

**PROPOSED SENATE  
2010 SUPPLEMENTAL  
OPERATING BUDGET**

**PROPOSED SUBSTITUTE  
SENATE BILL 6444**

SENATE CHAIR

**SENATE WAYS & MEANS COMMITTEE  
FEBRUARY 23, 2010**

1 AN ACT Relating to fiscal matters; amending RCW 13.06.050,  
2 15.76.115, 28A.300.380, 28A.510.250, 28B.50.837, 28B.76.565,  
3 28B.76.610, 43.20A.725, 43.60A.185, 43.131.406, 43.70.110, 43.79.460,  
4 43.79.465, 43.89.010, 43.105.080, 43.155.050, 43.320.110, 50.29.070,  
5 50.24.014, 67.70.044, 67.70.230, 74.31.060, 70.93.180, 70.105D.130,  
6 70.146.100, 79.105.150, 80.01.080, 82.14.495, and 83.100.230; amending  
7 2010 c 3 ss 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113,  
8 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,  
9 215, 216, 301, 303, 305, 306, 401, 402, and 501; amending 2009 c 564 ss  
10 101, 102, 103, 104, 105, 106, 107, 108, 110, 112, 113, 114, 115, 116,  
11 117, 118, 119, 121, 122, 123, 124, 131, 132, 133, 134, 135, 136, 138,  
12 140, 141, 142, 144, 145, 147, 148, 150, 152, 213, 214, 216, 217, 218,  
13 220, 221, 224, 226, 301, 304, 305, 308, 501, 502, 503, 504, 505, 506,  
14 507, 509, 510, 511, 512, 514, 515, 516, 601, 605, 606, 607, 608, 609,  
15 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 701, 703,  
16 704, 710, 712, 717, 801, 805, and 914; reenacting and amending RCW  
17 28B.105.110, 46.09.170, and 50.29.025; adding a new section to chapter  
18 43.79 RCW; adding new sections to 2009 c 564 (uncodified); repealing  
19 2010 c 3 ss 302 and 304 (uncodified); repealing 2009 c 564 ss 111, 303,  
20 307, and 720 (uncodified); making appropriations; providing expiration

1 dates; and declaring an emergency.

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

3 **PART I**

4 **GENERAL GOVERNMENT**

5 **Sec. 101.** 2009 c 564 s 101 (uncodified) is amended to read as  
6 follows:

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$33,500,000</del> ))
9		<u>\$33,450,000</u>
10	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$33,379,000</del> ))
11		<u>\$32,216,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$66,879,000</del> ))
13		<u>\$65,666,000</u>

14 **Sec. 102.** 2009 c 564 s 102 (uncodified) is amended to read as  
15 follows:

16 **FOR THE SENATE**

17	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$24,957,000</del> ))
18		<u>\$24,914,000</u>
19	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$27,182,000</del> ))
20		<u>\$26,278,000</u>
21	TOTAL APPROPRIATION . . . . .	(( <del>\$52,139,000</del> ))
22		<u>\$51,192,000</u>

23 **Sec. 103.** 2009 c 564 s 103 (uncodified) is amended to read as  
24 follows:

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

26	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$2,874,000</del> ))
27		<u>\$2,868,000</u>
28	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$2,884,000</del> ))
29		<u>\$3,035,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$5,758,000</del> ))
31		<u>\$5,903,000</u>

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

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

5 (2) Within the amounts appropriated in this section, the committee  
6 shall conduct a review of the effect of risk management practices on  
7 tort payouts. This review shall include an analysis of the state's  
8 laws, policies, procedures, and practices as they relate to the conduct  
9 of post-incident reviews and the impact of such reviews on the state's  
10 conduct and liability.

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

19 (4) Within the amounts appropriated in this section, the committee  
20 shall prepare an evaluation of the implementation of legislation  
21 designed to improve communication, collaboration, and expedited  
22 medicaid attainment with regard to persons released from confinement  
23 who have mental health or chemical dependency disorders. The review  
24 shall evaluate the implementation of: (a) Chapter 166, Laws of 2004  
25 (E2SSB 6358); (b) sections 507 and 508 of chapter 504, Laws of 2005  
26 (E2SSB 5763); (c) sections 12 and 13 of chapter 503, Laws of 2005  
27 (E2SHB 1290); and (d) section 8 of chapter 359, Laws of 2007 (2SHB  
28 1088). The departments of corrections and social and health services,  
29 the administrative office of the courts, institutions for mental  
30 disease, city and county jails, city and county courts, county clerks,  
31 and mental health and chemical dependency treatment providers shall  
32 provide the committee with information necessary for the study.

33 (5) Within the amount appropriated in this section, the joint  
34 legislative audit and review committee shall conduct a review of the  
35 state's recreational boating programs. This review shall include  
36 examination of the following:

37 (a) Revenue sources for state recreational boating programs;

38 (b) Expenditures for state boating programs;

1 (c) Methods of administrating state recreational boating programs,  
2 including the roles of both state and local government entities; and

3 (d) Approaches other states have taken to funding and administering  
4 their recreational boating programs.

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

6 ~~((+7))~~ (6) Within the amount appropriated in this section, the  
7 joint legislative audit and review committee shall examine the  
8 operations of employment and day services as provided by the department  
9 of social and health services, division of developmental disabilities  
10 and administered by the counties. The examination shall include a  
11 thorough review of the contracts for all services including, but not  
12 limited to, employment services, day services, child development  
13 services and other uses of state dollars for county administration of  
14 services to the developmentally disabled. In its final report, due to  
15 the legislature by September 1, 2010, the joint legislative audit and  
16 review committee shall provide: A description of how funds are used  
17 and the rates paid to vendors, and a recommendation on best practices  
18 the agency may use for the development of a consistent, outcome-based  
19 contract for services provided under contract with the counties.

20 ~~((+8))~~ (7) Within the amount appropriated in this section, the  
21 joint legislative audit and review committee shall conduct a study of  
22 the relationship between the cost of school districts and their  
23 enrollment size. The study shall be completed by June 2010 and shall  
24 include:

25 (a) An analysis of how categories of costs vary related to size,  
26 including but not limited to facility costs, transportation costs,  
27 educational costs, and administrative costs;

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

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

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

37 (8) \$200,000 of the general fund--state appropriation for fiscal  
38 year 2011 is provided for the committee to contract with a consultant

1 specializing in medicaid programs nationwide to review Washington  
2 state's medicaid program and report on cost containment strategies for  
3 the 2011-13 biennial budget. The report is due to the fiscal  
4 committees of the legislature by June 1, 2011.

5 (9) \$50,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for the joint legislative audit and review  
7 committee to complete a report that includes the following: (a) An  
8 analysis of the availability within eastern Washington of helicopters  
9 that are privately owned or owned by nonstate governmental entities  
10 that are sufficiently outfitted to participate in wildfire suppression  
11 efforts of the department of natural resources; (b) a comparison of the  
12 costs to the department of natural resources for maintaining the  
13 existing helicopter fleet versus entering into exclusive use contracts  
14 with the helicopters noted in (a) of this subsection; and (c) an  
15 analysis that compares the use and funding of helicopters utilized for  
16 wildfire suppression in the states of California, Oregon, Idaho, and  
17 Montana. The committee shall submit the report to the appropriate  
18 fiscal committees of the legislature and the office of financial  
19 management no later than December 1, 2010.

20 **Sec. 104.** 2009 c 564 s 104 (uncodified) is amended to read as  
21 follows:

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

23	General Fund--State Appropriation (FY 2010) . . . . .	(((\$1,748,000))
24		<u>\$1,746,000</u>
25	General Fund--State Appropriation (FY 2011) . . . . .	(((\$1,927,000))
26		<u>\$1,862,000</u>
27	TOTAL APPROPRIATION . . . . .	(((\$3,675,000))
28		<u>\$3,608,000</u>

29 **Sec. 105.** 2009 c 564 s 105 (uncodified) is amended to read as  
30 follows:

31 **FOR THE OFFICE OF THE STATE ACTUARY**

32	General Fund--State Appropriation (FY 2010) . . . . .	(((\$200,000))
33		<u>\$199,000</u>
34	General Fund--State Appropriation (FY 2011) . . . . .	(((\$25,000))
35		<u>\$18,000</u>
36	<del>((Health Care Authority Administrative Account--State</del>	

1	Appropriation . . . . .	\$735,000))
2	Department of Retirement Systems Expense	
3	Account--State Appropriation . . . . .	(( <del>\$3,309,000</del> ))
4		<u>\$3,289,000</u>
5	TOTAL APPROPRIATION . . . . .	(( <del>\$4,269,000</del> ))
6		<u>\$3,506,000</u>

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

9 (1) \$25,000 of the department of retirement systems--state  
10 appropriation is provided solely for the continued study of local  
11 government liabilities for postretirement medical benefits for members  
12 of plan 1 of the law enforcement officers' and firefighters' retirement  
13 system.

14 (2) \$51,000 of the department of retirement systems expense  
15 account--state appropriation is provided solely for the state actuary  
16 to contract with the Washington state institute for public policy for  
17 a study of the disability benefits provided to the plan 2 and plan 3  
18 members of the public employees' retirement system, the teachers'  
19 retirement system, and the school employees' retirement system. Among  
20 the options the institute shall examine include statutory changes to  
21 the retirement systems and insurance products. The institute shall  
22 report its findings and recommendations to the select committee on  
23 pension policy by November 1, 2009.

24 ((+4)) (3) \$175,000 of the general fund--state appropriation for  
25 fiscal year 2010 is provided solely for the office of the state actuary  
26 to conduct an independent assessment of alternatives for assuring the  
27 long-term financial solvency of the guaranteed education tuition  
28 program including suspension of the program. In conducting this  
29 review, the office may contract for assistance, and shall consult with  
30 the higher education coordinating board, the operating budget  
31 committees of the legislature, the office of financial management, and  
32 the state's public colleges and universities. The office shall report  
33 findings, an assessment of the major alternatives, and suggested  
34 actions to the governor and to the relevant legislative committees by  
35 November 15, 2009.

36 **Sec. 106.** 2009 c 564 s 106 (uncodified) is amended to read as  
37 follows:

1 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

2	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$8,651,000</del> ))
3		<u>\$8,640,000</u>
4	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$8,519,000</del> ))
5		<u>\$8,305,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$17,170,000</del> ))
7		<u>\$16,945,000</u>

8 **Sec. 107.** 2009 c 564 s 107 (uncodified) is amended to read as  
9 follows:

10 **FOR THE STATUTE LAW COMMITTEE**

11	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$4,610,000</del> ))
12		<u>\$4,603,000</u>
13	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$5,029,000</del> ))
14		<u>\$4,862,000</u>
15	TOTAL APPROPRIATION . . . . .	(( <del>\$9,639,000</del> ))
16		<u>\$9,465,000</u>

17 **Sec. 108.** 2009 c 564 s 108 (uncodified) is amended to read as  
18 follows:

19 **FOR THE REDISTRICTING COMMISSION**

20	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$610,000</del> ))
21		<u>\$1,270,000</u>

22 The appropriations in this section are subject to the following  
23 conditions and limitations: \$671,000 of the general fund--state  
24 appropriation for fiscal year 2011 is provided solely for the support  
25 of legislative redistricting efforts. Prior to the appointment of the  
26 redistricting commission, the secretary of the senate and chief clerk  
27 of the house of representatives may jointly authorize the expenditure  
28 of these funds to facilitate preparations for the 2012 redistricting  
29 effort. Following the appointment of the commission, the senate and  
30 house of representatives shall enter into an interagency agreement with  
31 the commission authorizing the continued expenditure of these funds for  
32 legislative redistricting support.

33 **Sec. 109.** 2009 c 564 s 110 (uncodified) is amended to read as  
34 follows:



1 **FOR THE SUPREME COURT**

2	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$6,912,000</del> ))
3		<u>\$8,823,000</u>
4	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$6,948,000</del> ))
5		<u>\$8,076,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$13,860,000</del> ))
7		<u>\$16,899,000</u>

8 The appropriations in this section are subject to the following  
9 conditions and limitations: It is the intent of the legislature that  
10 the reductions in appropriations in this section shall be achieved, to  
11 the greatest extent possible, by reducing those state government  
12 administrative costs that do not affect direct client services or  
13 direct service delivery or programs. The agency shall, to the greatest  
14 extent possible, reduce spending in those areas that shall have the  
15 least impact on implementing its mission. The appropriations in this  
16 section reflect the transfer of the entire 2009-2011 fiscal biennial  
17 appropriations for the state law library. The authorization to expend  
18 from these transferred appropriations shall be reduced by any  
19 expenditures from the appropriations prior to the effective date of  
20 this section.

21 NEW SECTION. Sec. 110. LAW LIBRARY

22 2009 c 564 s 111 (uncodified) is repealed.

23 **Sec. 111.** 2009 c 564 s 112 (uncodified) is amended to read as  
24 follows:

25 **FOR THE COURT OF APPEALS**

26	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$15,793,000</del> ))
27		<u>\$15,770,000</u>
28	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$15,895,000</del> ))
29		<u>\$15,298,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$31,688,000</del> ))
31		<u>\$31,068,000</u>

32 The appropriations in this section are subject to the following  
33 conditions and limitations: It is the intent of the legislature that  
34 the reductions in appropriations in this section shall be achieved, to  
35 the greatest extent possible, by reducing those state government  
36 administrative costs that do not affect direct client services or

1 direct service delivery or programs. The agency shall, to the greatest  
2 extent possible, reduce spending in those areas that shall have the  
3 least impact on implementing its mission.

4 **Sec. 112.** 2009 c 564 s 113 (uncodified) is amended to read as  
5 follows:

6 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

7	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,032,000</del> ))
8		<u>\$1,040,000</u>
9	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,082,000</del> ))
10		<u>\$1,054,000</u>
11	TOTAL APPROPRIATION . . . . .	(( <del>\$2,114,000</del> ))
12		<u>\$2,094,000</u>

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

21 **Sec. 113.** 2009 c 564 s 114 (uncodified) is amended to read as  
22 follows:

23 **FOR THE ADMINISTRATOR FOR THE COURTS**

24	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$53,607,000</del> ))
25		<u>\$52,588,000</u>
26	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$51,812,000</del> ))
27		<u>\$46,870,000</u>
28	<u>General Fund--Federal Appropriation . . . . .</u>	<u>\$979,000</u>
29	Judicial Information Systems Account--State	
30	Appropriation . . . . .	(( <del>\$29,676,000</del> ))
31		<u>\$33,625,000</u>
32	Judicial Stabilization Trust Account--State	
33	Appropriation . . . . .	(( <del>\$6,598,000</del> ))
34		<u>\$11,734,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$141,693,000</del> ))
36		<u>\$145,796,000</u>

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

3 (1) \$1,800,000 of the general fund--state appropriation for fiscal  
4 year 2010 and (~~(\$1,800,000)~~) \$1,692,000 of the general fund--state  
5 appropriation for fiscal year 2011 are provided solely for school  
6 districts for petitions to juvenile court for truant students as  
7 provided in RCW 28A.225.030 and 28A.225.035. The office of the  
8 administrator for the courts shall develop an interagency agreement  
9 with the superintendent of public instruction to allocate the funding  
10 provided in this subsection. Allocation of this money to school  
11 districts shall be based on the number of petitions filed. This  
12 funding includes amounts school districts may expend on the cost of  
13 serving petitions filed under RCW 28A.225.030 by certified mail or by  
14 personal service or for the performance of service of process for any  
15 hearing associated with RCW 28A.225.030.

16 (2)(a) \$8,252,000 of the general fund--state appropriation for  
17 fiscal year 2010 and (~~(\$8,253,000)~~) \$7,758,000 of the general fund--  
18 state appropriation for fiscal year 2011 are provided solely for  
19 distribution to county juvenile court administrators to fund the costs  
20 of processing truancy, children in need of services, and at-risk youth  
21 petitions. The administrator for the courts, in conjunction with the  
22 juvenile court administrators, shall develop an equitable funding  
23 distribution formula. The formula shall neither reward counties with  
24 higher than average per-petition processing costs nor shall it penalize  
25 counties with lower than average per-petition processing costs.

26 (b) Each fiscal year during the 2009-11 fiscal biennium, each  
27 county shall report the number of petitions processed and the total  
28 actual costs of processing truancy, children in need of services, and  
29 at-risk youth petitions. Counties shall submit the reports to the  
30 administrator for the courts no later than 45 days after the end of the  
31 fiscal year. The administrator for the courts shall electronically  
32 transmit this information to the chairs and ranking minority members of  
33 the house of representatives appropriations committee and the senate  
34 ways and means committee no later than 60 days after a fiscal year  
35 ends. These reports are deemed informational in nature and are not for  
36 the purpose of distributing funds.

37 (3) The distributions made under this subsection and distributions  
38 from the county criminal justice assistance account made pursuant to

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

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

7 (a) Of this amount, \$1,700,000 is for the development of a  
8 comprehensive enterprise-level information technology strategy and  
9 detailed business and operational plans in support of that strategy,  
10 and \$4,000,000 is to continue to modernize and integrate current  
11 systems and enhance case management functionality on an incremental  
12 basis.

13 (b) The amount provided in this subsection may not be expended  
14 without prior approval by the judicial information system committee  
15 (~~in consultation with the information services board~~). The  
16 administrator shall regularly submit project plan updates for approval  
17 to the judicial information system committee (~~and the information~~  
18 ~~services board~~).

19 (c) The judicial information system committee (~~and the information~~  
20 ~~services board~~) shall review project progress on a regular basis and  
21 may require quality assurance plans. The judicial information systems  
22 committee (~~and the information services board~~) shall provide a report  
23 to the appropriate committees of the legislature no later than November  
24 1, 2011, on the status of the judicial information system modernization  
25 and integration, and the consistency of the project with the state's  
26 architecture, infrastructure and statewide enterprise view of service  
27 delivery.

28 (d) \$100,000 of the judicial information systems account--state  
29 appropriation is provided solely for the administrative office of the  
30 courts, in coordination with the judicial information system committee,  
31 to conduct a third-party executive-level review of the judicial  
32 information system. This review shall examine, at a minimum, the scope  
33 of the current project plan, governance structure, and change  
34 management procedures. The review will also benchmark the system plans  
35 against similarly sized projects in other states or localities.

36 (5) \$3,000,000 of the judicial information systems account--state  
37 appropriation is provided solely for replacing computer equipment at  
38 state courts, and at state judicial agencies. The administrator for

1 the courts shall prioritize equipment replacement purchasing and shall  
2 fund those items that are most essential or critical. By October 1,  
3 2010, the administrative office of the courts shall report to the  
4 appropriate legislative fiscal committees on expenditures for equipment  
5 under this subsection.

6 (6) \$3,797,000 of the judicial information systems account--state  
7 appropriation is provided solely for continued planning and  
8 implementation of improvements to the court case management system.

