18 protection program, and the department of ecology's water quality
19 programs, shorelands and coastal zone management program, environmental
20 assessment program, hazardous waste program, waste to resources,
21 nuclear waste, administration, and related indirect costs.

22 (3) The following moneys shall be deposited into the local toxics
23 control account: Those revenues which are raised by the tax imposed
24 under RCW 82.21.030 and which are attributable to that portion of the
25 rate equal to thirty-seven one-hundredths of one percent.

26 (a) Moneys deposited in the local toxics control account shall be
27 used by the department for grants or loans to local governments for the
28 following purposes in descending order of priority:

29 (i) Remedial actions;

30 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

31 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
32 70.95I, and 70.105 RCW;

33 (iv) Funds for a program to assist in the assessment and cleanup of
34 sites of methamphetamine production, but not to be used for the initial
35 containment of such sites, consistent with the responsibilities and
36 intent of RCW 69.50.511; and

37 (v) Cleanup and disposal of hazardous substances from abandoned or
38 derelict vessels, defined for the purposes of this section as vessels

1 that have little or no value and either have no identified owner or
2 have an identified owner lacking financial resources to clean up and
3 dispose of the vessel, that pose a threat to human health or the
4 environment.

5 (b) Funds for plans and programs shall be allocated consistent with
6 the priorities and matching requirements established in chapters
7 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
8 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
9 project that is referenced in the action agenda developed by the Puget
10 Sound partnership under RCW 90.71.310, shall, except as conditioned by
11 RCW 70.105D.120, receive priority for any available funding for any
12 grant or funding programs or sources that use a competitive bidding
13 process. During the 2007-2009 fiscal biennium, moneys in the account
14 may also be used for grants to local governments to retrofit public
15 sector diesel equipment and for storm water planning and implementation
16 activities.

17 (c) To expedite cleanups throughout the state, the department shall
18 partner with local communities and liable parties for cleanups. The
19 department is authorized to use the following additional strategies in
20 order to ensure a healthful environment for future generations:

21 (i) The director may alter grant-matching requirements to create
22 incentives for local governments to expedite cleanups when one of the
23 following conditions exists:

24 (A) Funding would prevent or mitigate unfair economic hardship
25 imposed by the clean-up liability;

26 (B) Funding would create new substantial economic development,
27 public recreational, or habitat restoration opportunities that would
28 not otherwise occur; or

29 (C) Funding would create an opportunity for acquisition and
30 redevelopment of vacant, orphaned, or abandoned property under RCW
31 70.105D.040(5) that would not otherwise occur;

32 (ii) The use of outside contracts to conduct necessary studies;

33 (iii) The purchase of remedial action cost-cap insurance, when
34 necessary to expedite multiparty clean-up efforts.

35 (d) To facilitate and expedite cleanups using funds from the local
36 toxics control account, during the 2009-2011 fiscal biennium the
37 director may establish grant-funded accounts to hold and disperse local

1 toxics control account funds and funds from local governments to be
2 used for remedial actions.

3 (4) Except for unanticipated receipts under RCW 43.79.260 through
4 43.79.282, moneys in the state and local toxics control accounts may be
5 spent only after appropriation by statute.

6 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one
7 percent of the moneys deposited into the state and local toxics control
8 accounts shall be allocated only for public participation grants to
9 persons who may be adversely affected by a release or threatened
10 release of a hazardous substance and to not-for-profit public interest
11 organizations. The primary purpose of these grants is to facilitate
12 the participation by persons and organizations in the investigation and
13 remedying of releases or threatened releases of hazardous substances
14 and to implement the state's solid and hazardous waste management
15 priorities. No grant may exceed sixty thousand dollars. Grants may be
16 renewed annually. Moneys appropriated for public participation from
17 either account which are not expended at the close of any biennium
18 shall revert to the state toxics control account.