9 (7) \$100,000 of the judicial information systems account--state  
10 appropriation is provided solely for Engrossed Second Substitute Senate  
11 Bill 6561 (juvenile offender records). If the bill is not enacted by  
12 June 30, 2010, the amount provided in this subsection shall lapse.

13 (8) \$12,000 of the judicial information systems account--state  
14 appropriation is provided solely to implement Engrossed Substitute  
15 House Bill No. 1954 (sealing juvenile records). If the bill is not  
16 enacted by June 30, 2009, the amount provided in this subsection shall  
17 lapse.

18 ~~((+7))~~ (9) \$106,000 of the general fund--state appropriation for  
19 fiscal year 2010 and \$106,000 of the general fund--state appropriation  
20 for fiscal year 2011 are provided solely for the twenty-third superior  
21 court judge position in Pierce county. The funds appropriated in this  
22 subsection shall be expended only if the judge is appointed and serving  
23 on the bench.

24 ~~((+8))~~ (10) It is the intent of the legislature that the  
25 reductions in appropriations in this section shall be achieved, to the  
26 greatest extent possible, by reducing those state government  
27 administrative costs that do not affect direct client services or  
28 direct service delivery or programs. The agency shall, to the greatest  
29 extent possible, reduce spending in those areas that shall have the  
30 least impact on implementing its mission.

31 (11) \$100,000 of the general fund--state appropriation for fiscal  
32 year 2011 is provided solely for the implementation of Second  
33 Substitute Senate Bill No. 5912 (judicial election reform act). If the  
34 bill is not enacted by June 30, 2010, the amount provided in this  
35 subsection shall lapse.

36 **Sec. 114.** 2009 c 564 s 115 (uncodified) is amended to read as  
37 follows:

1 **FOR THE OFFICE OF PUBLIC DEFENSE**

2	General Fund--State Appropriation (FY 2010) . . . . .	\$25,385,000
3	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$24,592,000)</del>
4		<u>\$22,161,000</u>
5	Judicial Stabilization Trust Account--State	
6	Appropriation . . . . .	<del>(\$2,923,000)</del>
7		<u>\$5,354,000</u>
8	TOTAL APPROPRIATION . . . . .	<del>(\$52,900,000)</del>
9		<u>\$52,900,000</u>

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

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

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

21 **Sec. 115.** 2009 c 564 s 116 (uncodified) is amended to read as  
22 follows:

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

24	General Fund--State Appropriation (FY 2010) . . . . .	\$11,175,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$11,105,000)</del>
26		<u>\$9,130,000</u>
27	Judicial Stabilization Trust Account--State	
28	Appropriation . . . . .	<del>(\$1,160,000)</del>
29		<u>\$2,244,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(\$23,440,000)</del>
31		<u>\$22,549,000</u>

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

34 (1) An amount not to exceed \$40,000 of the general fund--state  
35 appropriation for fiscal year 2010 and an amount not to exceed \$40,000  
36 of the general fund--state appropriation for fiscal year 2011 may be  
37 used to provide telephonic legal advice and assistance to otherwise

1 eligible persons who are sixty years of age or older on matters  
2 authorized by RCW 2.53.030(2) (a) through (k) regardless of household  
3 income or asset level.

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

11 **Sec. 116.** 2009 c 564 s 117 (uncodified) is amended to read as  
12 follows:

13 **FOR THE OFFICE OF THE GOVERNOR**

14	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$5,880,000</del> ))
15		<u>\$5,850,000</u>
16	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$5,876,000</del> ))
17		<u>\$5,720,000</u>
18	Economic Development Strategic Reserve Account--State	
19	Appropriation . . . . .	\$1,500,000
20	TOTAL APPROPRIATION . . . . .	(( <del>\$13,256,000</del> ))
21		<u>\$13,070,000</u>

22 The appropriations in this section are subject to the following  
23 conditions and limitations: ((+1)) \$1,500,000 of the economic  
24 development strategic reserve account appropriation is provided solely  
25 for efforts to assist with currently active industrial recruitment  
26 efforts that will bring new jobs to the state or will retain  
27 headquarter locations of major companies currently housed in the state.

28 **Sec. 117.** 2009 c 564 s 118 (uncodified) is amended to read as  
29 follows:

30 **FOR THE LIEUTENANT GOVERNOR**

31	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$770,000</del> ))
32		<u>\$751,000</u>
33	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$788,000</del> ))
34		<u>\$747,000</u>
35	General Fund--Private/Local Appropriation . . . . .	\$90,000
36	TOTAL APPROPRIATION . . . . .	(( <del>\$1,648,000</del> ))

1 \$1,588,000

2 **Sec. 118.** 2009 c 564 s 119 (uncodified) is amended to read as  
3 follows:

4 **FOR THE PUBLIC DISCLOSURE COMMISSION**

5	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$2,267,000</del> ))
6		<u>\$2,231,000</u>
7	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$2,264,000</del> ))
8		<u>\$2,324,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$4,531,000</del> ))
10		<u>\$4,555,000</u>

11 The appropriations in this section are subject to the following  
12 conditions and limitations: \$100,000 of the general fund--state  
13 appropriation for fiscal year 2011 is provided solely for the  
14 implementation of Second Substitute Senate Bill No. 5912 (judicial  
15 election reform act). If the bill is not enacted by June 30, 2010, the  
16 amount provided in this subsection shall lapse.

17 **Sec. 119.** 2010 c 3 s 101 (uncodified) is amended to read as  
18 follows:

19 **FOR THE SECRETARY OF STATE**

20	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$20,649,000</del> ))
21		<u>\$20,691,000</u>
22	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$17,733,000</del> ))
23		<u>\$16,497,000</u>
24	General Fund--Federal Appropriation . . . . .	\$8,121,000
25	Archives and Records Management Account--State	
26	Appropriation . . . . .	(( <del>\$8,863,000</del> ))
27		<u>\$9,019,000</u>
28	Department of Personnel Service Account--State	
29	Appropriation . . . . .	\$760,000
30	Local Government Archives Account--State	
31	Appropriation . . . . .	(( <del>\$11,777,000</del> ))
32		<u>\$11,550,000</u>
33	<u>Election Account--State Appropriation . . . . .</u>	<u>\$77,000</u>
34	Election Account--Federal Appropriation . . . . .	(( <del>\$29,715,000</del> ))
35		<u>\$31,179,000</u>
36	TOTAL APPROPRIATION . . . . .	(( <del>\$97,618,000</del> ))



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

(1) \$4,101,000 of the general fund--state appropriation for fiscal year 2010 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) (~~(\$1,897,000)~~) \$1,802,000 of the general fund--state appropriation for fiscal year 2010 and (~~(\$2,076,000)~~) \$1,972,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2009-2011 biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

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

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

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

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any

1 rule, standard, rate, or other legislative enactment of any state  
2 agency;

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

6 (3) The appropriations in this section are based upon savings  
7 assumed from the implementation of Senate Bill No. 6122 (election  
8 costs).

9 (4) ~~((The secretary of state shall not reduce the services provided  
10 by the talking book and Braille library below the service level  
11 provided in fiscal year 2008.~~

12 (5)) In implementing budget reductions, the office of the  
13 secretary of state must make its first priority to maintain funding for  
14 the elections division.

15 (5) \$820,000 of the general fund--state appropriation and  
16 \$1,539,000 of the general fund--federal appropriation are provided  
17 solely for the library services to state institutions.

18 (6) \$77,000 of the general fund--state appropriation for fiscal  
19 year 2010 is provided solely for deposit to the election account.

20 **Sec. 120.** 2009 c 564 s 121 (uncodified) is amended to read as  
21 follows:

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

23 General Fund--State Appropriation (FY 2010) . . . . .	(((\$266,000))
	<u>\$273,000</u>
25 General Fund--State Appropriation (FY 2011) . . . . .	(((\$276,000))
	<u>\$189,000</u>
27 TOTAL APPROPRIATION . . . . .	(((\$542,000))
	<u>\$462,000</u>

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

1 responsible for all of the administrative aspects of the training,  
2 including the billing and collection of the fees for the training.

3 **Sec. 121.** 2009 c 564 s 122 (uncodified) is amended to read as  
4 follows:

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

6	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$236,000</del> ))
7		<u>\$221,000</u>
8	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$224,000</del> ))
9		<u>\$161,000</u>
10	TOTAL APPROPRIATION . . . . .	(( <del>\$460,000</del> ))
11		<u>\$382,000</u>

12 **Sec. 122.** 2009 c 564 s 123 (uncodified) is amended to read as  
13 follows:

14 **FOR THE STATE TREASURER**

15	State Treasurer's Service Account--State	
16	Appropriation . . . . .	(( <del>\$14,802,000</del> ))
17		<u>\$14,804,000</u>

18 **Sec. 123.** 2009 c 564 s 124 (uncodified) is amended to read as  
19 follows:

20 **FOR THE STATE AUDITOR**

21	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$722,000</del> ))
22		<u>\$720,000</u>
23	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$729,000</del> ))
24		<u>\$702,000</u>
25	State Auditing Services Revolving	
26	Account--State Appropriation . . . . .	(( <del>\$12,061,000</del> ))
27		<u>\$10,857,000</u>
28	TOTAL APPROPRIATION . . . . .	(( <del>\$13,512,000</del> ))
29		<u>\$12,279,000</u>

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

- 32 (1) Audits of school districts by the division of municipal  
33 corporations shall include findings regarding the accuracy of: (a)  
34 Student enrollment data; and (b) the experience and education of the

1 district's certified instructional staff, as reported to the  
2 superintendent of public instruction for allocation of state funding.

3 (2) \$722,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$729,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for staff and related costs to  
6 verify the accuracy of reported school district data submitted for  
7 state funding purposes; conduct school district program audits of state  
8 funded public school programs; establish the specific amount of state  
9 funding adjustments whenever audit exceptions occur and the amount is  
10 not firmly established in the course of regular public school audits;  
11 and to assist the state special education safety net committee when  
12 requested.

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

21 **Sec. 124.** 2010 c 3 s 103 (uncodified) is amended to read as  
22 follows:

23 **FOR THE ATTORNEY GENERAL**

24	General Fund--State Appropriation (FY 2010) . . . . .	(\$5,285,000)
25		<u>\$5,712,000</u>
26	General Fund--State Appropriation (FY 2011) . . . . .	(\$5,614,000)
27		<u>\$5,727,000</u>
28	General Fund--Federal Appropriation . . . . .	\$4,026,000
29	New Motor Vehicle Arbitration Account--State	
30	Appropriation . . . . .	\$1,346,000
31	Legal Services Revolving Account--State	
32	Appropriation . . . . .	(\$221,515,000)
33		<u>\$223,480,000</u>
34	Tobacco Prevention and Control Account--State	
35	Appropriation . . . . .	\$270,000
36	TOTAL APPROPRIATION . . . . .	(\$238,056,000)
37		<u>\$240,561,000</u>

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

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

13 (2) Prior to entering into any negotiated settlement of a claim  
14 against the state that exceeds five million dollars, the attorney  
15 general shall notify the director of financial management and the  
16 chairs of the senate committee on ways and means and the house of  
17 representatives committee on ways and means.

18 (3) The office of the attorney general is authorized to expend  
19 \$2,100,000 from the Zyprexa and other cy pres awards towards consumer  
20 protection costs in accordance with uses authorized in the court  
21 orders.

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

29 **Sec. 125.** 2010 c 3 s 104 (uncodified) is amended to read as  
30 follows:

31 **FOR THE CASELOAD FORECAST COUNCIL**

32	General Fund--State Appropriation (FY 2010) . . . . .	\$766,000
33	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$759,000)</del>
34		<u>\$0</u>
35	TOTAL APPROPRIATION . . . . .	<del>(\$1,525,000)</del>
36		<u>\$766,000</u>

1 The appropriations in this section are subject to the following  
 2 conditions and limitations: (~~(\$13,000 of the general fund state~~  
 3 ~~appropriation for fiscal year 2010 and \$7,000 of the general fund--~~  
 4 ~~state appropriation for fiscal year 2011 are for the implementation of~~  
 5 ~~Second Substitute House Bill No. 2106 (improving child welfare outcomes~~  
 6 ~~through the phased implementation of strategic and proven reforms).~~ If  
 7 the bill is not enacted by June 30, 2009, the amounts provided in this  
 8 subsection shall lapse.) If Senate Bill No. 6849 (consolidating  
 9 forecast functions) is not enacted by June 30, 2010, the general fund--  
 10 state appropriation for fiscal year 2011 in this section shall be  
 11 increased by \$756,000.

12 **Sec. 126.** 2010 c 3 s 105 (uncodified) is amended to read as  
 13 follows:

14 **FOR THE DEPARTMENT OF COMMERCE**

15	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$51,015,000</del> ))
16		<u>\$48,013,000</u>
17	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$51,813,000</del> ))
18		<u>\$22,978,000</u>
19	General Fund--Federal Appropriation . . . . .	(( <del>\$384,540,000</del> ))
20		<u>\$367,504,000</u>
21	General Fund--Private/Local Appropriation . . . . .	(( <del>\$16,266,000</del> ))
22		<u>\$10,635,000</u>
23	Public Works Assistance Account--State Appropriation . . . .	\$2,990,000
24	Tourism Development and Promotion Account--State	
25	Appropriation . . . . .	\$1,003,000
26	Drinking Water Assistance Administrative	
27	Account--State Appropriation . . . . .	\$439,000
28	Lead Paint Account--State Appropriation . . . . .	(( <del>\$18,000</del> ))
29		<u>\$35,000</u>
30	Building Code Council Account--State Appropriation . . .	(( <del>\$1,286,000</del> ))
31		<u>\$693,000</u>
32	Home Security Fund Account--State Appropriation . . . .	(( <del>\$23,498,000</del> ))
33		<u>\$24,533,000</u>
34	Affordable Housing for All Account--State Appropriation . .	\$11,900,000
35	Washington Auto Theft Prevention Authority	
36	Account--State Appropriation . . . . .	\$300,000
37	Independent Youth Housing Account--State Appropriation . .	(( <del>\$80,000</del> ))

1		<u>\$220,000</u>
2	Community Preservation and Development Authority	
3	Account--State Appropriation . . . . .	\$350,000
4	Financial Fraud and Identity Theft Crimes Investigation	
5	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
6	Low-Income Weatherization Assistance Account--State	
7	Appropriation . . . . .	(( <del>\$8,382,000</del> ))
8		<u>\$6,883,000</u>
9	Manufacturing Innovation and Modernization	
10	Account--State Appropriation . . . . .	(( <del>\$246,000</del> ))
11		<u>\$230,000</u>
12	Community and Economic Development Fee	
13	Account--State Appropriation . . . . .	(( <del>\$1,833,000</del> ))
14		<u>\$1,535,000</u>
15	Washington Housing Trust Account--State	
16	Appropriation . . . . .	(( <del>\$15,372,000</del> ))
17		<u>\$15,289,000</u>
18	Public Facility Construction Loan Revolving	
19	Account--State Appropriation . . . . .	\$755,000
20	<u>County Research Services Account--State Appropriation . . . . .</u>	<u>\$469,000</u>
21	<u>City and Town Research Services Account--State</u>	
22	<u>Appropriation . . . . .</u>	<u>\$2,246,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$573,252,000</del> ))
24		<u>\$520,166,000</u>

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

27 (1) ((~~\$2,520,000~~)) \$2,295,000 of the general fund--state  
28 appropriation for fiscal year 2010 and ((~~\$2,521,000~~)) \$2,256,000 of the  
29 general fund--state appropriation for fiscal year 2011 are provided  
30 solely for a contract with the Washington technology center for work  
31 essential to the mission of the Washington technology center and  
32 conducted in partnership with universities.

33 (2) Repayments of outstanding loans granted under RCW 43.63A.600,  
34 the mortgage and rental assistance program, shall be remitted to the  
35 department, including any current revolving account balances. The  
36 department shall collect payments on outstanding loans, and deposit

1 them into the state general fund. Repayments of funds owed under the  
2 program shall be remitted to the department according to the terms  
3 included in the original loan agreements.

4 (3) \$100,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$100,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely to implement section 2(7) of  
7 Engrossed Substitute House Bill No. 1959 (land use and transportation  
8 planning for marine container ports).

9 (4) \$102,000 of the building code council account--state  
10 appropriation is provided solely for the implementation of sections 3  
11 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built  
12 environment pollution). If sections 3 and 7 of the bill are not  
13 enacted by June 30, 2009, the amounts provided in this subsection shall  
14 lapse.

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

28 (b) \$6,787,000 of the general fund--federal appropriation is  
29 provided solely for the state energy program, including not less than  
30 \$5,000,000 to provide credit enhancements consistent with the  
31 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy  
32 efficiency in buildings).

33 (c) Of the general fund--federal appropriation the department shall  
34 provide: \$14,500,000 to the Washington State University for the  
35 purpose of making grants for pilot projects providing community-wide  
36 urban, residential, and commercial energy efficiency upgrades  
37 consistent with the provisions of Engrossed Second Substitute Senate  
38 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington



1 State University to conduct farm energy assessments. In contracting  
2 with the Washington State University for the provision of these  
3 services, the total administration of Washington State University and  
4 the department shall not exceed 3 percent of the amounts provided.

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

9 (e) \$10,646,000 of the general fund--federal appropriation is  
10 provided pursuant to the energy efficiency and conservation block grant  
11 under the American reinvestment and recovery act. The department may  
12 use up to \$3,000,000 of the amount provided in this subsection to  
13 provide technical assistance for energy programs administered by the  
14 agency under the American reinvestment and recovery act.

15 (6) \$14,000 of the general fund--state appropriation for fiscal  
16 year 2010 is provided solely for the implementation of Engrossed Second  
17 Substitute Senate Bill No. 5560 (state agency climate leadership). If  
18 the bill is not enacted by June 30, 2009, the amount provided in this  
19 subsection shall lapse.

20 (7) \$22,400,000 of the general fund--federal appropriation is  
21 provided solely for the justice assistance grant program and is  
22 contingent upon the department transferring: \$1,200,000 to the  
23 department of corrections for security threat mitigation, \$2,336,000 to  
24 the department of corrections for offender reentry, \$1,960,000 to the  
25 Washington state patrol for law enforcement activities, \$2,087,000 to  
26 the department of social and health services, division of alcohol and  
27 substance abuse for drug courts, and \$428,000 to the department of  
28 social and health services for sex abuse recognition training. The  
29 remaining funds shall be distributed by the department to local  
30 jurisdictions.

31 (8) \$20,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$20,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for a grant to KCTS public  
34 television to support Spanish language programming and the V-me Spanish  
35 language channel.

36 (9) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$500,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for a grant to resolution

1 Washington to building statewide capacity for alternative dispute  
2 resolution centers and dispute resolution programs that guarantee that  
3 citizens have access to low-cost resolution as an alternative to  
4 litigation.

5 (10) \$30,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for implementation of Engrossed Second  
7 Substitute Senate Bill No. 6015 (commercialization of technology). If  
8 the bill is not enacted by June 30, 2009, the amount provided in this  
9 subsection shall lapse.