19 (6) No moneys deposited into either the state or local toxics
20 control account may be used for solid waste incinerator feasibility
21 studies, construction, maintenance, or operation, or, after January 1,
22 2010, for projects designed to address the restoration of Puget Sound,
23 funded in a competitive grant process, that are in conflict with the
24 action agenda developed by the Puget Sound partnership under RCW
25 90.71.310.

26 (7) The department shall adopt rules for grant or loan issuance and
27 performance.

28 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the
29 legislature may transfer from the local toxics control account to
30 either the state general fund or the oil spill prevention account, or
31 both such amounts as reflect excess fund balance in the account.

32 (9) During the 2009-2011 fiscal biennium, the local toxics control
33 account may also be used for a standby rescue tug at Neah Bay, local
34 government shoreline update grants, private and public sector diesel
35 equipment retrofit, and oil spill prevention, preparedness, and
36 response activities.

37 (10) During the 2009-2011 fiscal biennium, the legislature may

1 transfer from the state toxics control account to the state general
2 fund such amounts as reflect the excess fund balance in the account.

3 (11) During the 2011-2013 fiscal biennium, the local toxics control
4 account may also be used for local government shoreline update grants
5 and actions for reducing public exposure to toxic air pollution.

6 **Sec. 920.** RCW 76.04.610 and 2007 c 110 s 1 are each amended to
7 read as follows:

8 (1)(a) If any owner of forest land within a forest protection zone
9 neglects or fails to provide adequate fire protection as required by
10 RCW 76.04.600, the department shall provide such protection and shall
11 annually impose the following assessments on each parcel of such land:
12 (i) A flat fee assessment of seventeen dollars and fifty cents; and
13 (ii) twenty-seven cents on each acre exceeding fifty acres.

14 (b) Assessors may, at their option, collect the assessment on tax
15 exempt lands. If the assessor elects not to collect the assessment,
16 the department may bill the landowner directly.

17 (2) An owner who has paid assessments on two or more parcels, each
18 containing fewer than fifty acres and each within the same county, may
19 obtain the following refund:

20 (a) If all the parcels together contain less than fifty acres, then
21 the refund is equal to the flat fee assessments paid, reduced by the
22 total of (i) seventeen dollars and (ii) the total of the amounts
23 retained by the county from such assessments under subsection (5) of
24 this section.

25 (b) If all the parcels together contain fifty or more acres, then
26 the refund is equal to the flat fee assessments paid, reduced by the
27 total of (i) seventeen dollars, (ii) twenty-seven cents for each acre
28 exceeding fifty acres, and (iii) the total of the amounts retained by
29 the county from such assessments under subsection (5) of this section.

30 Applications for refunds shall be submitted to the department on a
31 form prescribed by the department and in the same year in which the
32 assessments were paid. The department may not provide refunds to
33 applicants who do not provide verification that all assessments and
34 property taxes on the property have been paid. Applications may be
35 made by mail.

36 In addition to the procedures under this subsection, property
37 owners with multiple parcels in a single county who qualify for a

1 refund under this section may apply to the department on an application
2 listing all the parcels owned in order to have the assessment computed
3 on all parcels but billed to a single parcel. Property owners with the
4 following number of parcels may apply to the department in the year
5 indicated:

6	Year	Number of Parcels
7	2002	10 or more parcels
8	2003	8 or more parcels
9	2004 and thereafter	6 or more parcels

10 The department must compute the correct assessment and allocate one
11 parcel in the county to use to collect the assessment. The county must
12 then bill the forest fire protection assessment on that one allocated
13 identified parcel. The landowner is responsible for notifying the
14 department of any changes in parcel ownership.

15 (3) Beginning January 1, 1991, under the administration and at the
16 discretion of the department up to two hundred thousand dollars per
17 year of this assessment shall be used in support of those rural fire
18 districts assisting the department in fire protection services on
19 forest lands.