10 (11) By June 30, 2011, the department shall request information  
11 that describes what jurisdictions have adopted, or are in the process  
12 of adopting, plans that address RCW 36.70A.020 and helps achieve the  
13 greenhouse gas emission reductions established in RCW 70.235.020. This  
14 information request in this subsection applies to jurisdictions that  
15 are required to review and if necessary revise their comprehensive  
16 plans (~~(by December 1, 2011)~~), in accordance with RCW 36.70A.130.

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

23 (13) \$50,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$50,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for a grant for the state's  
26 participation in the Pacific Northwest economic region.

27 (14)(a) \$712,000 of the general fund--state appropriation for  
28 fiscal year 2010 (~~(and \$712,000 of the general fund state~~  
29 ~~appropriation for fiscal year 2011 are))~~ is provided solely to the  
30 office of crime victims advocacy. These funds shall be contracted with  
31 the 39 county prosecuting attorneys' offices to support victim-witness  
32 services. The funds must be prioritized to ensure a full-time victim-  
33 witness coordinator in each county. The office may retain only the  
34 amount currently allocated for this activity for administrative costs.

35 (b) Beginning July 1, 2010, the functions of the office of crime  
36 victims advocacy are transferred to the department of labor and  
37 industries. Funding for these activities for fiscal year 2011 is  
38 appropriated to the department of labor and industries.

1 (15) \$306,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$306,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for a grant to the retired senior  
4 volunteer program.

5 (16)(a) \$65,000 of the general fund--state appropriation for fiscal  
6 year 2010 (~~and \$65,000 of the general fund--state appropriation for~~  
7 ~~fiscal year 2011 are~~) is provided solely for a contract with a food  
8 distribution program for communities in the southwestern portion of the  
9 state and for workers impacted by timber and salmon fishing closures  
10 and reductions. The department may not charge administrative overhead  
11 or expenses to the funds provided in this subsection.

12 (b) Beginning July 1, 2010, the functions of the emergency food  
13 assistance program are transferred to the department of agriculture.  
14 Funding for these activities for fiscal year 2011 is appropriated to  
15 the department of agriculture.

16 (17) \$371,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$371,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely to the northwest agriculture  
19 business center.

20 (18) The department shall administer its growth management act  
21 technical assistance so that smaller cities receive proportionately  
22 more assistance than larger cities or counties. Pass-through grants  
23 shall continue to be funded under 2007-09 policy.

24 (19) \$212,000 of the general fund--federal appropriation is  
25 provided solely for implementation of Second Substitute House Bill No.  
26 1172 (development rights transfer). If the bill is not enacted by June  
27 30, 2009, the amount provided in this subsection shall lapse.

28 (20) \$69,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$66,000 of the general fund--state appropriation for  
30 fiscal year 2011 are provided solely for implementation of Engrossed  
31 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
32 bill is not enacted by June 30, 2009, the amounts provided in this  
33 subsection shall lapse.

34 (21) \$350,000 of the community development and preservation  
35 authority account--state appropriation is provided solely for a grant  
36 to a community development authority established under chapter 43.167  
37 RCW. The community preservation and development's board of directors  
38 may contract with nonprofit community organizations to aid in

1 mitigating the effects of increased public impact on urban  
2 neighborhoods due to events in stadia that have a capacity of over  
3 50,000 spectators.

4 (22) \$300,000 of the Washington auto theft prevention authority  
5 account--state appropriation is provided solely for a contract with a  
6 community group to build local community capacity and economic  
7 development within the state by strengthening political relationships  
8 between economically distressed communities and governmental  
9 institutions. The community group shall identify opportunities for  
10 collaboration and initiate activities and events that bring community  
11 organizations, local governments, and state agencies together to  
12 address the impacts of poverty, political disenfranchisement, and  
13 economic inequality on communities of color. These funds must be  
14 matched by other nonstate sources on an equal basis.

15 (23) \$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 (24) \$5,000,000 of the home security fund--state appropriation is  
19 provided solely for the operation, repair, and staffing of shelters in  
20 the homeless family shelter program.

21 (25) \$100,000 of the general fund--state appropriation for fiscal  
22 year 2011 is provided solely to implement Second Substitute Senate Bill  
23 No. 6679 (export finance assistance center). If the bill is not  
24 enacted by June 30, 2010, the amount provided in this subsection shall  
25 lapse.

26 (26) \$250,000 of the general fund--state appropriation for fiscal  
27 year 2011 is provided solely to implement Second Substitute Senate Bill  
28 No. 6667 (business assistance programs). If the bill is not enacted by  
29 June 30, 2010, the amount provided in this subsection shall lapse.

30 (27) \$250,000 of the general fund--state appropriation for fiscal  
31 year 2011 is provided solely to implement Second Substitute Senate Bill  
32 No. 6790 (innovation partnership zones). If the bill is not enacted by  
33 June 30, 2010, the amount provided in this subsection shall lapse.

34 **Sec. 127.** 2010 c 3 s 106 (uncodified) is amended to read as  
35 follows:

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

37 General Fund--State Appropriation (FY 2010) . . . . . \$711,000

1 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$785,000~~))  
2 \$2,354,000  
3 TOTAL APPROPRIATION . . . . . ((~~\$1,496,000~~))  
4 \$3,065,000

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

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

12 (b) The commission shall submit the analysis described in section  
13 15 of Engrossed Substitute Senate Bill No. 5288 (offender supervision)  
14 no later than December 1, 2011.

15 (2) \$1,569,000 of the general fund--state appropriation for fiscal  
16 year 2011 is for the implementation of Senate Bill No. 6849  
17 (consolidating forecast functions). If the bill is not enacted by June  
18 30, 2010, the amounts provided in this subsection shall lapse.

19 (3) The economic and revenue forecast council, in its quarterly  
20 revenue forecasts, shall forecast the total revenue for the state  
21 lottery.

22 **Sec. 128.** 2010 c 3 s 107 (uncodified) is amended to read as  
23 follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

25 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$21,599,000~~))  
26 \$20,780,000  
27 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$20,670,000~~))  
28 \$19,807,000  
29 General Fund--Federal Appropriation . . . . . ((~~\$23,597,000~~))  
30 \$27,109,000  
31 General Fund--Private/Local Appropriation . . . . . \$1,270,000  
32 State Auditing Services Revolving  
33 Account--State Appropriation . . . . . \$25,000  
34 Economic Development Strategic Reserve Account--  
35 State Appropriation . . . . . \$280,000  
36 TOTAL APPROPRIATION . . . . . ((~~\$67,441,000~~))  
37 \$69,271,000

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

3 (1) \$188,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely for the implementation of Second  
5 Substitute Senate Bill No. 5945 (Washington health partnership plan).

6 If the bill is not enacted by June 30, 2009, the amount provided in  
7 this subsection shall lapse.

8 (2) The office of financial management shall conduct a study on  
9 alternatives for consolidating or transferring activities and  
10 responsibilities of the state lottery commission, state horse racing  
11 commission, state liquor control board, and the state gambling  
12 commission to achieve cost savings and regulatory efficiencies. In  
13 conducting the study, the office of financial management shall consult  
14 with the legislative fiscal committees. Further, the office of  
15 financial management shall establish an advisory group to include, but  
16 not be limited to, representatives of affected businesses, state  
17 agencies or entities, local governments, and stakeholder groups. The  
18 office of financial management shall submit a final report to the  
19 governor and the legislative fiscal committees by November 15, 2009.

20 (3) \$500,000 of the general fund--state appropriation for fiscal  
21 year 2010 is provided solely for a study of the feasibility of closing  
22 state institutional facilities and a plan on eliminating beds in the  
23 state institutional facility inventory. The office of financial  
24 management shall contract with consultants with expertise related to  
25 the subject matters included in this study. The office of financial  
26 management and the consultants shall consult with the department of  
27 social and health services, the department of corrections, stakeholder  
28 groups that represent the people served in these institutions, labor  
29 organizations that represent employees who work in these institutions  
30 and other persons or entities with expertise in the areas being  
31 studied.

32 (a) For the purposes of this study, "state institutional  
33 facilities" means facilities operated by the department of corrections  
34 to house persons convicted of a criminal offense, Green Hill school and  
35 Maple Lane school operated by the department of social and health  
36 services juvenile rehabilitation administration, and residential  
37 habilitation centers operated by the department of social and health  
38 services.

1 (b) In conducting this study, the consultants shall consider the  
2 following factors as appropriate:

3 (i) The availability of alternate facilities including alternatives  
4 and opportunities for consolidation with other facilities, impacts on  
5 those alternate facilities, and any related capital costs;

6 (ii) The cost of operating the facility, including the cost of  
7 providing services and the cost of maintaining or improving the  
8 physical plant of the facility;

9 (iii) The geographic factors associated with the facility,  
10 including the impact of the facility on the local economy and the  
11 economic impact of its closure, and alternative uses for a facility  
12 recommended for closure;

13 (iv) The costs associated with closing the facility, including the  
14 continuing costs following the closure of the facility;

15 (v) Number and type of staff and the impact on the facility staff  
16 including other employment opportunities if the facility is closed;

17 (vi) The savings that will accrue to the state from closure or  
18 consolidation of a facility and the impact any closure would have on  
19 funding the associated services; and

20 (vii) For the residential habilitation centers, the impact on  
21 clients in the facility being recommended for closure and their  
22 families, including ability to get alternate services and impact on  
23 being moved to another facility.

24 (c) The office of financial management shall submit a final report  
25 to the governor and the ways and means committees of the house of  
26 representatives and senate by November 1, 2009. The report shall  
27 provide a recommendation and a plan to eliminate 1,580 beds in the  
28 department of corrections facilities, 235 beds from juvenile  
29 rehabilitation facilities, and 250 funded beds in the residential  
30 habilitation centers through closure or consolidation of facilities.  
31 The report shall include an assessment of each facility studied, where  
32 and how the services should be provided, and any costs or savings  
33 associated with each recommendation. ~~((In considering the  
34 recommendations of the report, the governor and the legislature shall  
35 not consider closure of any state institutional facility unless the  
36 report recommended the facility for closure.))~~

37 (4) The office of financial management shall, with the assistance  
38 of the natural resources cabinet as created in executive order 09-07,

1 reduce the number of facilities being leased by the state by  
2 consolidating, wherever possible, regional offices and storage  
3 facilities of the natural resource agencies. The office of financial  
4 management and the natural resources cabinet shall submit a report on  
5 the progress of this effort and the associated savings to the  
6 appropriate fiscal committees of the legislature no later than December  
7 1, 2010.

8 **Sec. 129.** 2009 c 564 s 131 (uncodified) is amended to read as  
9 follows:

10 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

11 Administrative Hearings Revolving

12 Account--State Appropriation . . . . .	(( <del>\$33,473,000</del> ))
13	<u>\$33,494,000</u>

14 **Sec. 130.** 2009 c 564 s 132 (uncodified) is amended to read as  
15 follows:

16 **FOR THE DEPARTMENT OF PERSONNEL**

17 Department of Personnel Service Account--State

18 Appropriation . . . . .	(( <del>\$22,025,000</del> ))
19	<u>\$20,262,000</u>
20 Higher Education Personnel Services Account--State	
21 Appropriation . . . . .	(( <del>\$1,716,000</del> ))
22	<u>\$1,578,000</u>
23 TOTAL APPROPRIATION . . . . .	(( <del>\$23,741,000</del> ))
24	<u>\$21,840,000</u>

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



1       **Sec. 131.** 2009 c 564 s 133 (uncodified) is amended to read as  
2 follows:

3 **FOR THE WASHINGTON STATE LOTTERY**

4 Lottery Administrative Account--State Appropriation . . . . . ((~~\$27,776,000~~))  
5 \$26,674,000

6       **Sec. 132.** 2009 c 564 s 134 (uncodified) is amended to read as  
7 follows:

8 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

9 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$253,000~~))  
10 \$252,000  
11 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$260,000~~))  
12 \$183,000  
13 TOTAL APPROPRIATION . . . . . ((~~\$513,000~~))  
14 \$435,000

15       **Sec. 133.** 2009 c 564 s 135 (uncodified) is amended to read as  
16 follows:

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

18 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$243,000~~))  
19 \$242,000  
20 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$244,000~~))  
21 \$167,000  
22 TOTAL APPROPRIATION . . . . . ((~~\$487,000~~))  
23 \$409,000

24       **Sec. 134.** 2009 c 564 s 136 (uncodified) is amended to read as  
25 follows:

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

27 Department of Retirement Systems Expense  
28 Account--State Appropriation . . . . . ((~~\$49,504,000~~))  
29 \$48,541,000

30 The appropriation in this section is subject to the following  
31 conditions and limitations:

32 (1) \$148,000 of the department of retirement systems--state  
33 appropriation is provided solely for the administrative costs  
34 associated with implementation of Senate Bill No. 5303 (transferring

1 members of retirement systems). If the bill is not enacted by June 30,  
2 2009, the amount provided in this subsection shall lapse.

3 (2) \$66,000 of the department of retirement systems expense  
4 account--state appropriation is provided for the department of  
5 retirement systems to make revisions to various administrative  
6 processes as necessary to implement Engrossed Second Substitute Senate  
7 Bill No. 5688 (registered domestic partners). If the bill is not  
8 enacted by June 30, 2009, the amount provided in this subsection shall  
9 lapse.

10 (3) \$12,000 of the department of retirement systems--state  
11 appropriation is provided solely for the administrative costs  
12 associated with implementation of Senate Bill No. 5542 or House Bill  
13 No. 1678 (minimum disability benefits). If neither bill is enacted by  
14 June 30, 2009, the amount provided in this subsection shall lapse.

15 (4) \$45,000 of the department of retirement systems expense  
16 account--state appropriation is provided solely to implement Engrossed  
17 Substitute House Bill No. 1445 (Washington state patrol retirement  
18 system domestic partners). If the bill is not enacted by June 30,  
19 2009, the amount provided in this subsection shall lapse.

20 (5) \$45,000 of the department of retirement systems expense  
21 account--state appropriation is provided solely to implement Engrossed  
22 House Bill No. 1616 (law enforcement officers' and firefighters'  
23 retirement system plan 2 domestic partners). If the bill is not  
24 enacted by June 30, 2009, the amount provided in this subsection shall  
25 lapse.

26 (6) \$56,000 of the department of retirement systems expense  
27 account--state appropriation is provided solely to implement House Bill  
28 No. 1548 (military service credit purchases). If the bill is not  
29 enacted by June 30, 2009, the amount provided in this subsection shall  
30 lapse.

31 (7) \$35,000 of the department of retirement systems expense  
32 account--state appropriation is provided solely to implement Substitute  
33 House Bill No. 1953 (department of fish and wildlife enforcement  
34 officers' past service credit). If the bill is not enacted by June 30,  
35 2009, the amount provided in this subsection shall lapse.

36 (8) \$31,000 of the department of retirement systems expense  
37 account--state appropriation is provided solely to implement Engrossed

1 House Bill No. 2519 (public safety death benefits). If the bill is not  
2 enacted by June 30, 2010, the amount provided in this subsection shall  
3 lapse.

4 **Sec. 135.** 2010 c 3 s 108 (uncodified) is amended to read as  
5 follows:

6 **FOR THE DEPARTMENT OF REVENUE**

7	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$108,215,000</del> ))
8		<u>\$108,782,000</u>
9	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$106,995,000</del> ))
10		<u>\$114,180,000</u>
11	Timber Tax Distribution Account--State	
12	Appropriation . . . . .	\$5,904,000
13	Waste Reduction/Recycling/Litter	
14	Control--State Appropriation . . . . .	\$130,000
15	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
16	Real Estate Excise Tax Grant Account--State	
17	Appropriation . . . . .	(( <del>\$1,050,000</del> ))
18		<u>\$3,429,000</u>
19	State Toxics Control Account--State Appropriation . . . . .	\$87,000
20	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$222,402,000</del> ))
22		<u>\$232,533,000</u>

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

25 (1) \$469,000 of the general fund--state appropriation for fiscal  
26 year 2010 and \$374,000 of the general fund--state appropriation for  
27 fiscal year 2011 are for the implementation of Substitute Senate Bill  
28 No. 5368 (annual property revaluation). If the bill is not enacted by  
29 June 30, 2009, the amounts in this subsection shall lapse.

30 (2) \$4,653,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$4,424,000 of the general fund--state appropriation for  
32 fiscal year 2011 are for the implementation of revenue enhancement  
33 strategies. The strategies must include increased out-of-state  
34 auditing and compliance, the purchase of third party data sources for  
35 enhanced audit selection, and increased traditional auditing and  
36 compliance efforts.

1 (3) \$3,127,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$1,737,000 of the general fund--state appropriation for  
3 fiscal year 2011 are for the implementation of Senate Bill No. 6173  
4 (sales tax compliance). If the bill is not enacted by June 30, 2009,  
5 the amounts provided in this subsection shall lapse.

6 (4) \$5,250,000 of the general fund--state appropriation for fiscal  
7 year 2011 is provided solely for the implementation of Senate Bill No.  
8 . . . (S-4991; working families tax exemption). If the bill is not  
9 enacted by June 30, 2010, the amount provided in this subsection shall  
10 lapse. It is also the intent of this subsection to approve  
11 implementation of the working families tax exemption as required in RCW  
12 82.08.0206(4).

13 (5) \$2,613,000 of the general fund--state appropriation for fiscal  
14 year 2011 is for the implementation of Senate Bill No. . . . (S-4858;  
15 increasing state revenues to preserve funding for essential public  
16 services). If the bill is not enacted by June 30, 2010, the amount  
17 provided in this subsection shall lapse.

18 (6) \$163,000 of the general fund--state appropriation for fiscal  
19 year 2011 is provided solely for the implementation of Senate Bill No.  
20 6846 (enhanced 911 emergency communications services). If the bill is  
21 not enacted by June 30, 2010, the amount provided in this subsection  
22 shall lapse.

23 **Sec. 136.** 2009 c 564 s 138 (uncodified) is amended to read as  
24 follows:

25 **FOR THE STATE INVESTMENT BOARD**

26 State Investment Board Expense Account--State

27 Appropriation . . . . . ((\$29,581,000))  
28 \$29,585,000

29 The appropriation in this section is subject to the following  
30 conditions and limitations:

31 (1) \$2,471,000 of the state investment board expense account--state  
32 appropriation is provided solely for development of a risk management  
33 information system, with the intent that further expenditures for this  
34 project be made only by appropriation.

35 (2) The state investment board shall include funding for any future  
36 salary increases authorized under RCW 43.33A.100 in the agency's budget  
37 request submitted in accordance with chapter 43.88 RCW in advance of

1 granting related salary increases. The biennial salary survey required  
2 under RCW 43.33A.100 shall also be provided to the office of financial  
3 management and to the fiscal committees of the legislature as part of  
4 the state investment board's biennial budget submittal, and shall  
5 include the total amount of compensation increases proposed, as well as  
6 recommended salary ranges.

7 **Sec. 137.** 2010 c 3 s 109 (uncodified) is amended to read as  
8 follows:

9 **FOR THE BOARD OF TAX APPEALS**

10	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,342,000</del> ))
11		<u>\$1,345,000</u>
12	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,346,000</del> ))
13		<u>\$1,336,000</u>
14	TOTAL APPROPRIATION . . . . .	(( <del>\$2,688,000</del> ))
15		<u>\$2,681,000</u>

16 **Sec. 138.** 2009 c 564 s 140 (uncodified) is amended to read as  
17 follows:

18 **FOR THE MUNICIPAL RESEARCH COUNCIL**

19	County Research Services Account--State	
20	Appropriation . . . . .	(( <del>\$940,000</del> ))
21		<u>\$471,000</u>
22	City and Town Research Services--State	
23	Appropriation . . . . .	(( <del>\$4,515,000</del> ))
24		<u>\$2,258,000</u>
25	TOTAL APPROPRIATION . . . . .	(( <del>\$5,455,000</del> ))
26		<u>\$2,729,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations: Beginning July 1, 2010, the functions of  
29 the municipal research council are transferred to the department of  
30 commerce. Funding for these activities for fiscal year 2011 is  
31 appropriated to the department of commerce.

32 **Sec. 139.** 2009 c 564 s 141 (uncodified) is amended to read as  
33 follows:

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

35	OMWBE Enterprises Account--State Appropriation . . . . .	(( <del>\$3,622,000</del> ))
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1 \$3,792,000

2 **Sec. 140.** 2009 c 564 s 142 (uncodified) is amended to read as  
3 follows:

4 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

5	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$815,000</del> ))
6		<u>\$802,000</u>
7	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$811,000</del> ))
8		<u>\$317,000</u>
9	General Fund--Federal Appropriation . . . . .	(( <del>\$5,738,000</del> ))
10		<u>\$2,956,000</u>
11	<u>General Fund--Private/Local Appropriation . . . . .</u>	<u>\$84,000</u>
12	<u>Building Code Council--State Appropriation . . . . .</u>	<u>\$593,000</u>
13	General Administration Service Account--State	
14	Appropriation . . . . .	(( <del>\$35,044,000</del> ))
15		<u>\$31,550,000</u>
16	TOTAL APPROPRIATION . . . . .	(( <del>\$42,408,000</del> ))
17		<u>\$36,302,000</u>

18 The appropriations in this section are subject to the following  
19 conditions and limitations: \$28,000 of the general fund--state  
20 appropriation for fiscal year 2010 and \$28,000 of the general fund--  
21 state appropriation for fiscal year 2011 are provided solely for the  
22 purposes of section 8 of Engrossed Second Substitute Senate Bill No.  
23 5854 (built environment pollution). If section 8 of the bill is not  
24 enacted by June 30, 2009, the amounts provided in this subsection shall  
25 lapse.

26 **Sec. 141.** 2010 c 3 s 110 (uncodified) is amended to read as  
27 follows:

28 **FOR THE DEPARTMENT OF INFORMATION SERVICES**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$1,086,000
30	General Fund--State Appropriation (FY 2011) . . . . .	\$1,086,000
31	General Fund--Federal Appropriation . . . . .	\$701,000
32	Data Processing Revolving Account--State	
33	Appropriation . . . . .	(( <del>\$7,824,000</del> ))
34		<u>\$7,635,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$10,697,000</del> ))
36		<u>\$10,508,000</u>

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

3 (1) \$100,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$100,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for the purposes of Engrossed  
6 Second Substitute House Bill No. 1701 (high-speed internet), including  
7 expenditure for deposit to the community technology opportunity  
8 account. If the bill is not enacted by June 30, 2009, the amounts  
9 provided in this subsection shall lapse.

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

23 **Sec. 142.** 2009 c 564 s 144 (uncodified) is amended to read as  
24 follows:

25 **FOR THE INSURANCE COMMISSIONER**

26	General Fund--Federal Appropriation . . . . .	\$1,943,000
27	Insurance Commissioners Regulatory Account--State	
28	Appropriation . . . . .	<del>(\$47,978,000)</del>
29		<u>\$47,984,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(\$49,921,000)</del>
31		<u>\$49,927,000</u>

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

34 (1) \$410,000 of the insurance commissioner's regulatory account  
35 appropriation is provided solely to implement Substitute Senate Bill  
36 No. 5480 (discount health plans). If the bill is not enacted by June  
37 30, 2009, the amount provided in this subsection shall lapse.

1 (2) \$598,000 of the insurance commissioner's regulatory account  
2 appropriation is provided solely to implement Substitute Senate Bill  
3 No. 5195 (life settlements model act). If the bill is not enacted by  
4 June 30, 2009, the amount provided in this subsection shall lapse.

5 (3) \$551,000 of the insurance commissioner's regulatory account  
6 appropriation is provided solely to implement Second Substitute Senate  
7 Bill No. 5346 (health care administration simplification). If the bill  
8 is not enacted by June 30, 2009, the amount provided in this subsection  
9 shall lapse.

10 **Sec. 143.** 2009 c 564 s 145 (uncodified) is amended to read as  
11 follows:

12 **FOR THE BOARD OF ACCOUNTANCY**  
13 Certified Public Accountants' Account--State  
14 Appropriation . . . . . ((~~\$3,016,000~~))  
15 \$3,666,000

16 **Sec. 144.** 2009 c 564 s 147 (uncodified) is amended to read as  
17 follows:

18 **FOR THE HORSE RACING COMMISSION**  
19 Horse Racing Commission Operating Account--State  
20 Appropriation . . . . . ((~~\$5,123,000~~))  
21 \$4,846,000

22 The appropriation in this section is subject to the following  
23 conditions and limitations: Pursuant to RCW 43.135.055, the commission  
24 is authorized to increase licensing fees during the 2009-2011 fiscal  
25 biennium as necessary to support the appropriation in this section.

26 **Sec. 145.** 2009 c 564 s 148 (uncodified) is amended to read as  
27 follows:

28 **FOR THE LIQUOR CONTROL BOARD**  
29 Liquor Control Board Construction and Maintenance  
30 Account--State Appropriation . . . . . \$8,817,000  
31 Liquor Revolving Account--State Appropriation . . . . . ((~~\$200,506,000~~))  
32 \$155,857,000  
33 TOTAL APPROPRIATION . . . . . ((~~\$209,323,000~~))  
34 \$164,674,000



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

3 (1) \$1,306,000 of the liquor revolving account--state appropriation  
4 is provided solely for the liquor control board to open five new state  
5 stores.

6 (2) \$40,000 of the liquor revolving account--state appropriation is  
7 provided solely for the liquor control board to open ten new contract  
8 stores.

9 (3) \$3,059,000 of the liquor revolving account--state appropriation  
10 is provided solely for the liquor control board to increase state and  
11 local revenues from new retail strategies including opening nine state  
12 stores on Sunday, opening state liquor stores on seven holidays,  
13 opening six mall locations during the holiday season, and increasing  
14 lottery sales.

15 (4) \$173,000 of the liquor revolving account--state appropriation  
16 is provided solely for the Engrossed House Bill No. 2040 (beer and wine  
17 regulation commission). If the bill is not enacted by June 30, 2009,  
18 the amount provided in this subsection shall lapse.

19 **Sec. 146.** 2009 c 564 s 150 (uncodified) is amended to read as  
20 follows:

21 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

22	<u>General Fund--Federal Appropriation . . . . .</u>	<u>\$267,000</u>
23	<u>General Fund--Private/Local Appropriation . . . . .</u>	<u>\$5,547,000</u>
24	Public Service Revolving Account--State	
25	Appropriation . . . . .	(( <del>\$31,306,000</del> ))
26		<u>\$31,310,000</u>
27	Pipeline Safety Account--State Appropriation . . . . .	\$3,194,000
28	Pipeline Safety Account--Federal Appropriation . . . . .	\$1,536,000
29	TOTAL APPROPRIATION . . . . .	(( <del>\$36,036,000</del> ))
30		<u>\$41,854,000</u>

31 **Sec. 147.** 2010 c 3 s 111 (uncodified) is amended to read as  
32 follows:

33 **FOR THE MILITARY DEPARTMENT**

34	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$10,084,000</del> ))
35		<u>\$9,338,000</u>
36	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$10,190,000</del> ))

1		<u>\$8,757,000</u>
2	General Fund--Federal Appropriation . . . . .	(((\$149,101,000))
3		<u>\$168,586,000</u>
4	Enhanced 911 Account--State Appropriation . . . . .	(((\$39,598,000))
5		<u>\$44,498,000</u>
6	Disaster Response Account--State Appropriation . . . . .	(((\$28,194,000))
7		<u>\$28,326,000</u>
8	Disaster Response Account--Federal Appropriation . . . . .	(((\$91,263,000))
9		<u>\$114,496,000</u>
10	Military Department Rent and Lease Account--State	
11	Appropriation . . . . .	\$615,000
12	Military Department Active State Service Account--Federal	
13	Appropriation . . . . .	(((\$200,000))
14		<u>\$592,000</u>
15	Worker and Community Right-to-Know Account--State	
16	Appropriation . . . . .	\$341,000
17	Nisqually Earthquake Account--State Appropriation . . . . .	(((\$144,000))
18		<u>\$307,000</u>
19	Nisqually Earthquake Account--Federal Appropriation . . . . .	(((\$856,000))
20		<u>\$1,067,000</u>
21	TOTAL APPROPRIATION . . . . .	(((\$330,586,000))
22		<u>\$376,923,000</u>

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

25 (1) \$28,194,000 of the disaster response account--state  
26 appropriation and \$91,263,000 of the disaster response account--federal  
27 appropriation may be spent only on disasters declared by the governor  
28 and with the approval of the office of financial management. The  
29 military department shall submit a report (~~quarterly~~) to the office  
30 of financial management and the legislative fiscal committees on  
31 October 1st and February 1st of each year detailing information on the  
32 disaster response account, including: (a) The amount and type of  
33 deposits into the account; (b) the current available fund balance as of  
34 the reporting date; and (c) the projected fund balance at the end of  
35 the 2009-2011 biennium based on current revenue and expenditure  
36 patterns.

37 (2) \$144,000 of the Nisqually earthquake account--state  
38 appropriation and \$856,000 of the Nisqually earthquake account--federal

1 appropriation are provided solely for response and recovery costs  
2 associated with the February 28, 2001, earthquake. The military  
3 department shall submit a report (~~quarterly~~) to the office of  
4 financial management and the legislative fiscal committees on October  
5 1st and February 1st of each year detailing earthquake recovery costs,  
6 including: (a) Estimates of total costs; (b) incremental changes from  
7 the previous estimate; (c) actual expenditures; (d) estimates of total  
8 remaining costs to be paid; and (e) estimates of future payments by  
9 biennium. This information shall be displayed by fund, by type of  
10 assistance, and by amount paid on behalf of state agencies or local  
11 organizations. The military department shall also submit a report  
12 quarterly to the office of financial management and the legislative  
13 fiscal committees detailing information on the Nisqually earthquake  
14 account, including: (a) The amount and type of deposits into the  
15 account; (b) the current available fund balance as of the reporting  
16 date; and (c) the projected fund balance at the end of the 2009-2011  
17 biennium based on current revenue and expenditure patterns.

18 (3) \$85,000,000 of the general fund--federal appropriation is  
19 provided solely for homeland security, subject to the following  
20 conditions:

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

24 (b) The department shall submit a quarterly report to the office of  
25 financial management and the legislative fiscal committees detailing  
26 the governor's domestic security advisory group recommendations;  
27 homeland security revenues and expenditures, including estimates of  
28 total federal funding for the state; incremental changes from the  
29 previous estimate, planned and actual homeland security expenditures by  
30 the state and local governments with this federal funding; and matching  
31 or accompanying state or local expenditures; and

32 (c) The department shall submit a report by December 1st of each  
33 year to the office of financial management and the legislative fiscal  
34 committees detailing homeland security revenues and expenditures for  
35 the previous fiscal year by county and legislative district.

36 (4) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2010 (~~and \$500,000 of the general fund--state appropriation for~~  
38 ~~fiscal year 2011 are~~) is provided solely for the military department

1 to contract with the Washington information network 2-1-1 to operate a  
2 statewide 2-1-1 system. The department shall provide the entire amount  
3 for 2-1-1 and shall use any of the funds for administrative purposes.

4 **Sec. 148.** 2009 c 564 s 152 (uncodified) is amended to read as  
5 follows:

6 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

7	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$3,128,000</del> ))
8		<u>\$2,761,000</u>
9	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$3,130,000</del> ))
10		<u>\$2,540,000</u>
11	Department of Personnel Service Account--State	
12	Appropriation . . . . .	\$3,290,000
13	<u>Higher Education Personnel Services Account--State</u>	
14	<u>Appropriation . . . . .</u>	<u>\$250,000</u>
15	TOTAL APPROPRIATION . . . . .	(( <del>\$9,548,000</del> ))
16		<u>\$8,841,000</u>

17 **Sec. 149.** 2010 c 3 s 112 (uncodified) is amended to read as  
18 follows:

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

20	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,371,000</del> ))
21		<u>\$1,369,000</u>
22	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,349,000</del> ))
23		<u>\$1,330,000</u>
24	General Fund--Federal Appropriation . . . . .	(( <del>\$1,653,000</del> ))
25		<u>\$2,303,000</u>
26	General Fund--Private/Local Appropriation . . . . .	\$14,000
27	TOTAL APPROPRIATION . . . . .	(( <del>\$4,387,000</del> ))
28		<u>\$5,016,000</u>

29 **Sec. 150.** 2010 c 3 s 113 (uncodified) is amended to read as  
30 follows:

31 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

32	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,623,000</del> ))
33		<u>\$1,642,000</u>
34	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,549,000</del> ))
35		<u>\$1,461,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$3,172,000~~))  
2 \$3,103,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: \$26,000 of the general fund--state  
5 appropriation for fiscal year 2011 is provided solely for  
6 implementation of Substitute Senate Bill No. 6422 (hearing  
7 boards/environmental land use). If the bill is not enacted by June 30,  
8 2010, the amount provided in this subsection shall lapse.

9

(End of part)

PART II  
HUMAN SERVICES

Sec. 201. 2010 c 3 s 201 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$314,698,000</del> ))
	<u>\$315,293,000</u>
General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$316,181,000</del> ))
	<u>\$301,578,000</u>
General Fund--Federal Appropriation . . . . .	(( <del>\$494,889,000</del> ))
	<u>\$506,747,000</u>
General Fund--Private/Local Appropriation . . . . .	(( <del>\$828,000</del> ))
	<u>\$2,858,000</u>
Home Security Fund Appropriation . . . . .	(( <del>\$8,389,000</del> ))
	<u>\$11,866,000</u>
Domestic Violence Prevention Account--State Appropriation . . . . .	\$1,154,000
Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
TOTAL APPROPRIATION . . . . .	(( <del>\$1,136,864,000</del> ))
	<u>\$1,140,221,000</u>

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

(1) ((~~\$5,563,000~~)) \$5,467,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$5,563,000~~)) \$5,435,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for intensive family preservation services as defined in RCW 74.14C.010 and for evidence-based services that prevent out-of-home placement and reduce length of stay in the child welfare system.

(2) ((~~\$993,000~~)) \$937,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$993,000~~)) \$736,000 of the general fund--state appropriation for fiscal year 2011 are provided solely to contract for the operation of one pediatric interim care facility. The facility shall provide residential care for up to seventeen children through two years of age. Seventy-five percent of the children served by the facility must be in need of special care as a result of

1 substance abuse by their mothers. The facility shall also provide on-  
2 site training to biological, adoptive, or foster parents. The facility  
3 shall provide at least three months of consultation and support to  
4 parents accepting placement of children from the facility. The  
5 facility may recruit new and current foster and adoptive parents for  
6 infants served by the facility. The department shall not require case  
7 management as a condition of the contract.

8 (3) (~~(\$375,000)~~) \$369,000 of the general fund--state appropriation  
9 for fiscal year 2010, (~~(\$375,000)~~) \$366,000 of the general fund--state  
10 appropriation for fiscal year 2011, and (~~(\$322,000)~~) \$316,000 of the  
11 general fund--federal appropriation are provided solely for up to three  
12 nonfacility-based programs for the training, consultation, support, and  
13 recruitment of biological, foster, and adoptive parents of children  
14 through age three in need of special care as a result of substance  
15 abuse by their mothers, except that each program may serve up to three  
16 medically fragile nonsubstance-abuse-affected children. In selecting  
17 nonfacility-based programs, preference shall be given to programs whose  
18 federal or private funding sources have expired or that have  
19 successfully performed under the existing pediatric interim care  
20 program.

21 (4) (~~(\$2,500,000)~~) \$1,875,000 of the general fund--state  
22 appropriation for fiscal year 2010 and (~~(\$2,500,000)~~) \$3,125,000 of the  
23 (~~general fund state appropriation for fiscal year 2011~~) home  
24 security fund appropriation are provided solely for secure crisis  
25 residential centers. Within appropriated amounts, the department shall  
26 collaborate with providers to maintain no less than forty-five beds  
27 that are geographically representative of the state. The department  
28 shall examine current secure crisis residential staffing requirements,  
29 flexible payment options, center specific waivers, and other  
30 appropriate methods to accomplish this outcome.

31 (5) A maximum of \$76,831,000 of the general fund--state  
32 appropriations and \$56,901,000 of the general fund--federal  
33 appropriations for the 2009-11 biennium shall be expended for  
34 behavioral rehabilitative services and these amounts are provided  
35 solely for this purpose. The department shall work with behavioral  
36 rehabilitative service providers to decrease the length of stay through  
37 improved emotional, behavioral, or medical outcomes for children in

1 behavioral rehabilitative services in order to achieve the appropriated  
2 levels.

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

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

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

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

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

35 (7) Within amounts appropriated in this section, priority shall be  
36 given to proven intervention models, including evidence-based  
37 prevention and early intervention programs identified by the Washington  
38 state institute for public policy and the department. The department



1 shall include information on the number, type, and outcomes of the  
2 evidence-based programs being implemented in its reports on child  
3 welfare reform efforts.

4 (8) (~~(\$37,000)~~) \$36,000 of the general fund--state appropriation  
5 for fiscal year 2010, (~~(\$37,000)~~) \$36,000 of the general fund--state  
6 appropriation for fiscal year 2011, and (~~(\$32,000)~~) \$31,000 of the  
7 general fund--federal appropriation are provided solely for the  
8 implementation of chapter 465, Laws of 2007 (child welfare).

9 (9) \$125,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$125,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for continuum of care services.  
12 \$100,000 of this amount is for Casey family partners and \$25,000 of  
13 this amount is for volunteers of America crosswalk in fiscal year 2010.  
14 \$100,000 of this amount is for Casey family partners and \$25,000 of  
15 this amount is for volunteers of America crosswalk in fiscal year 2011.