20 (4) For the purpose of this chapter, the department may divide the
21 forest lands of the state, or any part thereof, into districts, for
22 fire protection and assessment purposes, may classify lands according
23 to the character of timber prevailing, and the fire hazard existing,
24 and place unprotected lands under the administration of the proper
25 district. Amounts paid or contracted to be paid by the department for
26 protection of forest lands from funds at its disposal shall be a lien
27 upon the property protected, unless reimbursed by the owner within ten
28 days after October 1st of the year in which they were incurred. The
29 department shall be prepared to make statement thereof, upon request,
30 to a forest owner whose own protection has not been previously approved
31 as to its adequacy, the department shall report the same to the
32 assessor of the county in which the property is situated. The assessor
33 shall extend the amounts upon the tax rolls covering the property, and
34 upon authorization from the department shall levy the forest protection
35 assessment against the amounts of unimproved land as shown in each

1 ownership on the county assessor's records. The assessor may then
2 segregate on the records to provide that the improved land and
3 improvements thereon carry the millage levy designed to support the
4 rural fire protection districts as provided for in RCW 52.16.170.

5 (5) The amounts assessed shall be collected at the time, in the
6 same manner, by the same procedure, and with the same penalties
7 attached that general state and county taxes on the same property are
8 collected, except that errors in assessments may be corrected at any
9 time by the department certifying them to the treasurer of the county
10 in which the land involved is situated. Assessments shall be known and
11 designated as assessments of the year in which the amounts became
12 reimbursable. Upon the collection of assessments the county treasurer
13 shall place fifty cents of the total assessments paid on a parcel for
14 fire protection into the county current expense fund to defray the
15 costs of listing, billing, and collecting these assessments. The
16 treasurer shall then transmit the balance to the department.
17 Collections shall be applied against expenses incurred in carrying out
18 the provisions of this section, including necessary and reasonable
19 administrative costs incurred by the department in the enforcement of
20 these provisions. The department may also expend sums collected from
21 owners of forest lands or received from any other source for necessary
22 administrative costs in connection with the enforcement of RCW
23 76.04.660.

24 (6) When land against which forest protection assessments are
25 outstanding is acquired for delinquent taxes and sold at public
26 auction, the state shall have a prior lien on the proceeds of sale over
27 and above the amount necessary to satisfy the county's delinquent tax
28 judgment. The county treasurer, in case the proceeds of sale exceed
29 the amount of the delinquent tax judgment, shall immediately remit to
30 the department the amount of the outstanding forest protection
31 assessments.

32 (7) All nonfederal public bodies owning or administering forest
33 land included in a forest protection zone shall pay the forest
34 protection assessments provided in this section and the special forest
35 fire suppression account assessments under RCW 76.04.630. The forest
36 protection assessments and special forest fire suppression account
37 assessments shall be payable by nonfederal public bodies from available
38 funds within thirty days following receipt of the written notice from

1 the department which is given after October 1st of the year in which
2 the protection was provided. Unpaid assessments are not a lien against
3 the nonfederal publicly owned land but shall constitute a debt by the
4 nonfederal public body to the department and are subject to interest
5 charges at the legal rate. During the 2011-2013 fiscal biennium, the
6 forest fire protection assessment account may be used by the office of
7 financial management to contract for analysis and recommendations to
8 improve the efficiency and effectiveness of the state's mechanisms for
9 funding fire prevention and suppression activities.

10 (8) A public body, having failed to previously pay the forest
11 protection assessments required of it by this section, which fails to
12 suppress a fire on or originating from forest lands owned or
13 administered by it, is liable for the costs of suppression incurred by
14 the department or its agent and is not entitled to reimbursement of
15 costs incurred by the public body in the suppression activities.

16 (9) The department may adopt rules to implement this section,
17 including, but not limited to, rules on levying and collecting forest
18 protection assessments.