16 (10) (~~(\$616,000)~~) \$565,000 of the general fund--state appropriation  
17 for fiscal year 2010, (~~(\$616,000)~~) \$308,000 of the general fund--state  
18 appropriation for fiscal year 2011, and (~~(\$368,000)~~) \$261,000 of the  
19 general fund--federal appropriation are provided solely to contract  
20 with medical professionals for comprehensive safety assessments of  
21 high-risk families(~~(. The safety assessments will use validated  
22 assessment tools to guide intervention decisions through the  
23 identification of additional safety and risk factors. \$800,000 of this  
24 amount is for comprehensive safety assessments for families receiving  
25 in-home child protective services or family voluntary services.  
26 \$800,000 of this amount is for comprehensive safety assessments of  
27 families)) with an infant age birth to fifteen days where the infant  
28 was, at birth, diagnosed as substance exposed and the department  
29 received an intake referral related to the infant due to the substance  
30 exposure.~~

31 (11) (~~(\$7,970,000)~~) \$7,679,000 of the general fund--state  
32 appropriation for fiscal year 2010, (~~(\$7,711,000)~~) \$6,643,000 of the  
33 general fund--state appropriation for fiscal year 2011, and  
34 (~~(\$5,177,000)~~) \$4,791,000 of the general fund--federal appropriation  
35 are provided solely for court-ordered supervised visits between parents  
36 and dependent children and for sibling visits. The department shall  
37 work collaboratively with the juvenile dependency courts to stay within  
38 appropriations without impeding reunification outcomes between parents

1 and dependent children. The department shall report to the legislative  
2 fiscal committees quarterly, the number of children in foster care who  
3 receive supervised visits, their frequency, length of time of each  
4 visit, and whether reunification is attained.

5 ~~(12) ((\$1,789,000 of the home security fund--state appropriation is  
6 provided solely for street youth program services.~~

7 ~~(13)---\$1,584,000))~~ \$1,522,000 of the general fund--state  
8 appropriation for fiscal year 2010, ~~(((\$1,584,000))~~ \$1,340,000 of the  
9 general fund--state appropriation for fiscal year 2011, and  
10 ~~(((\$1,586,000))~~ \$1,464,000 of the general fund--federal appropriation  
11 are provided solely for the department to recruit foster parents. The  
12 recruitment efforts shall include collaborating with community-based  
13 organizations and current or former foster parents to recruit foster  
14 parents.

15 ~~((+14))~~ (13) \$725,000 of the education legacy trust account--state  
16 appropriation is provided solely for children's administration to  
17 contract with an educational advocacy provider with expertise in foster  
18 care educational outreach. Funding is provided solely for contracted  
19 education coordinators to assist foster children in succeeding in K-12  
20 and higher education systems. Funding shall be prioritized to regions  
21 with high numbers of foster care youth and/or regions where backlogs of  
22 youth that have formerly requested educational outreach services exist.

23 ~~((+15)---\$1,300,000))~~ (14) \$1,703,000 of the home security fund  
24 account--state appropriation is provided solely for HOPE beds.

25 ~~((+16))~~ (15) \$5,300,000 of the home security fund account--state  
26 appropriation is provided solely for the crisis residential centers.

27 ~~((+17))~~ (16) The appropriations in this section reflect reductions  
28 in the appropriations for the children's administration administrative  
29 expenses. It is the intent of the legislature that these reductions  
30 shall be achieved, to the greatest extent possible, by reducing those  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs.

33 ~~((+18))~~ (17) Within the amounts appropriated in this section, the  
34 department shall contract for a pilot project with family and community  
35 networks in Whatcom county and up to four additional counties to  
36 provide services. The pilot project shall be designed to provide a  
37 continuum of services that reduce out-of-home placements and the  
38 lengths of stay for children in out-of-home placement. The department

1 and the community networks shall collaboratively select the additional  
2 counties for the pilot project and shall collaboratively design the  
3 contract. Within the framework of the pilot project, the contract  
4 shall seek to maximize federal funds. The pilot project in each county  
5 shall include the creation of advisory and management teams which  
6 include members from neighborhood-based family advisory committees,  
7 residents, parents, youth, providers, and local and regional department  
8 staff. The Whatcom county team shall facilitate the development of  
9 outcome-based protocols and policies for the pilot project and develop  
10 a structure to oversee, monitor, and evaluate the results of the pilot  
11 projects. The department shall report the costs and savings of the  
12 pilot project to the appropriate committees of the legislature by  
13 November 1 of each year.

14 ~~((19) \$157,000))~~ (18) \$154,000 of the general fund--state  
15 appropriation for fiscal year 2010 and ~~((19) \$157,000))~~ \$153,000 of the  
16 general fund--state appropriation for fiscal year 2011 are provided  
17 solely for the department to contract with a nonprofit entity for a  
18 reunification pilot project in Whatcom and Skagit counties. The  
19 contract for the reunification pilot project shall include a rate of  
20 \$46.16 per hour for evidence-based interventions, in combination with  
21 supervised visits, to provide 3,564 hours of services to reduce the  
22 length of stay for children in the child welfare system. The contract  
23 shall also include evidence-based intensive parenting skills building  
24 services and family support case management services for 38 families  
25 participating in the reunification pilot project. The contract shall  
26 include the flexibility for the nonprofit entity to subcontract with  
27 trained providers.

28 ~~((20))~~ (19) \$303,000 of the general fund--state appropriation for  
29 fiscal year 2010, \$418,000 of the general fund--state appropriation for  
30 fiscal year 2011, and \$257,000 of the general fund--federal  
31 appropriation are provided solely to implement Engrossed Substitute  
32 House Bill No. 1961 (increasing adoptions act). If the bill is not  
33 enacted by June 30, 2009, the amounts provided in this subsection shall  
34 lapse.

35 ~~((21) \$100,000))~~ (20) \$98,000 of the general fund--state  
36 appropriation for fiscal year 2010 and ~~((21) \$100,000))~~ \$98,000 of the  
37 general fund--state appropriation for fiscal year 2011 are provided  
38 solely for the department to contract with an agency that is working in

1 partnership with, and has been evaluated by, the University of  
2 Washington school of social work to implement promising practice  
3 constellation hub models of foster care support.

4 ~~((+22))~~ (21) The legislature intends for the department to reduce  
5 the time a child remains in the child welfare system. The department  
6 shall establish a measurable goal and report progress toward meeting  
7 that goal to the legislature by January 15 of each fiscal year of the  
8 2009- 11 fiscal biennium. To the extent that actual caseloads exceed  
9 those assumed in this section, it is the intent of the legislature to  
10 address those issues in a manner similar to all other caseload  
11 programs.

12 (22) To ensure expenditures remain within available funds  
13 appropriated in this section as required by RCW 74.13A.005 and  
14 74.13A.020, the secretary shall not set the amount of any adoption  
15 assistance payment or payments, made pursuant to RCW 26.33.320 and  
16 74.13A.005 through 74.13A.080, to more than ninety percent of the  
17 foster care maintenance payment for that child had he or she remained  
18 in a foster family home during the same period. This subsection does  
19 not apply to adoption assistance agreements in existence on the  
20 effective date of this section.

21 **Sec. 202.** 2010 c 3 s 202 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
24 **REHABILITATION PROGRAM**

25	General Fund--State Appropriation (FY 2010) . . . . .	<del>(\$104,185,000)</del>
26		<u>\$103,672,000</u>
27	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$92,392,000)</del>
28		<u>\$95,352,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(\$6,565,000)</del>
30		<u>\$1,790,000</u>
31	General Fund--Private/Local Appropriation . . . . .	\$1,900,000
32	Washington Auto Theft Prevention Authority Account--	
33	State Appropriation . . . . .	\$3,896,000
34	Juvenile Accountability Incentive Account--Federal	
35	Appropriation . . . . .	\$2,801,000
36	<u>State Efficiency and Restructuring Account--State</u>	
37	<u>Appropriation . . . . .</u>	<u>\$4,958,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$211,739,000~~))  
2 \$214,369,000

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

5 (1) \$353,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$353,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for deposit in the county criminal  
8 justice assistance account for costs to the criminal justice system  
9 associated with the implementation of chapter 338, Laws of 1997  
10 (juvenile code revisions). The amounts provided in this subsection are  
11 intended to provide funding for county adult court costs associated  
12 with the implementation of chapter 338, Laws of 1997 and shall be  
13 distributed in accordance with RCW 82.14.310.

14 (2) ((~~\$3,578,000~~)) \$3,408,000 of the general fund--state  
15 appropriation for fiscal year 2010 and ((~~\$3,578,000~~)) \$2,898,000 of the  
16 general fund--state appropriation for fiscal year 2011 are provided  
17 solely for the implementation of chapter 338, Laws of 1997 (juvenile  
18 code revisions). The amounts provided in this subsection are intended  
19 to provide funding for county impacts associated with the  
20 implementation of chapter 338, Laws of 1997 and shall be distributed to  
21 counties as prescribed in the current consolidated juvenile services  
22 (CJS) formula.

23 (3) \$3,716,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$3,716,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely to implement community juvenile  
26 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
27 code revisions). Funds provided in this subsection may be used solely  
28 for community juvenile accountability grants, administration of the  
29 grants, and evaluations of programs funded by the grants.

30 (4) ((~~\$1,506,000~~)) \$1,431,000 of the general fund--state  
31 appropriation for fiscal year 2010 and ((~~\$1,506,000~~)) \$1,206,000 of the  
32 general fund--state appropriation for fiscal year 2011 are provided  
33 solely to implement alcohol and substance abuse treatment programs for  
34 locally committed offenders. The juvenile rehabilitation  
35 administration shall award these moneys on a competitive basis to  
36 counties that submitted a plan for the provision of services approved  
37 by the division of alcohol and substance abuse. The juvenile

1 rehabilitation administration shall develop criteria for evaluation of  
2 plans submitted and a timeline for awarding funding and shall assist  
3 counties in creating and submitting plans for evaluation.

4 (5) \$3,066,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$3,066,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for grants to county juvenile  
7 courts for the following programs identified by the Washington state  
8 institute for public policy (institute) in its October 2006 report:  
9 "Evidence-Based Public Policy Options to Reduce Future Prison  
10 Construction, Criminal Justice Costs and Crime Rates": Functional  
11 family therapy, multi-systemic therapy, aggression replacement training  
12 and interagency coordination programs, or other programs with a  
13 positive benefit-cost finding in the institute's report. County  
14 juvenile courts shall apply to the juvenile rehabilitation  
15 administration for funding for program-specific participation and the  
16 administration shall provide grants to the courts consistent with the  
17 per-participant treatment costs identified by the institute.

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

30 (7)(a) (~~For the fiscal year ending June 30, 2010, the juvenile~~  
31 ~~rehabilitation administration shall administer a block grant, rather~~  
32 ~~than categorical funding, of consolidated juvenile service funds,~~  
33 ~~community juvenile accountability act grants, the chemical dependency~~  
34 ~~disposition alternative funds, the special sex offender disposition~~  
35 ~~alternative funds, the mental health disposition alternative,~~  
36 ~~sentencing disposition alternative, and evidence based program~~  
37 ~~expansion grants to juvenile courts for the purpose of serving youth~~  
38 ~~adjudicated in the juvenile justice system. Evidence based programs,~~

1 based on the criteria established by the Washington state institute for  
2 public policy, and disposition alternatives will be funding priorities.  
3 Funds may be used for promising practices when approved by juvenile  
4 rehabilitation administration, based on criteria established in  
5 consultation with Washington state institute for public policy and the  
6 juvenile courts.

7 By September 1, 2009, a committee with four members, in  
8 consultation with Washington state institute for public policy, shall  
9 develop a funding formula that takes into account the juvenile courts  
10 average daily population of program eligible youth in conjunction with  
11 the number of youth served in each approved evidence-based program or  
12 disposition alternative. The committee shall have one representative  
13 from the juvenile rehabilitation administration, one representative  
14 from the office of financial management, one representative from the  
15 office of the administrator of the courts, and one representative from  
16 the juvenile courts. Decision making will be by majority rule.

17 By September 1, 2010, the Washington state institute for public  
18 policy shall provide a report to the office of financial management and  
19 the legislature on the administration of the block grant authorized in  
20 this subsection. The report shall include the criteria used for  
21 allocating the funding as a block grant and the participation targets  
22 and actual participation in the programs subject to the block grant.

23 (b) By December 1, 2009, the committee established in (a) of this  
24 subsection, in consultation with Washington state institute for public  
25 policy, shall propose to the office of financial management and the  
26 legislature changes in the process of funding and managing, including  
27 accountability and information collection and dissemination, grants to  
28 juvenile courts for serving youth adjudicated in the juvenile court  
29 system use in the fiscal year ending June 30, 2011. The proposal shall  
30 include, but is not limited to: A process of making a block grant of  
31 funds consistent with (a) of this subsection; a program of data  
32 collection and measurement criteria for receiving the funds which will  
33 include targets of the number of youth served in identified evidence-  
34 based programs and disposition alternatives in which the juvenile  
35 courts and office of the administrator of the courts will have  
36 responsibility for collecting and distributing information and  
37 providing access to the data systems to the juvenile rehabilitation

1 ~~administration and the Washington state institute for public policy~~  
2 ~~related to program and outcome data; and necessary changes to the~~  
3 ~~Washington administrative code.~~

4 ~~(c) Within the funds provided for criminal justice analysis in~~  
5 ~~section 610(4) of this act, the Washington state institute for public~~  
6 ~~policy shall conduct an analysis of the costs per participant of~~  
7 ~~evidence-based programs by the juvenile courts and by December 1, 2009,~~  
8 ~~shall report the results of this analysis to the juvenile~~  
9 ~~rehabilitation administration, the juvenile courts, office of the~~  
10 ~~administrator of the courts, the office of financial management, and~~  
11 ~~the fiscal committees of the legislature)) For the fiscal year ending~~  
12 ~~June 30, 2011, the juvenile rehabilitation administration shall~~  
13 ~~administer a block grant, rather than categorical funding, of~~  
14 ~~consolidated juvenile service funds, community juvenile accountability~~  
15 ~~act grants, the chemical dependency disposition alternative funds, the~~  
16 ~~mental health disposition alternative, and the sentencing disposition~~  
17 ~~alternative for the purpose of serving youth adjudicated in the~~  
18 ~~juvenile justice system. In making the block grant, the juvenile~~  
19 ~~rehabilitation administration shall follow the following formula and~~  
20 ~~will prioritize evidence-based programs and disposition alternatives~~  
21 ~~and take into account juvenile courts program-eligible youth in~~  
22 ~~conjunction with the number of youth served in each approved evidence-~~  
23 ~~based program or disposition alternative: (i) Thirty-seven and one-~~  
24 ~~half percent for the at-risk population of youth ten to seventeen years~~  
25 ~~old; (ii) fifteen percent for moderate and high-risk youth; (iii)~~  
26 ~~twenty-five percent for evidence-based program participation; (iv)~~  
27 ~~seventeen and one-half percent for minority populations; (v) three~~  
28 ~~percent for the chemical dependency disposition alternative; and (vi)~~  
29 ~~two percent for the mental health and sentencing dispositional~~  
30 ~~alternatives. Funding for the special sex offender disposition~~  
31 ~~alternative (SSODA) shall not be included in the block grant, but~~  
32 ~~allocated on the average daily population in juvenile courts. Funding~~  
33 ~~for the evidence-based expansion grants shall be excluded from the~~  
34 ~~block grant formula. Funds may be used for promising practices when~~  
35 ~~approved by the juvenile rehabilitation administration and juvenile~~  
36 ~~courts, through the community juvenile accountability act committee,~~  
37 ~~based on the criteria established in consultation with Washington state~~  
38 ~~institute for public policy and the juvenile courts.~~



1       (b) It is the intent of the legislature that the juvenile  
2 rehabilitation administration phase the implementation of the formula  
3 provided in subsection (1) of this section by including a stop-loss  
4 formula of three percent in fiscal year 2011, five percent in fiscal  
5 year 2012, and five percent in fiscal year 2013. It is further the  
6 intent of the legislature that the evidence-based expansion grants be  
7 incorporated into the block grant formula by fiscal year 2013 and SSODA  
8 remain separate unless changes would result in increasing the cost  
9 benefit savings to the state as identified in (c) of this subsection.

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

1 disposition alternative delivery and increase the cost benefit to the  
2 state. These outcomes will also be considered in determining when  
3 evidence-based expansion or special sex offender disposition  
4 alternative funds should be included in the block grant or left  
5 separate.

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

15 (e) By December 1, 2010, the Washington state institute for public  
16 policy shall report to the office of financial management and  
17 appropriate committees of the legislature on the administration of the  
18 block grant authorized in this subsection. The report shall include  
19 the criteria used for allocating the funding as a block grant and the  
20 participation targets and actual participation in the programs subject  
21 to the block grant.

22 (8) \$3,700,000 of the Washington auto theft prevention authority  
23 account--state appropriation is provided solely for competitive grants  
24 to community-based organizations to provide at-risk youth intervention  
25 services, including but not limited to, case management, employment  
26 services, educational services, and street outreach intervention  
27 programs. Projects funded should focus on preventing, intervening, and  
28 suppressing behavioral problems and violence while linking at-risk  
29 youth to pro-social activities. The department may not expend more  
30 than \$1,850,000 per fiscal year. The costs of administration must not  
31 exceed four percent of appropriated funding for each grant recipient.  
32 Each entity receiving funds must report to the juvenile rehabilitation  
33 administration on the number and types of youth served, the services  
34 provided, and the impact of those services upon the youth and the  
35 community.

36 (9) \$12,000,000 of the general fund--state appropriation for fiscal  
37 year 2011 and the state efficiency and restructuring account--state  
38 appropriation are provided solely for the one-time costs and other

1 transition costs necessary for the closure of Maple Lane school by June  
2 30, 2013, including the financing of \$15,000,000 for renovation and  
3 construction of specialized housing and treatment facilities associated  
4 with the closure of Maple Lane school and requiring savings in fiscal  
5 year 2011 to reflect the immediate allocation of 30 percent of the  
6 funded capacity at Maple Lane school to other institutions or  
7 community-based facilities.