19 **Sec. 921.** RCW 77.12.201 and 2009 c 479 s 63 are each amended to
20 read as follows:

21 The legislative authority of a county may elect, by giving written
22 notice to the director and the treasurer prior to January 1st of any
23 year, to obtain for the following year an amount in lieu of real
24 property taxes on game lands as provided in RCW 77.12.203. Upon the
25 election, the county shall keep a record of all fines, forfeitures,
26 reimbursements, and costs assessed and collected, in whole or in part,
27 under this title for violations of law or rules adopted pursuant to
28 this title, with the exception of the 2011-2013 fiscal biennium, and
29 shall monthly remit an amount equal to the amount collected to the
30 state treasurer for deposit in the state general fund. The election
31 shall continue until the department is notified differently prior to
32 January 1st of any year.

33 **Sec. 922.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to
34 read as follows:

35 (1) Except as provided in subsection (5) of this section and
36 notwithstanding RCW 84.36.010 or other statutes to the contrary, the

1 director shall pay by April 30th of each year on game lands in each
2 county, if requested by an election under RCW 77.12.201, an amount in
3 lieu of real property taxes equal to that amount paid on similar
4 parcels of open space land taxable under chapter 84.34 RCW or the
5 greater of seventy cents per acre per year or the amount paid in 1984
6 plus an additional amount for control of noxious weeds equal to that
7 which would be paid if such lands were privately owned. This amount
8 shall not be assessed or paid on department buildings, structures,
9 facilities, game farms, fish hatcheries, tidelands, or public fishing
10 areas of less than one hundred acres.

11 (2) "Game lands," as used in this section and RCW 77.12.201, means
12 those tracts one hundred acres or larger owned in fee by the department
13 and used for wildlife habitat and public recreational purposes. All
14 lands purchased for wildlife habitat, public access or recreation
15 purposes with federal funds in the Snake River drainage basin shall be
16 considered game lands regardless of acreage.

17 (3) This section shall not apply to lands transferred after April
18 23, 1990, to the department from other state agencies.

19 (4) The county shall distribute the amount received under this
20 section in lieu of real property taxes to all property taxing districts
21 except the state in appropriate tax code areas the same way it would
22 distribute local property taxes from private property. The county
23 shall distribute the amount received under this section for weed
24 control to the appropriate weed district.

25 (5) For the 2011-2013 fiscal biennium, the director shall pay by
26 April 30th of each year on game lands in each county, if requested by
27 an election under RCW 77.12.201, an amount in lieu of real property
28 taxes and shall be distributed as follows:

29 **County**

30

31 Adams.....1,909

32 Asotin.....36,123

33 Chelan..... 24,757

34 Columbia..... 7,795

35 Ferry..... 6,781

36 Garfield..... 4,840

1	<u>Grant.....</u>	<u>37,443</u>
2	<u>Grays Harbor.....</u>	<u>7,264</u>
3	<u>Kittitas.....</u>	<u>143,974</u>
4	<u>Klickitat.....</u>	<u>21,906</u>
5	<u>Lincoln.....</u>	<u>13,535</u>
6	<u>Okanogan.....</u>	<u>151,402</u>
7	<u>Pend Oreille.....</u>	<u>3,309</u>
8	<u>Yakima.....</u>	<u>126,225</u>

9 These amounts shall not be assessed or paid on department buildings,
10 structures, facilities, game farms, fish hatcheries, tidelands, or
11 public fishing areas of less than one hundred acres.

12 **Sec. 923.** RCW 79.22.010 and 2003 c 334 s 205 are each amended to
13 read as follows:

14 (1) The department has the power to accept gifts and bequests of
15 money or other property, made in its own name, or made in the name of
16 the state, to promote generally the interests of reforestation or for
17 a specific named purpose in connection with reforestation, and to
18 acquire in the name of the state, by purchase or gift, any lands which
19 by reason of their location, topography, or geological formation, are
20 chiefly valuable for purpose of developing and growing timber, and to
21 designate such lands and any lands of the same character belonging to
22 the state as state forest lands; and may acquire by gift or purchase
23 any lands of the same character.