8 **Sec. 203.** 2010 c 3 s 203 (uncodified) is amended to read as  
9 follows:

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

12 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

13 General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$266,677,000</del> ))
	<u>\$273,648,000</u>
15 General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$296,619,000</del> ))
	<u>\$275,784,000</u>
17 General Fund--Federal Appropriation . . . . .	(( <del>\$463,180,000</del> ))
	<u>\$522,309,000</u>
19 General Fund--Private/Local Appropriation . . . . .	(( <del>\$14,868,000</del> ))
	<u>\$22,152,000</u>
21 <u>Washington Housing Trust Account--State Appropriation . . . . .</u>	<u>\$83,000</u>
22 TOTAL APPROPRIATION . . . . .	(( <del>\$1,041,344,000</del> ))
	<u>\$1,093,976,000</u>

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

26 (a) \$113,689,000 of the general fund--state appropriation for  
27 fiscal year 2010 and ((~~\$113,689,000~~)) \$112,599,000 of the general  
28 fund--state appropriation for fiscal year 2011 are provided solely for  
29 persons and services not covered by the medicaid program. This is a  
30 reduction of \$11,606,000 ((~~each fiscal year~~)) in fiscal year 2010 and  
31 of \$12,736,000 in fiscal year 2012 from the nonmedicaid funding that  
32 was allocated for expenditure by regional support networks during  
33 fiscal year 2009 prior to supplemental budget reductions. ((~~This~~  
34 ~~\$11,606,000~~)) These reductions shall be distributed among regional  
35 support networks proportional to each network's share of the total  
36 state population. To the extent possible, levels of regional support  
37 network spending shall be maintained in the following priority order:

1 (i) Crisis and commitment services; (ii) community inpatient services;  
2 and (iii) residential care services, including personal care and  
3 emergency housing assistance.

4 (b) (~~(\$16,900,000)~~) \$10,400,000 of the general fund--state  
5 appropriation for fiscal year 2010 (~~and \$16,900,000~~), \$9,750,000 of  
6 the general fund--state appropriation for fiscal year 2011, and  
7 \$650,000 of the general fund--federal appropriation are provided solely  
8 for the department and regional support networks to contract for  
9 implementation of high-intensity program for active community treatment  
10 (PACT) teams(~~(, and other proven program approaches that the department~~  
11 ~~concurs will enable the regional support network to achieve significant~~  
12 ~~reductions in the number of beds the regional support network would~~  
13 ~~otherwise need to use at the state hospitals)~~). The department shall  
14 work with regional support networks and the center for medicare and  
15 medicaid services to integrate eligible components of the PACT service  
16 delivery model into medicaid capitation rates no later than April 2011,  
17 while maintaining consistency with all essential elements of the PACT  
18 evidence-based practice model.

19 (c) \$6,500,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$5,250,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for the western Washington  
22 regional support networks to provide either community or hospital  
23 campus-based services for persons who require the level of care  
24 provided by the program for adaptive living skills (PALS) at western  
25 state hospital.

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

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

1 personal care services that enrolled regional support network consumers  
2 use because of their psychiatric disability.

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

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

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

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

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

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

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

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

36 At least annually, the Spokane regional support network shall  
37 assess the effectiveness of these services in reducing utilization at

1 eastern state hospital, identify services that are not optimally  
2 effective, and modify those services to improve their effectiveness.

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

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

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

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

13 (n) \$50,000 of the general fund--state appropriation for fiscal  
14 year 2011 is provided solely for consultation, training, and technical  
15 assistance to regional support networks on strategies for effective  
16 service delivery in frontier counties.

17 ~~((+l))~~ (o) \$1,529,000 of the general fund--state appropriation for  
18 fiscal year 2010 and \$1,529,000 of the general fund--state  
19 appropriation for fiscal year 2011 are provided solely to reimburse  
20 Pierce and Spokane counties for the cost of conducting 180-day  
21 commitment hearings at the state psychiatric hospitals.

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

37 (2) INSTITUTIONAL SERVICES

38 General Fund--State Appropriation (FY 2010) . . . . . ~~(( \$120,637,000 ))~~

1		<u>\$118,395,000</u>
2	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$124,995,000</del> ))
3		<u>\$119,091,000</u>
4	General Fund--Federal Appropriation . . . . .	(( <del>\$151,160,000</del> ))
5		<u>\$153,112,000</u>
6	General Fund--Private/Local Appropriation . . . . .	(( <del>\$65,868,000</del> ))
7		<u>\$64,806,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$462,660,000</del> ))
9		<u>\$455,404,000</u>

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

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

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

24 (c) \$45,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$45,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for payment to the city of  
27 Lakewood for police services provided by the city at western state  
28 hospital and adjacent areas.

29 (d) \$200,000 of the general fund--state appropriation for fiscal  
30 year 2011 is provided solely for support of the psychiatric security  
31 review panel established pursuant to Senate Bill No. 6610. If Senate  
32 Bill No. 6610 is not enacted by June 30, 2010, the amount provided in  
33 this subsection shall lapse.

34 (3) SPECIAL PROJECTS

35	General Fund--State Appropriation (FY 2010) . . . . .	\$1,819,000
36	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,812,000</del> ))
37		<u>\$1,932,000</u>
38	General Fund--Federal Appropriation . . . . .	\$2,142,000



1 TOTAL APPROPRIATION . . . . . ((~~\$5,773,000~~))  
2 \$5,893,000

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

5 (a) \$1,511,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$1,511,000 of the general fund--state appropriation for  
7 fiscal year 2011 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) \$60,000 of the general fund--state appropriation for fiscal  
11 year 2011 is provided solely for the department to contract with the  
12 Washington state institute for public policy for completion of the  
13 research reviews to be conducted in accordance with Senate Bill No.  
14 6610. If Senate Bill No. 6610 is not enacted by June 30, 2010, the  
15 amount provided in this subsection shall lapse.

16 (c) \$60,000 of the general fund--state appropriation for fiscal  
17 year 2011 is provided solely for the department to contract with the  
18 Washington state institute for public policy for completion of the  
19 research reviews to be conducted in accordance with Senate Bill No.  
20 6791 (involuntary treatment). If Senate Bill No. 6791 is not enacted  
21 by June 30, 2010, the amount provided in this subsection shall lapse.

22 (4) PROGRAM SUPPORT

23 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$4,077,000~~))  
24 \$4,078,000  
25 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$4,094,000~~))  
26 \$4,027,000  
27 General Fund--Federal Appropriation . . . . . ((~~\$7,227,000~~))  
28 \$7,185,000  
29 TOTAL APPROPRIATION . . . . . ((~~\$15,398,000~~))  
30 \$15,290,000

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

33 (a) The department is authorized and encouraged to continue its  
34 contract with the Washington state institute for public policy to  
35 provide a longitudinal analysis of long-term mental health outcomes as  
36 directed in chapter 334, Laws of 2001 (mental health performance  
37 audit); to build upon the evaluation of the impacts of chapter 214,

1 Laws of 1999 (mentally ill offenders); and to assess program outcomes  
2 and cost effectiveness of the children's mental health pilot projects  
3 as required by chapter 372, Laws of 2006.

4 (b) The department shall report to the governor and appropriate  
5 committees of the legislature by October 1, 2010, with a specific,  
6 actionable plan for improving and expanding services for children who  
7 are at greatest risk of requiring long-term inpatient and residential  
8 care due to the severity of their emotional impairments. The plan  
9 shall be developed in consultation with treatment specialists, regional  
10 support networks, behavioral health provider organizations, and  
11 consumer and family representatives, and shall include specific  
12 proposals regarding program components, delivery system organization,  
13 timelines for implementation, and cost estimates.

14 **Sec. 204.** 2010 c 3 s 204 (uncodified) is amended to read as  
15 follows:

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

18	(1) COMMUNITY SERVICES	
19	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$311,589,000</del> ))
20		<u>\$307,232,000</u>
21	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$366,489,000</del> ))
22		<u>\$329,298,000</u>
23	General Fund--Federal Appropriation . . . . .	(( <del>\$849,263,000</del> ))
24		<u>\$894,641,000</u>
25	<u>General Fund--Local Appropriation . . . . .</u>	<u>\$192,000</u>
26	TOTAL APPROPRIATION . . . . .	(( <del>\$1,527,341,000</del> ))
27		<u>\$1,531,363,000</u>

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

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

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

1 reductions shall be to lower acuity patients and the smallest hour  
2 reductions shall be to higher acuity patients. In doing so, the  
3 department shall comply with all maintenance of effort requirements  
4 contained in the American reinvestment and recovery act.

5 (c) Amounts appropriated in this section are sufficient to develop  
6 and implement the use of a consistent, statewide outcome-based vendor  
7 contract for employment and day services by April 1, 2011. The rates  
8 paid to vendors under this contract shall also be made consistent. In  
9 its description of activities the agency shall include activity  
10 listings and dollars appropriated for: Employment services, day  
11 services, child development services and county administration of  
12 services to the developmentally disabled. The department shall begin  
13 reporting to the office of financial management on these activities  
14 beginning in fiscal year 2010.

15 (d) (~~(\$5,593,000 of the general fund state appropriation for~~  
16 ~~fiscal year 2010, \$4,002,000 of the general fund state appropriation~~  
17 ~~for fiscal year 2011, and \$14,701,000 of the general fund federal~~  
18 ~~appropriation are provided solely for community residential and support~~  
19 ~~services. Funding in this subsection shall be prioritized for (i)~~  
20 ~~residents of residential habilitation centers who are able to be~~  
21 ~~adequately cared for in community settings and who choose to live in~~  
22 ~~those community settings; (ii) clients without residential services who~~  
23 ~~are at immediate risk of institutionalization or in crisis; (iii)~~  
24 ~~children who are at risk of institutionalization or who are aging out~~  
25 ~~of other state services; and (iv) current home and community based~~  
26 ~~waiver program clients who have been assessed as having an immediate~~  
27 ~~need for increased services. First priority shall be given to children~~  
28 ~~who are at risk of institutionalization. The department shall ensure~~  
29 ~~that the average cost per day for all program services other than~~  
30 ~~start up costs shall not exceed \$300. In order to maximize the number~~  
31 ~~of clients served and ensure the cost effectiveness of the waiver~~  
32 ~~programs, the department will strive to limit new client placement~~  
33 ~~expenditures to 90 percent of the budgeted daily rate. If this can be~~  
34 ~~accomplished, additional clients may be served with excess funds,~~  
35 ~~provided the total projected carry forward expenditures do not exceed~~  
36 ~~the amounts estimated. The department shall electronically report to~~  
37 ~~the appropriate committees of the legislature, within 45 days following~~  
38 ~~each fiscal year quarter, the number of persons served with these~~

1 additional community services, where they were residing, what kinds of  
2 services they were receiving prior to placement, and the actual  
3 expenditures for all community services to support these clients.

4 (e)(i) \$493,000 of the general fund state appropriation for fiscal  
5 year 2010, \$1,463,000 of the general fund state appropriation for  
6 fiscal year 2011, and \$2,741,000 of the general fund federal  
7 appropriation are provided solely for community services for persons  
8 with developmental disabilities who also have community protection  
9 issues. Funding in this subsection shall be prioritized for (A)  
10 clients being diverted or discharged from the state psychiatric  
11 hospitals; (B) clients participating in the dangerous mentally ill  
12 offender program; (C) clients participating in the community protection  
13 program; and (D) mental health crisis diversion outplacements. The  
14 department shall ensure that the average cost per day for all program  
15 services other than start up costs shall not exceed \$349 per day in  
16 fiscal year 2010 and \$356 per day in fiscal year 2011. In order to  
17 maximize the number of clients served and ensure the cost effectiveness  
18 of the waiver programs, the department will strive to limit new client  
19 placement expenditures to 90 percent of the budgeted daily rate. If  
20 this can be accomplished, additional clients may be served with excess  
21 funds if the total projected carry forward expenditures do not exceed  
22 the amounts estimated.

23 (ii) The department shall electronically report to the appropriate  
24 committees of the legislature, within 45 days following each fiscal  
25 year quarter, the number of persons served with these additional  
26 community services, where they were residing, what kinds of services  
27 they were receiving prior to placement, and the actual expenditures for  
28 all community services to support these clients.

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

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

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

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

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

13 ~~(h))~~ The department shall electronically report to the appropriate  
14 committees of the legislature, within 45 days following each fiscal  
15 year quarter, the number of persons served in each of the following  
16 categories: (i) Residents of residential habilitation centers who are  
17 able to be adequately cared for in community settings and who choose to  
18 live in those community settings; (ii) clients without residential  
19 services who are at immediate risk of institutionalization or in  
20 crisis; (iii) children who are at risk of institutionalization or who  
21 are aging out of other state services; (iv) current home and community-  
22 based waiver program clients who have been assessed as having an  
23 immediate need for increased services; (v) clients being diverted or  
24 discharged from the state psychiatric hospitals; (vi) clients  
25 participating in the dangerous mentally ill offender program; (vii)  
26 clients participating in the community protection program; or (viii)  
27 mental health crisis diversion outplacements. The department shall  
28 strive to serve these clients in the most cost-effective manner.

29 (e) Within the amounts appropriated in this subsection (1), the  
30 department shall implement all necessary rules to facilitate the  
31 transfer to a department home and community-based services (HCBS)  
32 waiver of all eligible individuals who (i) currently receive services  
33 under the existing state-only employment and day program or the  
34 existing state-only residential program, and (ii) otherwise meet the  
35 waiver eligibility requirements. ((The amounts appropriated are  
36 sufficient to ensure that all individuals currently receiving services  
37 under the state only employment and day and state only residential

1 ~~programs who are not transferred to a department HCBS waiver will~~  
2 ~~continue to receive services.~~

3 ~~(i) Adult day health services shall only be authorized for in-home~~  
4 ~~clients.~~

5 ~~(j))~~ (f) In addition to other reductions, the appropriations in  
6 this subsection reflect reductions targeted specifically to state  
7 government administrative costs. These administrative reductions shall  
8 be achieved, to the greatest extent possible, by reducing those  
9 administrative costs that do not affect direct client services or  
10 direct service delivery or programs.

11 ~~((k))~~ (g) The department shall not pay a home care agency  
12 licensed under chapter 70.127 RCW for personal care services provided  
13 by a family member, pursuant to Substitute House Bill No. 2361  
14 (modifying state payments for in-home care).

15 ~~((l))~~ (h) Within the appropriations of this section, the  
16 department shall reduce all seventeen payment levels of the seventeen-  
17 level payment system from the fiscal year 2009 levels for boarding  
18 homes, boarding homes contracted as assisted living, and adult family  
19 homes. Excluded from the reductions are exceptional care rate add-ons.  
20 The long-term care program may develop add-ons to pay exceptional care  
21 rates to adult family homes and boarding homes with specialty contracts  
22 to provide support for the following specifically eligible clients:

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

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

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

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

33 ~~((m))~~ (i) The amounts appropriated in this subsection reflect a  
34 reduction in funds available for employment and day services. In  
35 administering this reduction the department shall negotiate with  
36 counties and their vendors so that this reduction, to the greatest  
37 extent possible, is achieved by reducing vendor rates and allowable

1 contract administrative charges (overhead) and not through reductions  
2 to direct client services or direct service delivery or programs.

3 ~~((n) Within the amounts allotted for employment and day services~~  
4 ~~in this section, the department shall prioritize the funding of~~  
5 ~~employment services for students graduating from high school during~~  
6 ~~fiscal years 2010 and 2011. However, nothing in this subsection is~~  
7 ~~intended to displace services for other recipients of employment~~  
8 ~~services.~~

9 ~~(o)) (j) \$81,000,000 of the general fund--state appropriation for~~  
10 ~~fiscal year 2010, and \$599,000,000 of the general fund--state~~  
11 ~~appropriation for fiscal year 2011, and \$1,111,000 of the general~~  
12 ~~fund--federal appropriation are provided solely for the department to~~  
13 ~~provide employment and day services for eligible students graduating~~  
14 ~~from high school during fiscal years 2010 and 2011.~~

15 ~~(k) During fiscal year 2010, the initial licensing fee for an adult~~  
16 ~~family home shall be set at \$900.00 and the annual renewal fee shall be~~  
17 ~~set at \$100.00. Pursuant to Senate Bill No. 6571 (nursing and boarding~~  
18 ~~home fees), during fiscal year 2011, the annual licensing renewal fee~~  
19 ~~shall be set at \$1,187.00.~~

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

25 (2) INSTITUTIONAL SERVICES

26	General Fund--State Appropriation (FY 2010) . . . . .	(((\$61,612,000))
27		<u>\$61,646,000</u>
28	General Fund--State Appropriation (FY 2011) . . . . .	(((\$74,185,000))
29		<u>\$62,988,000</u>
30	<u>State Efficiency and Restructuring Account--State</u>	
31	<u>Appropriation . . . . .</u>	<u>\$2,875,000</u>
32	General Fund--Federal Appropriation . . . . .	(((\$202,160,000))
33		<u>\$210,724,000</u>
34	General Fund--Private/Local Appropriation . . . . .	(((\$22,441,000))
35		<u>\$22,234,000</u>
36	TOTAL APPROPRIATION . . . . .	(((\$360,398,000))
37		<u>\$360,467,000</u>

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

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

7 (b) The developmental disabilities program is authorized to use  
8 funds appropriated in this subsection to purchase goods and supplies  
9 through direct contracting with vendors when the program determines it  
10 is cost-effective to do so.

11 (c) (~~(\$721,000)~~) \$818,000 of the general fund--state appropriation  
12 for fiscal year 2010 and (~~(\$721,000)~~) \$775,000 of the general fund--  
13 state appropriation for fiscal year 2011 are provided solely for the  
14 department to fulfill its contracts with the school districts under  
15 chapter 28A.190 RCW to provide transportation, building space, and  
16 other support services as are reasonably necessary to support the  
17 educational programs of students living in residential habilitation  
18 centers.

19 (d) In addition to other reductions, the appropriations in this  
20 subsection reflect reductions targeted specifically to state government  
21 administrative costs. These administrative reductions shall be  
22 achieved, to the greatest extent possible, by reducing those  
23 administrative costs that do not affect direct client services or  
24 direct service delivery or programs.

25 (e) The state efficiency and restructuring account--state  
26 appropriation is provided solely for one-time costs and other  
27 transition costs necessary for the closure of Frances Haddon Morgan  
28 center by June 20, 2011. The department shall transition all residents  
29 to the appropriate home, community, or institutional setting by June  
30 30, 2011.

31 (3) PROGRAM SUPPORT

32	General Fund--State Appropriation (FY 2010) . . . . .	<del>(\$1,420,000)</del>
33		<u>\$1,392,000</u>
34	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,372,000)</del>
35		<u>\$1,345,000</u>
36	General Fund--Federal Appropriation . . . . .	<del>(\$1,360,000)</del>
37		<u>\$1,305,000</u>
38	TOTAL APPROPRIATION . . . . .	<del>(\$4,152,000)</del>



1 \$4,042,000

2 The appropriations in this subsection are subject to the following  
3 conditions and limitations: In addition to other reductions, the  
4 appropriations in this subsection reflect reductions targeted  
5 specifically to state government administrative costs. These  
6 administrative reductions shall be achieved, to the greatest extent  
7 possible, by reducing those administrative costs that do not affect  
8 direct client services or direct service delivery or programs.

9 (4) SPECIAL PROJECTS

10	General Fund--State Appropriation (FY 2010) . . . . .	\$15,000
11	<del>((General Fund--State Appropriation (FY 2011) . . . . .</del>	<del>\$15,000))</del>
12	General Fund--Federal Appropriation . . . . .	<del>(((\$21,066,000))</del>
13		<u>\$12,641,000</u>
14	TOTAL APPROPRIATION . . . . .	<del>(((\$21,096,000))</del>
15		<u>\$12,656,000</u>

16 The appropriations in this subsection are subject to the following  
17 conditions and limitations: The appropriations in this subsection are  
18 available solely for the infant toddler early intervention program.