24 (2) The department has the power to seed, plant, and develop
25 forests on any lands, purchased, acquired, or designated by it as state
26 forest lands, and shall furnish such care and fire protection for such
27 lands as it shall deem advisable.

28 (3) Upon approval of the board of county commissioners of the
29 county in which the land is located such gift or donation of land may
30 be accepted subject to delinquent general taxes thereon, and upon such
31 acceptance of such gift or donation subject to such taxes, the
32 department shall record the deed of conveyance thereof and file with
33 the assessor and treasurer of the county wherein such land is situated,
34 written notice of acquisition of such land, and that all delinquent
35 general taxes thereon, except state taxes, shall be canceled, and the

1 county treasurer shall thereupon proceed to make such cancellation in
2 the records of the county treasurer. ((Thereafter, such lands))

3 (4)(a) Lands acquired under this section shall be held in trust,
4 protected, managed, and administered upon, and the proceeds therefrom
5 disposed of, under RCW 79.22.040.

6 (b) During the 2011-2013 fiscal biennium, the legislature may
7 appropriate moneys derived subject to this section from the forest
8 development account consistent with RCW 79.64.100(4).

9 **Sec. 924.** RCW 79.22.040 and 2003 c 334 s 206 are each amended to
10 read as follows:

11 (1) If any land acquired by a county through foreclosure of tax
12 liens, or otherwise, comes within the classification of land described
13 in RCW 79.22.010 and can be used as state forest land and if the
14 department deems such land necessary for the purposes of this chapter,
15 the county shall, upon demand by the department, deed such land to the
16 department and the land shall become a part of the state forest lands.

17 (2) Such land shall be held in trust and administered and protected
18 by the department in the same manner as other state forest lands.

19 (3)(a) In the event that the department sells logs using the
20 contract harvesting process described in RCW 79.15.500 through
21 79.15.530, the moneys derived subject to this section are the net
22 proceeds from the contract harvesting sale.

23 (b) During the 2011-2013 fiscal biennium, the legislature may
24 appropriate moneys derived subject to this section from the forest
25 development account consistent with RCW 79.64.100(4).

26 **Sec. 925.** RCW 79.64.040 and 2011 1st sp.s. c 50 s 966 and 2011 c
27 216 s 16 are each reenacted and amended to read as follows:

28 (1) The board shall determine the amount deemed necessary in order
29 to achieve the purposes of this chapter and shall provide by rule for
30 the deduction of this amount from the moneys received from all leases,
31 sales, contracts, licenses, permits, easements, and rights-of-way
32 issued by the department and affecting state lands, community forest
33 trust lands, and aquatic lands, provided that no deduction shall be
34 made from the proceeds from agricultural college lands.

35 (2) Moneys received as deposits from successful bidders, advance

1 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
2 prior to December 1, 1981, which have not been subjected to deduction
3 under this section are not subject to deduction under this section.

4 (3) Except as otherwise provided in subsections (4) and (6) of this
5 section, the deductions authorized under this section shall not exceed
6 twenty-five percent of the moneys received by the department in
7 connection with any one transaction pertaining to state lands and
8 aquatic lands other than second-class tide and shore lands and the beds
9 of navigable waters, and fifty percent of the moneys received by the
10 department pertaining to second-class tide and shore lands and the beds
11 of navigable waters.

12 (4) Deductions authorized under this section for transactions
13 pertaining to community forest trust lands must be established at a
14 level sufficient to defray over time the management costs for
15 activities prescribed in a parcel's management plan adopted pursuant to
16 RCW 79.155.080, and, if deemed appropriate by the board consistent with
17 RCW 79.155.090, to reimburse the state and any local entities' eligible
18 financial contributions for acquisition of the parcel.

19 (5) In the event that the department sells logs using the contract
20 harvesting process described in RCW 79.15.500 through 79.15.530, the
21 moneys received subject to this section are the net proceeds from the
22 contract harvesting sale.