19 **Sec. 205.** 2010 c 3 s 205 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**  
22 **SERVICES PROGRAM**

23	General Fund--State Appropriation (FY 2010) . . . . .	<del>(((\$584,741,000))</del>
24		<u>\$616,649,000</u>
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$693,325,000))</del>
26		<u>\$613,345,000</u>
27	General Fund--Federal Appropriation . . . . .	<del>(((\$1,805,958,000))</del>
28		<u>\$1,920,371,000</u>
29	General Fund--Private/Local Appropriation . . . . .	<del>(((\$19,973,000))</del>
30		<u>\$21,258,000</u>
31	Traumatic Brain Injury Account--State Appropriation . .	<del>(((\$1,816,000))</del>
32		<u>\$3,816,000</u>
33	TOTAL APPROPRIATION . . . . .	<del>(((\$3,105,813,000))</del>
34		<u>\$3,175,439,000</u>

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

1       (1) Funding provided in this section is sufficient for medicaid  
2 nursing facility rates calculated pursuant to Senate Bill No. 6872. As  
3 required by Senate Bill No. 6872, effective July 1, 2011, the  
4 department shall establish medicaid nursing facility rates that are  
5 calculated using facility-specific information and have the following  
6 six components: Direct care, therapy care, support services,  
7 operations, property, and a financing allowance. To ensure that the  
8 state's medicaid nursing facility rates are consistent with efficiency,  
9 economy, and quality of care and are sufficient to reimburse providers,  
10 beginning July 1, 2011, the department shall (a) provide rate  
11 allocations for direct care, support services, and operations at one  
12 hundred percent of the median for allowable costs of all facilities,  
13 (b) provide rate allocations for therapy care, support services,  
14 operations, property, and a financing allowance assuming all facilities  
15 operate at ninety-five percent occupancy, (c) provide a financing  
16 allowance of 0.04 for all assets acquired on or after May 17, 1999, (d)  
17 use the case mix index from the January 1, 2010, through March 31,  
18 2010, calendar quarter, and (e) eliminate the 0.006 low-wage worker  
19 adjustment to the direct care rate. After examining actual facility  
20 cost information, the legislature finds that the medicaid nursing  
21 facility rates calculated pursuant to Senate Bill No. 6872 provide  
22 sufficient reimbursement to efficient and economically operating  
23 facilities and bear a reasonable relationship to costs.

24       (2) For purposes of implementing chapter 74.46 RCW, the weighted  
25 average nursing facility payment rate shall not exceed (~~(\$156.37)~~)  
26 \$169.85 for fiscal year 2010 and shall not exceed (~~(\$158.74)~~) \$157.94  
27 for fiscal year 2011, including the rate add-on described in subsection  
28 (~~((+12+))~~) (9) of this section. There will be no adjustments for  
29 economic trends and conditions in fiscal years 2010 and 2011. The  
30 economic trends and conditions factor or factors defined in the  
31 biennial appropriations act shall not be compounded with the economic  
32 trends and conditions factor or factors defined in any other biennial  
33 appropriations acts before applying it to the component rate  
34 allocations established in accordance with chapter 74.46 RCW. When no  
35 economic trends and conditions factor for either fiscal year is defined  
36 in a biennial appropriations act, no economic trends and conditions  
37 factor or factors defined in any earlier biennial appropriations act

1 shall be applied solely or compounded to the component rate allocations  
2 established in accordance with chapter 74.46 RCW.

3 ~~((+2))~~ (3) In accordance with chapter 74.46 RCW, the department  
4 shall issue no additional certificates of capital authorization for  
5 fiscal year 2010 and no new certificates of capital authorization for  
6 fiscal year 2011.

7 ~~((+3))~~ (4) The long-term care program may develop and pay enhanced  
8 rates for exceptional care to nursing homes for persons with traumatic  
9 brain injuries who are transitioning from hospital care. The cost per  
10 patient day for caring for these clients in a nursing home setting may  
11 be equal to or less than the cost of caring for these clients in a  
12 hospital setting.

13 ~~((+4))~~ (5) Within the appropriations of this section, the  
14 department shall reduce all seventeen payment levels of the seventeen-  
15 level payment system from the fiscal year 2009 levels for boarding  
16 homes, boarding homes contracted as assisted living, and adult family  
17 homes. Excluded from the reductions are exceptional care rate add-ons.  
18 The long-term care program may develop add-ons to pay exceptional care  
19 rates to adult family homes and boarding homes with specialty contracts  
20 to provide support for the following specifically eligible clients:

21 (a) Persons with AIDS or HIV-related diseases who might otherwise  
22 require nursing home or hospital care;

23 (b) Persons with Alzheimer's disease and related dementia who might  
24 otherwise require nursing home care; and

25 (c) Persons with co-occurring mental illness and long-term care  
26 needs who are eligible for expanded community services and who might  
27 otherwise require state and local psychiatric hospital care.

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

31 ~~((+5))~~ (6) Amounts appropriated in this section reflect a  
32 reduction to funds appropriated for in-home care. The department shall  
33 reduce the number of in-home hours authorized. The reduction shall be  
34 scaled based on the acuity level of care recipients. The largest hour  
35 reductions shall be to lower acuity patients and the smallest hour  
36 reductions shall be to higher acuity patients. In doing so, the  
37 department shall comply with all maintenance of effort requirements  
38 contained in the American reinvestment and recovery act.

1       ~~((6) \$536,000 of the general fund state appropriation for fiscal~~  
2 ~~year 2010, \$1,477,000 of the general fund state appropriation for~~  
3 ~~fiscal year 2011, and \$2,830,000 of the general fund federal~~  
4 ~~appropriation are provided solely for health care benefits pursuant to~~  
5 ~~a collective bargaining agreement negotiated with the exclusive~~  
6 ~~bargaining representative of individual providers established under RCW~~  
7 ~~74.39A.270.~~

8       ~~(7)(a) \$1,212,000 of the general fund state appropriation for~~  
9 ~~fiscal year 2010, \$2,934,000 of the general fund state appropriation~~  
10 ~~for fiscal year 2011, and \$2,982,000 of the general fund federal~~  
11 ~~appropriation are provided solely for the state's contribution to the~~  
12 ~~training partnership, as provided in RCW 74.39A.360, pursuant to a~~  
13 ~~collective bargaining agreement negotiated with the exclusive~~  
14 ~~bargaining representative of individual providers established under RCW~~  
15 ~~74.39A.270.~~

16       ~~(b) \$330,000 of the general fund state appropriation for fiscal~~  
17 ~~year 2010, \$660,000 of the general fund state appropriation for fiscal~~  
18 ~~year 2011, and \$810,000 of the general fund federal appropriation are~~  
19 ~~provided solely for transfer from the department to the training~~  
20 ~~partnership, as provided in RCW 74.39A.360, for infrastructure and~~  
21 ~~instructional costs associated with training of individual providers,~~  
22 ~~pursuant to a collective bargaining agreement negotiated with the~~  
23 ~~exclusive bargaining representative of individual providers established~~  
24 ~~under RCW 74.39A.270.~~

25       ~~(c) The federal portion of the amounts in this subsection is~~  
26 ~~contingent upon federal approval of participation in contributions to~~  
27 ~~the trust and shall remain unallotted and placed in reserve status~~  
28 ~~until the office of financial management and the department of social~~  
29 ~~and health services receive federal approval.~~

30       ~~(d) Expenditures for the purposes specified in this subsection~~  
31 ~~shall not exceed the amounts provided in this subsection.~~

32       ~~(8))~~ (7) Within the amounts appropriated in this section, the  
33 department may expand the new freedom waiver program to accommodate new  
34 waiver recipients throughout the state. As possible, and in compliance  
35 with current state and federal laws, the department shall allow current  
36 waiver recipients to transfer to the new freedom waiver.

37       ~~((9))~~ (8) Individuals receiving services as supplemental security

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

4 ~~((10) Adult day health services shall only be authorized for in-~~  
5 ~~home clients.~~

6 ~~(11) \$3,955,000 of the general fund state appropriation for fiscal~~  
7 ~~year 2010, \$4,239,000 of the general fund state appropriation for~~  
8 ~~fiscal year 2011, and \$10,190,000 of the general fund federal~~  
9 ~~appropriation are provided solely for the continued operation of~~  
10 ~~community residential and support services for persons who are older~~  
11 ~~adults or who have co-occurring medical and behavioral disorders and~~  
12 ~~who have been discharged or diverted from a state psychiatric hospital.~~  
13 ~~These funds shall be used to serve individuals whose treatment needs~~  
14 ~~constitute substantial barriers to community placement, who no longer~~  
15 ~~require active psychiatric treatment at an inpatient hospital level of~~  
16 ~~care, and who no longer meet the criteria for inpatient involuntary~~  
17 ~~commitment. Coordination of these services will be done in partnership~~  
18 ~~between the mental health program and the aging and disability services~~  
19 ~~administration.~~

20 ~~(12))~~ (9) Within the funds provided, the department shall continue  
21 to provide an add-on per medicaid resident day per facility not to  
22 exceed \$1.57 for fiscal year 2010. There shall be no add-on for fiscal  
23 year 2011. The add-on shall be used to increase wages, benefits,  
24 and/or staffing levels for certified nurse aides; or to increase wages  
25 and/or benefits for dietary aides, housekeepers, laundry aides, or any  
26 other category of worker whose statewide average dollars-per-hour wage  
27 was less than \$15 in calendar year 2008, according to cost report data.  
28 The add-on may also be used to address resulting wage compression for  
29 related job classes immediately affected by wage increases to low-wage  
30 workers. The department shall continue reporting requirements and a  
31 settlement process to ensure that the funds are spent according to this  
32 subsection. The department shall adopt rules to implement the terms of  
33 this subsection.

34 ~~((13))~~ (10) \$1,840,000 of the general fund--state appropriation  
35 for fiscal year 2010 and \$1,877,000 of the general fund--state  
36 appropriation for fiscal year 2011 are provided solely for operation of  
37 the volunteer chore services program.

1        ~~((14))~~ (11) In accordance with chapter 74.39 RCW, the department  
2 may implement two medicaid waiver programs for persons who do not  
3 qualify for such services as categorically needy, subject to federal  
4 approval and the following conditions and limitations:

5        (a) One waiver program shall include coverage of care in community  
6 residential facilities. Enrollment in the waiver shall not exceed 600  
7 persons at any time.

8        (b) The second waiver program shall include coverage of in-home  
9 care. Enrollment in this second waiver shall not exceed 200 persons at  
10 any time.

11        (c) The department shall identify the number of medically needy  
12 nursing home residents, and enrollment and expenditures on each of the  
13 two medically needy waivers, on monthly management reports.

14        (d) If it is necessary to establish a waiting list for either  
15 waiver because the budgeted number of enrollment opportunities has been  
16 reached, the department shall track how the long-term care needs of  
17 applicants assigned to the waiting list are met.

18        ~~((15))~~ (12) The department shall establish waiting lists to the  
19 extent necessary to assure that annual expenditures on the community  
20 options program entry systems (COPEs) program do not exceed  
21 appropriated levels. In establishing and managing any such waiting  
22 list, the department shall assure priority access to persons with the  
23 greatest unmet needs, as determined by department assessment processes.

24        ~~((16))~~ (13) The department shall contract for housing with  
25 service models, such as cluster care, to create efficiencies in service  
26 delivery and responsiveness to unscheduled personal care needs by  
27 clustering hours for clients that live in close proximity to each  
28 other.

29        ~~((17))~~ (14) The department shall not pay a home care agency  
30 licensed under chapter 70.127 RCW for personal care services provided  
31 by a family member, pursuant to Substitute House Bill No. 2361  
32 (modifying state payments for in-home care).

33        ~~((18--\$204,000))~~ (15) \$209,000 of the general fund--state  
34 appropriation for fiscal year 2010, ~~((1,099,000))~~ \$781,000 of the  
35 general fund--state appropriation for fiscal year 2011, and  
36 ~~((1,697,000))~~ \$1,293,000 of the general fund--federal appropriation  
37 are provided solely to implement Engrossed House Bill No. 2194  
38 (extraordinary medical placement for offenders). The department shall

1 work in partnership with the department of corrections to identify  
2 services and find placements for offenders who are released through the  
3 extraordinary medical placement program. The department shall  
4 collaborate with the department of corrections to identify and track  
5 cost savings to the department of corrections, including medical cost  
6 savings and to identify and track expenditures incurred by the aging  
7 and disability services program for community services and by the  
8 medical assistance program for medical expenses. A joint report  
9 regarding the identified savings and expenditures shall be provided to  
10 the office of financial management and the appropriate fiscal  
11 committees of the legislature by November 30, 2010. If this bill is  
12 not enacted by June 30, 2009, the amounts provided in this subsection  
13 shall lapse.

14 ~~((+19))~~ (16) Sufficient funding is provided in this section for  
15 the department to implement Engrossed Second Substitute House Bill No.  
16 1935 (adult family homes). During ~~((the 2009-11 biennium,))~~ fiscal  
17 year 2010 the initial licensing fee for an adult family home shall be  
18 set at \$900.00~~((. During the 2009-11 biennium,))~~ and the annual  
19 licensing renewal fee shall be set at \$100.00. During fiscal year 2011  
20 the annual licensing renewal fee shall be set at \$1,187 per home.

21 (17) \$4,100,000 of the general fund--state appropriation for fiscal  
22 year 2010, \$4,222,000 of the general fund--state appropriation for  
23 fiscal year 2011, and \$8,129,000 of the general fund--federal  
24 appropriation are provided solely for the operation of the management  
25 services division of the aging and disability services administration.  
26 This includes but is not limited to the budget, contracts, accounting,  
27 decision support, information technology, and rate development  
28 activities for programs administered by the aging and disability  
29 services administration.

30 **Sec. 206.** 2010 c 3 s 206 (uncodified) is amended to read as  
31 follows:

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

34	General Fund--State Appropriation (FY 2010) . . . . .	(( \$557,452,000 ))
35		<u>\$571,360,000</u>
36	General Fund--State Appropriation (FY 2011) . . . . .	(( \$587,973,000 ))
37		<u>\$514,264,000</u>





1 (d) Provide quarterly fiscal reports to the office of financial  
2 management and the legislative fiscal committees detailing information  
3 on the amount expended from general fund--state and general fund--  
4 federal by activity;

5 (e) ~~((Maintain the fiscal year 2009 grant standard for the~~  
6 ~~temporary assistance for needy families grant))~~ The department shall  
7 establish a ratable reduction to the temporary assistance cash grant  
8 amounts, pursuant to RCW 74.04.770, to achieve the appropriated levels  
9 in this section. If additional federal stimulus funds are received for  
10 temporary assistance for needy families after the effective date of  
11 this section, the ratable reduction in this subsection to the temporary  
12 assistance cash benefits shall not take effect.

13 (2) The department and the office of financial management shall  
14 electronically report quarterly the expenditures, maintenance of effort  
15 allotments, expenditure amounts, and caseloads for the WorkFirst  
16 program to the legislative fiscal committees.

17 (3) ~~(( \$84,856,000 of the general fund state appropriation for~~  
18 ~~fiscal year 2010 and \$95,173,000 of the general fund state~~  
19 ~~appropriation for fiscal year 2011 are provided solely for cash~~  
20 ~~assistance and other services to recipients in the general assistance--~~  
21 ~~unemployable program.~~  
22 ~~Within these amounts:~~

23 ~~(a) The department shall aggressively pursue opportunities to~~  
24 ~~transfer general assistance unemployable clients to general assistance~~  
25 ~~expedited coverage and to facilitate client applications for federal~~  
26 ~~supplemental security income when the client's incapacities indicate~~  
27 ~~that he or she would be likely to meet the federal disability criteria~~  
28 ~~for supplemental security income. The department shall initiate and~~  
29 ~~file the federal supplemental security income interim agreement as~~  
30 ~~quickly as possible in order to maximize the recovery of federal funds;~~

31 ~~(b) The department shall review the general assistance caseload to~~  
32 ~~identify recipients that would benefit from assistance in becoming~~  
33 ~~naturalized citizens, and thus be eligible to receive federal~~  
34 ~~supplemental security income benefits. Those cases shall be given high~~  
35 ~~priority for naturalization funding through the department;~~

36 ~~(c) The department shall actively coordinate with local workforce~~  
37 ~~development councils to expedite access to worker retraining programs~~

1 ~~for general assistance unemployable clients in those regions of the~~  
2 ~~state with the greatest number of such clients;~~

3 ~~(d) By July 1, 2009, the department shall enter into an interagency~~  
4 ~~agreement with the department of veterans' affairs to establish a~~  
5 ~~process for referral of veterans who may be eligible for veteran's~~  
6 ~~services. This agreement must include outstationing department of~~  
7 ~~veterans' affairs staff in selected community service office locations~~  
8 ~~in King and Pierce counties to facilitate applications for veterans'~~  
9 ~~services; and~~

10 ~~(e) In addition to any earlier evaluation that may have been~~  
11 ~~conducted, the department shall intensively evaluate those clients who~~  
12 ~~have been receiving general assistance unemployable benefits for twelve~~  
13 ~~months or more as of July 1, 2009, or thereafter, if the available~~  
14 ~~medical and incapacity related evidence indicates that the client is~~  
15 ~~unlikely to meet the disability standard for federal supplemental~~  
16 ~~security income benefits. The evaluation shall identify services~~  
17 ~~necessary to eliminate or minimize barriers to employment, including~~  
18 ~~mental health treatment, substance abuse treatment and vocational~~  
19 ~~rehabilitation services. The department shall expedite referrals to~~  
20 ~~chemical dependency treatment, mental health and vocational~~  
21 ~~rehabilitation services for these clients.~~

22 ~~(f) The appropriations in this subsection reflect a change in the~~  
23 ~~earned income disregard policy for general assistance unemployable~~  
24 ~~clients. It is the intent of the legislature that the department shall~~  
25 ~~adopt the temporary assistance for needy families earned income policy~~  
26 ~~for general assistance unemployable)) \$73,339,000 of the general~~  
27 ~~fund--state appropriation for fiscal year 2010 and \$22,724,000 of the~~  
28 ~~general fund--state appropriation for fiscal year 2011 are for the~~  
29 ~~general assistance-unemployable program. The department shall purchase~~  
30 ~~services in the following order of priority to enable eligible persons~~  
31 ~~to transition to general assistance--expedited faster or to provide for~~  
32 ~~those with short-term incapacities.~~

33 ~~(a) Within the amounts appropriated in this section, pursuant to~~  
34 ~~RCW 74.04.005(6)(a)(ii)(C), the department shall require those~~  
35 ~~recipients who have a co-occurring alcohol or drug addiction to attend~~  
36 ~~the appropriate treatment program. The enrollee's participation in~~  
37 ~~treatment is a condition for receipt of a cash stipend. If the~~

1 enrollee fails to accept such services, pursuant to RCW  
2 74.04.005(6)(c), the department shall terminate benefits but may not  
3 terminate medical coverage or basic food benefits as a result.