23 (6) During the ((2009-2011)) 2011-2013 fiscal biennium ((and fiscal
24 year 2012)), the twenty-five percent limitation on deductions set in
25 subsection (3) of this section may be increased up to thirty percent by
26 the board.

27 **Sec. 926.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to
28 read as follows:

29 (1) There is created a forest development account in the state
30 treasury. The state treasurer shall keep an account of all sums
31 deposited therein and expended or withdrawn therefrom.

32 (2) Any sums placed in the forest development account shall be
33 pledged for the purpose of paying interest and principal on the bonds
34 issued by the department under RCW 79.22.080 and 79.22.090 and the
35 provisions of this chapter, and for the purchase of land for growing
36 timber. Any bonds issued shall constitute a first and prior claim and

1 lien against the account for the payment of principal and interest. No
2 sums for the above purposes shall be withdrawn or paid out of the
3 account except upon approval of the department.

4 (3) Appropriations may be made by the legislature from the forest
5 development account to the department for the purpose of carrying on
6 the activities of the department on state forest lands, lands managed
7 on a sustained yield basis as provided for in RCW 79.10.320, and for
8 reimbursement of expenditures that have been made or may be made from
9 the resource management cost account in the management of state forest
10 lands.

11 (4) For the 2011-2013 fiscal biennium, moneys from the forest
12 development account shall be distributed as directed in section 708 of
13 this act to the beneficiaries of the revenues derived from state forest
14 lands. During the 2011-2013 fiscal biennium, appropriations may be
15 made by the legislature from the forest development account to the
16 department for the purpose of emergency fire suppression.

17 **Sec. 927.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 911 are each
18 amended to read as follows:

19 (1) After deduction for management costs as provided in RCW
20 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
21 received by the state from the sale or lease of state-owned aquatic
22 lands and from the sale of valuable material from state-owned aquatic
23 lands shall be deposited in the aquatic lands enhancement account which
24 is hereby created in the state treasury. After appropriation, these
25 funds shall be used solely for aquatic lands enhancement projects; for
26 the purchase, improvement, or protection of aquatic lands for public
27 purposes; for providing and improving access to the lands; and for
28 volunteer cooperative fish and game projects. During the 2009-2011 and
29 2011-2013 fiscal biennia, the aquatic lands enhancement account may
30 also be used for scientific research as part of the adaptive management
31 process and for developing a planning report for McNeil Island. During
32 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may
33 transfer from the aquatic lands enhancement account to the state
34 general fund such amounts as reflect excess fund balance of the
35 account. During the 2011-2013 fiscal biennium, the aquatic lands
36 enhancement account may be used to support the shellfish program, state
37 parks, hatcheries, the ballast water program, and the Puget Sound toxic

1 sampling program at the department of fish and wildlife, and the
2 knotweed program at the department of agriculture. During the 2011-
3 2013 fiscal biennium, the legislature may transfer from the aquatic
4 lands enhancement account to the marine resources stewardship trust
5 account funds for the purposes of RCW 43.372.070.

6 (2) In providing grants for aquatic lands enhancement projects, the
7 recreation and conservation funding board shall:

8 (a) Require grant recipients to incorporate the environmental
9 benefits of the project into their grant applications;

10 (b) Utilize the statement of environmental benefits, consideration,
11 except as provided in RCW 79.105.610, of whether the applicant is a
12 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
13 referenced in the action agenda developed by the Puget Sound
14 partnership under RCW 90.71.310, and except as otherwise provided in
15 RCW 79.105.630, and effective one calendar year following the
16 development and statewide availability of model evergreen community
17 management plans and ordinances under RCW 35.105.050, whether the
18 applicant is an entity that has been recognized, and what gradation of
19 recognition was received, in the evergreen community recognition
20 program created in RCW 35.105.030 in its prioritization and selection
21 process; and

22 (c) Develop appropriate outcome-focused performance measures to be
23 used both for management and performance assessment of the grants.

24 (3) To the extent possible, the department should coordinate its
25 performance measure system with other natural resource-related agencies
26 as defined in RCW 43.41.270.

27 (4) The department shall consult with affected interest groups in
28 implementing this section.

29 (5) After January 1, 2010, any project designed to address the
30 restoration of Puget Sound may be funded under this chapter only if the
31 project is not in conflict with the action agenda developed by the
32 Puget Sound partnership under RCW 90.71.310.

33 **Sec. 928.** RCW 79A.25.200 and 2007 c 241 s 53 are each amended to
34 read as follows:

35 The recreation resource account is created in the state treasury.
36 Moneys in this account are subject to legislative appropriation. The
37 board shall administer the account in accordance with this chapter and

1 chapter 79A.35 RCW and shall hold it separate and apart from all other
2 money, funds, and accounts of the board. Moneys received from the
3 marine fuel tax refund account under RCW 79A.25.070 shall be deposited
4 into the account. Grants, gifts, or other financial assistance,
5 proceeds received from public bodies as administrative cost
6 contributions, and moneys made available to the state of Washington by
7 the federal government for outdoor recreation may be deposited into the
8 account. During the 2011-2013 fiscal biennia, the recreation resource
9 account may be used by the department of fish and wildlife for the
10 purposes of activities related to aquatic and marine enforcement.

11 **Sec. 929.** RCW 86.26.007 and 2011 1st sp.s. c 50 s 976 are each
12 amended to read as follows:

13 The flood control assistance account is hereby established in the
14 state treasury. At the beginning of the 2005-2007 fiscal biennium, the
15 state treasurer shall transfer three million dollars from the general
16 fund to the flood control assistance account. Each biennium thereafter
17 the state treasurer shall transfer four million dollars from the
18 general fund to the flood control assistance account, except that
19 during the ((2009-2011 and)) 2011-2013 fiscal ((biennia)) biennium, the
20 state treasurer shall transfer ((two)) one million dollars from the
21 general fund to the flood control assistance account. Moneys in the
22 flood control assistance account may be spent only after appropriation
23 for purposes specified under this chapter.

24 **Sec. 930.** RCW 90.48.390 and 2008 c 329 s 925 are each amended to
25 read as follows:

26 The coastal protection fund is established to be used by the
27 department as a revolving fund for carrying out the purposes of
28 restoration of natural resources under this chapter and chapter 90.56
29 RCW. To this fund there shall be credited penalties, fees, damages,
30 charges received pursuant to the provisions of this chapter and chapter
31 90.56 RCW, compensation for damages received under this chapter and
32 chapter 90.56 RCW, and an amount equivalent to one cent per gallon from
33 each marine use refund claim under RCW 82.36.330.

34 Moneys in the fund not needed currently to meet the obligations of
35 the department in the exercise of its powers, duties, and functions
36 under RCW 90.48.142, 90.48.366, 90.48.367, and 90.48.368 shall be

1 deposited with the state treasurer to the credit of the fund. During
2 the 2007-2009 fiscal biennium, the coastal protection fund may also be
3 used for a standby rescue tug at Neah Bay. During the 2011-2013 fiscal
4 biennium, the legislature may transfer from the coastal protection fund
5 to the state general fund such amounts as reflect excess fund balance
6 derived from penalties, forfeits, and seizures.

7 **Sec. 931.** 2010 c 23 s 205 (uncodified) is amended to read as
8 follows:

9 (1) The legislature finds that this state's tax policy with respect
10 to the taxation of transactions between affiliated entities and the
11 income derived from such transactions (intercompany transactions) has
12 motivated some taxpayers to engage in transactions designed solely or
13 primarily to minimize the tax effects of intercompany transactions.
14 The legislature further finds that some intercompany transactions
15 result from taxpayers that are required to establish affiliated
16 entities to comply with regulatory mandates and that transactions
17 between such affiliates effectively increases the tax burden in this
18 state on the affiliated group of entities.

19 (2) Therefore, as existing resources allow, the department of
20 revenue is directed to conduct a review of the state's tax policy with
21 respect to the taxation of intercompany transactions. The review must
22 include the impacts of such transactions under the state's business and
23 occupation tax and state and local sales and use taxes. The department
24 may include other taxes in the review as it deems appropriate.

25 (3) In conducting the review, the department must examine how this
26 state's tax policy compares to the tax policy of other states with
27 respect to the taxation of intercompany transactions. The department's
28 review must include an analysis of potential alternatives to the
29 current policy of taxing intercompany transactions, including their
30 estimated revenue impacts if practicable.

31 (4) In conducting this review, the department may seek input from
32 members of the business community and others as it deems appropriate.

33 (5) The department must report its findings to the fiscal
34 committees of the house of representatives and senate by December 1,
35 2010. However, if the department has not completed its review by
36 December 1, 2010, the department must provide the fiscal committees of

1 the legislature with a brief status report by December 1, 2010, and the
2 final report by December 1, ((2011)) 2012.

3 NEW SECTION. **Sec. 932.** A new section is added to 2011 1st sp.s.
4 c 50 (uncodified) to read as follows:

5 It is the intent of the legislature that regulatory agencies
6 receiving appropriations in this act work with the office of regulatory
7 assistance to:

8 (1) Establish a small business liaison team to assist small
9 businesses with permitting and regulatory issues.

10 (2) Take action to assure that additional violations or corrective
11 actions that could have been discovered and noted in the original
12 violation or correction notice are not subsequently added and to
13 provide a single list of any violations discovered during the
14 regulatory visit or inspection;

15 (3) Provide notice about when the business may expect the results
16 of a technical assistance or regulatory visit;

17 (4) Provide information about how the business may provide
18 anonymous feedback regarding a technical assistance or other regulatory
19 visit; and

20 (5) Provide information regarding the role of the agency's small
21 business liaison as a neutral party within the agency, as well as
22 contact information for the liaison.

23 NEW SECTION. **Sec. 933.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

27 NEW SECTION. **Sec. 934.** This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and takes effect
30 immediately.

(End of bill)"

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1 On page 1, line 1 of the title, after "matters;" strike the
2 remainder of the title and insert "amending RCW 28B.15.067, 38.52.540,
3 43.07.129, 43.30.720, 43.320.110, 76.04.610, 77.12.201, 77.12.203,
4 79.22.010, 79.22.040, 79.64.100, 79.105.150, 79A.25.200, 86.26.007, and
5 90.48.390; amending 2011 2nd sp.s. c 9 ss 101, 102, 103, 104, 105, 106,
6 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120,
7 121, 122, 123, 125, 126, 128, 129, 130, 131, 132, 127, 201, 202, 203,
8 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217,
9 218, 219, 220, 221, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310,
10 311, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 513,
11 514, 515, 601, 602, 603, 604, 605, 606, 607, 608, 609, 612, 613, 614,
12 615, 616, 617, 701, 702, and 801 (uncodified); amending 2011 1st sp.s.
13 c 50 ss 103, 104, 105, 106, 108, 112, 115, 117, 120, 124, 128, 132,
14 133, 137, 142, 149, 147, 136, 151, 214, 516, 616, 715, 801, 802, 803,
15 910, 920, 921, and 922 (uncodified); amending 2010 c 23 s 205
16 (uncodified); reenacting and amending RCW 2.68.020, 41.05.120,
17 70.105D.070, and 79.64.040; adding new sections to 2011 1st sp.s. c 50
18 (uncodified); repealing 2011 2nd sp.s. c 9 ss 610, 611, 705, and 707
19 (uncodified); repealing 2011 1st sp.s. c 50 ss 614, 615, 709, and 710
20 (uncodified); making appropriations; and declaring an emergency."

--- END ---