4 (b) Within the amounts appropriated in this section, the department  
5 shall require those clients who are homeless to enter a housing program  
6 and accept services that will reasonably be expected to enable the  
7 enrollee to work or to reduce the need for state-only assistance. If  
8 the enrollee fails to accept such services, pursuant to RCW  
9 74.04.005(6)(c), the department shall terminate benefits but may not  
10 terminate medical coverage or basic food benefits. If shelter or  
11 housing is not available, the department shall not discontinue  
12 benefits.

13 (c) Within the amounts appropriated in this section, the department  
14 shall establish an emergency cash program that is similar to the  
15 department's additional requirements for emergent needs program in  
16 effect on the effective date of this section. The emergency, short-  
17 term cash program is intended to meet emergent housing, utility, or  
18 other basic needs for enrollees who do not have a co-occurring alcohol  
19 or drug addiction.

20 (d) The department shall establish a ratable reduction to the cash  
21 grant amounts, pursuant to RCW 74.04.770, to achieve the appropriated  
22 levels.

23 The department is encouraged to devolve the drug and alcohol  
24 treatment program and the housing program through a block grant to  
25 counties that would accept the responsibility for such services.

26 (4) \$750,000 of the general fund--state appropriation for fiscal  
27 year 2010 and \$750,000 of the general fund--state appropriation for  
28 fiscal year 2011 are provided solely for naturalization services.

29 (5)(a) \$3,550,000 of the general fund--state appropriation for  
30 fiscal year 2010 is provided solely for refugee employment services, of  
31 which \$2,650,000 is provided solely for the department to pass through  
32 to statewide refugee assistance organizations for limited English  
33 proficiency pathway services; and \$3,550,000 of the general fund--state  
34 appropriation for fiscal year 2011 is provided solely for refugee  
35 employment services, of which \$2,650,000 is provided solely for the  
36 department to pass through to statewide refugee assistance  
37 organizations for limited English proficiency pathway services.

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

(6) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, made pursuant to RCW 74.08A.120, to be ninety-four percent of the federal supplemental nutrition assistance program benefit amount.

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

**Sec. 207.** 2010 c 3 s 207 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2010) . . . . .	(\$82,028,000)
	<u>\$82,010,000</u>
General Fund--State Appropriation (FY 2011) . . . . .	(\$84,682,000)
	<u>\$80,944,000</u>
General Fund--Federal Appropriation . . . . .	(\$145,604,000)
	<u>\$149,704,000</u>
General Fund--Private/Local Appropriation . . . . .	\$2,719,000
Criminal Justice Treatment Account--State Appropriation . . . . .	\$17,747,000
Problem Gambling Account--State Appropriation . . . . .	\$1,459,000
TOTAL APPROPRIATION . . . . .	(\$334,239,000)
	<u>\$334,583,000</u>

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

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program.

1 For all contractors, indirect charges for administering the program  
2 shall not exceed ten percent of the total contract amount.

3 (2) Within the amounts appropriated in this section, the department  
4 shall continue to provide for chemical dependency treatment services  
5 for adult medicaid eligible and general assistance-unemployable  
6 patients.

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

13 **Sec. 208.** 2010 c 3 s 208 (uncodified) is amended to read as  
14 follows:

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

17	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,598,043,000</del> ))
18		<u>\$1,700,496,000</u>
19	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,985,797,000</del> ))
20		<u>\$1,796,740,000</u>
21	General Fund--Federal Appropriation . . . . .	(( <del>\$5,212,855,000</del> ))
22		<u>\$5,997,551,000</u>
23	General Fund--Private/Local Appropriation . . . . .	(( <del>\$12,903,000</del> ))
24		<u>\$37,196,000</u>
25	Emergency Medical Services and Trauma Care Systems	
26	Trust Account--State Appropriation . . . . .	\$15,076,000
27	Tobacco Prevention and Control Account--	
28	State Appropriation . . . . .	(( <del>\$3,766,000</del> ))
29		<u>\$4,464,000</u>
30	<u>Hospital Safety Account--State Appropriation . . . . .</u>	<u>\$231,313,000</u>
31	TOTAL APPROPRIATION . . . . .	(( <del>\$8,828,440,000</del> ))
32		<u>\$9,782,836,000</u>

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

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

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

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

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

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

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

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

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

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

1 of (a) the inpatient claim payment amounts that would have been paid  
2 during the fiscal year had the hospital not been in the CPE program,  
3 (b) one half of the indigent assistance disproportionate share hospital  
4 payment amounts paid to and retained by each hospital during fiscal  
5 year 2005, and (c) all of the other disproportionate share hospital  
6 payment amounts paid to and retained by each hospital during fiscal  
7 year 2005 to the extent the same disproportionate share hospital  
8 programs exist in the 2009-11 biennium. If payments during the fiscal  
9 year exceed the hospital's baseline amount, no additional payments will  
10 be made to the hospital except the federal portion of allowable  
11 disproportionate share hospital payments for which the hospital can  
12 certify allowable match. If payments during the fiscal year are less  
13 than the baseline amount, the hospital will be paid a state grant equal  
14 to the difference between payments during the fiscal year and the  
15 applicable baseline amount. Payment of the state grant shall be made  
16 in the applicable fiscal year and distributed in monthly payments. The  
17 grants will be recalculated and redistributed as the baseline is  
18 updated during the fiscal year. The grant payments are subject to an  
19 interim settlement within eleven months after the end of the fiscal  
20 year. A final settlement shall be performed. To the extent that  
21 either settlement determines that a hospital has received funds in  
22 excess of what it would have received as described in this subsection,  
23 the hospital must repay the excess amounts to the state when requested.  
24 \$6,570,000 of the general fund--state appropriation for fiscal year  
25 2010, which is appropriated in section 204(1) of this act, and  
26 \$1,500,000 of the general fund--state appropriation for fiscal year  
27 2011, which is appropriated in section 204(1) of this act, are provided  
28 solely for state grants for the participating hospitals. Sufficient  
29 amounts are appropriated in this section for the remaining state grants  
30 for the participating hospitals.

31 ~~((+9))~~ (7) The department is authorized to use funds appropriated  
32 in this section to purchase goods and supplies through direct  
33 contracting with vendors when the department determines it is cost-  
34 effective to do so.

35 ~~((+10))~~ (8) \$93,000 of the general fund--state appropriation for  
36 fiscal year 2010 and \$93,000 of the general fund--federal appropriation  
37 are provided solely for the department to pursue a federal Medicaid



1 waiver pursuant to Second Substitute Senate Bill No. 5945 (Washington  
2 health partnership plan). ~~((If the bill is not enacted by June 30,  
3 2009, the amounts provided in this subsection shall lapse.~~

4 ~~(11))~~ (9) The department shall require managed health care systems  
5 that have contracts with the department to serve medical assistance  
6 clients to limit any reimbursements or payments the systems make to  
7 providers not employed by or under contract with the systems to no more  
8 than the medical assistance rates paid by the department to providers  
9 for comparable services rendered to clients in the fee-for-service  
10 delivery system.

11 ~~((12))~~ (10) A maximum of ~~((\$166,875,000))~~ \$177,735,000 of the  
12 general fund--state appropriation and ~~((\$38,389,000))~~ \$38,369,000 of  
13 the general fund--federal appropriation may be expended in the fiscal  
14 biennium for the general assistance-unemployable medical program~~(, and  
15 these amounts are provided solely for this program. Of these amounts,  
16 \$10,749,000 of the general fund--state appropriation for fiscal year  
17 2010 and \$10,892,000 of the general fund--federal appropriation are  
18 provided solely for payments to hospitals for providing outpatient  
19 services to low income patients who are recipients of general  
20 assistance-unemployable)). Pursuant to RCW 74.09.035, the department  
21 shall not expend for the general assistance medical care services  
22 program any amounts in excess of the amounts provided in this  
23 subsection.~~

24 ~~((13) If the department determines that it is feasible within the  
25 amounts provided in subsection (16) of this section, and without the  
26 loss of federal disproportionate share hospital funds, the department  
27 shall contract with the carrier currently operating a managed care  
28 pilot project for the provision of medical care services to general  
29 assistance-unemployable clients.))~~ Mental health services shall be  
30 included in the services provided through the managed care system.  
31 ~~((If the department determines that it is feasible, effective October  
32 1, 2009, in addition to serving clients in the pilot counties, the  
33 carrier shall expand managed care services to clients residing in at  
34 least the following counties: Spokane, Yakima, Chelan, Kitsap, and  
35 Cowlitz. If the department determines that it is feasible, the carrier  
36 shall complete implementation into the remaining counties. Total per  
37 person costs to the state, including outpatient and inpatient services  
38 and any additional costs due to stop loss agreements, shall not exceed~~

1 ~~the per capita payments projected for the general assistance-~~  
2 ~~unemployable eligibility category, by fiscal year, in the February 2009~~  
3 ~~medical assistance expenditures forecast.)) (11) The department, in~~  
4 collaboration with the carrier, shall seek to improve the transition  
5 rate of general assistance clients to the federal supplemental security  
6 income program, as required in the special terms and conditions section  
7 of the custom client services contract.

8 ((+14)) (12) The department shall evaluate the impact of the use  
9 of a managed care delivery and financing system on state costs and  
10 outcomes for general assistance medical clients and report to the  
11 governor and the fiscal committees of the legislature by November 1,  
12 2010. Outcomes measured shall include state costs, utilization,  
13 changes in mental health status and symptoms, and involvement in the  
14 criminal justice system. Monthly encounter data shall be included in  
15 the report.

16 ((+15)) (13) The department shall report to the governor and the  
17 fiscal committees of the legislature by June 1, 2010, on its progress  
18 toward achieving a twenty percentage point increase in the generic  
19 prescription drug utilization rate.

20 ((+16)) (14) State funds shall not be used by hospitals for  
21 advertising purposes.

22 ((+17)) (15) The department shall seek a medicaid state plan  
23 amendment to create a professional services supplemental payment  
24 program for University of Washington medicine professional providers no  
25 later than July 1, 2009. The department shall apply federal rules for  
26 identifying the shortfall between current fee-for-service medicaid  
27 payments to participating providers and the applicable federal upper  
28 payment limit. Participating providers shall be solely responsible for  
29 providing the local funds required to obtain federal matching funds.  
30 Any incremental costs incurred by the department in the development,  
31 implementation, and maintenance of this program will be the  
32 responsibility of the participating providers. Participating providers  
33 will retain the full amount of supplemental payments provided under  
34 this program, net of any potential costs for any related audits or  
35 litigation brought against the state. The department shall report to  
36 the governor and the legislative fiscal committees on the prospects for  
37 expansion of the program to other qualifying providers as soon as  
38 feasibility is determined but no later than December 31, 2009. The

1 report will outline estimated impacts on the participating providers,  
2 the procedures necessary to comply with federal guidelines, and the  
3 administrative resource requirements necessary to implement the  
4 program. The department will create a process for expansion of the  
5 program to other qualifying providers as soon as it is determined  
6 feasible by both the department and providers but no later than June  
7 30, 2010.

8 ~~((18) \$9,350,000))~~ (16) \$9,075,000 of the general fund--state  
9 appropriation for fiscal year 2010, ~~(( \$8,313,000))~~ \$3,932,000 of the  
10 general fund--state appropriation for fiscal year 2011, and  
11 ~~(( \$20,371,000))~~ \$33,510,000 of the general fund--federal appropriation  
12 are provided solely for development and implementation of a replacement  
13 system for the existing medicaid management information system. The  
14 amounts provided in this subsection are conditioned on the department  
15 satisfying the requirements of section 902 of this act. Sufficient  
16 funding is provided for post-implementation phase 1 operations,  
17 maintenance, stabilization, and certification. The department shall  
18 pursue necessary system certification and approval from the federal  
19 centers for medicare and medicaid services.

20 ~~((19))~~ (17) \$506,000 of the general fund--state appropriation for  
21 fiscal year 2011 and \$657,000 of the general fund--federal  
22 appropriation are provided solely for the implementation of Second  
23 Substitute House Bill No. 1373 (children's mental health). ~~((If the~~  
24 ~~bill is not enacted by June 30, 2009, the amounts provided in this~~  
25 ~~subsection shall lapse.~~

26 ~~(20))~~ (18) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the department  
27 shall pursue insurance claims on behalf of medicaid children served  
28 through its in-home medically intensive child program under WAC 388-  
29 551-3000. The department shall report to the Legislature by December  
30 31, 2009, on the results of its efforts to recover such claims.

31 ~~((21))~~ (19) The department may, on a case-by-case basis and in  
32 the best interests of the child, set payment rates for medically  
33 intensive home care services to promote access to home care as an  
34 alternative to hospitalization. Expenditures related to these  
35 increased payments shall not exceed the amount the department would  
36 otherwise pay for hospitalization for the child receiving medically  
37 intensive home care services.

1        ~~((22)) \$425,000 of the general fund state appropriation for fiscal~~  
2 ~~year 2010, \$425,000 of the general fund state appropriation for fiscal~~  
3 ~~year 2011, and \$1,580,000 of the general fund federal appropriation~~  
4 ~~are provided solely to continue children's health coverage outreach and~~  
5 ~~education efforts under RCW 74.09.470. These efforts shall rely on~~  
6 ~~existing relationships and systems developed with local public health~~  
7 ~~agencies, health care providers, public schools, the women, infants,~~  
8 ~~and children program, the early childhood education and assistance~~  
9 ~~program, child care providers, newborn visiting nurses, and other~~  
10 ~~community based organizations. The department shall seek public-~~  
11 ~~private partnerships and federal funds that are or may become available~~  
12 ~~to provide on-going support for outreach and education efforts under~~  
13 ~~the federal children's health insurance program reauthorization act of~~  
14 ~~2009.~~

15        ~~(+23))~~ (20) The department, in conjunction with the office of  
16 financial management, shall reduce outpatient and inpatient hospital  
17 rates and implement a prorated inpatient payment policy. In  
18 determining the level of reductions needed, the department shall  
19 include in its calculations services paid under fee-for-service,  
20 managed care, and certified public expenditure payment methods; but  
21 reductions shall not apply to payments for psychiatric inpatient  
22 services or payments to critical access hospitals.

23        ~~((+24))~~ (21) The department will pursue a competitive procurement  
24 process for antihemophilic products, emphasizing evidence-based  
25 medicine and protection of patient access without significant  
26 disruption in treatment.

27        ~~((+25))~~ (22) The department will pursue several strategies towards  
28 reducing pharmacy expenditures including but not limited to increasing  
29 generic prescription drug utilization by 20 percentage points and  
30 promoting increased utilization of the existing mail-order pharmacy  
31 program.

32        ~~((+26))~~ (23) The department shall reduce reimbursement for over-  
33 the-counter medications while maintaining reimbursement for those over-  
34 the-counter medications that can replace more costly prescription  
35 medications.

36        ~~((+27))~~ (24) The department shall seek public-private partnerships  
37 and federal funds that are or may become available to implement health

1 information technology projects under the federal American recovery and  
2 reinvestment act of 2009.

3 ~~((+28))~~ (25) The department shall target funding for maternity  
4 support services towards pregnant women with factors that lead to  
5 higher rates of poor birth outcomes, including hypertension, a preterm  
6 or low birth weight birth in the most recent previous birth, a  
7 cognitive deficit or developmental disability, substance abuse, severe  
8 mental illness, unhealthy weight or failure to gain weight, tobacco  
9 use, or African American or Native American race.

10 ~~((+29))~~ (26) \$79,000 of the general fund--state appropriation for  
11 fiscal year 2010 and \$53,000 of the general fund--federal appropriation  
12 are provided solely to implement Substitute House Bill No. 1845  
13 (medical support obligations).

14 ~~((+30))~~ (27) \$63,000 of the general fund--state appropriation for  
15 fiscal year 2010, \$583,000 of the general fund--state appropriation for  
16 fiscal year 2011, and \$864,000 of the general fund--federal  
17 appropriation are provided solely to implement Engrossed House Bill No.  
18 2194 (extraordinary medical placement for offenders). The department  
19 shall work in partnership with the department of corrections to  
20 identify services and find placements for offenders who are released  
21 through the extraordinary medical placement program. The department  
22 shall collaborate with the department of corrections to identify and  
23 track cost savings to the department of corrections, including medical  
24 cost savings, and to identify and track expenditures incurred by the  
25 aging and disability services program for community services and by the  
26 medical assistance program for medical expenses. A joint report  
27 regarding the identified savings and expenditures shall be provided to  
28 the office of financial management and the appropriate fiscal  
29 committees of the legislature by November 30, 2010. ~~((If this bill is  
30 not enacted by June 30, 2009, the amounts provided in this subsection  
31 shall lapse.~~

32 ~~(+31))~~ (28) Sufficient amounts are provided in this section to  
33 provide full benefit dual eligible beneficiaries with medicare part D  
34 prescription drug copayment coverage in accordance with RCW 74.09.520.

35 (29) Sufficient amounts are provided in this section to provide  
36 medicaid school-based medical services.

37 (30) The department shall pursue all opportunities to maximize  
38 discounted drug pricing through the 340B drug pricing program in

1 section 340B of the public health service act. The department shall  
2 report its findings to the governor and the fiscal committees of the  
3 legislature by December 1, 2010.

4 (31) For rates established on or after July 1, 2010, the department  
5 shall pay to health plans participating in the healthy options managed  
6 care program capitation rates and delivery case rates that are  
7 developed using actuarially sound methods. Health plans operating in  
8 the same county shall be paid the same base capitation rates for that  
9 county, with plan-specific adjustments related to risk characteristics  
10 of the plan's members including age, gender and diagnostic-based risk  
11 adjustments, such as chronic disability payment system risk scores.  
12 The department shall provide preliminary rates for the upcoming fiscal  
13 year to all the healthy options plans and the fiscal committees of the  
14 legislature by September 30, 2010.

15 (32) Sufficient amounts are appropriated in this section for the  
16 department to provide dental benefits that are at least equivalent to  
17 the benefits provided in the 2005-07 biennium.

18 **Sec. 209.** 2010 c 3 s 209 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**  
21 **REHABILITATION PROGRAM**

22	General Fund--State Appropriation (FY 2010) . . . . .	(( \$10,451,000 ))
23		<u>\$10,386,000</u>
24	General Fund--State Appropriation (FY 2011) . . . . .	(( \$10,125,000 ))
25		<u>\$9,756,000</u>
26	General Fund--Federal Appropriation . . . . .	(( \$83,534,000 ))
27		<u>\$107,570,000</u>
28	Telecommunications Devices for the Hearing and	
29	Speech Impaired--State Appropriation . . . . .	(( \$1,979,000 ))
30		<u>\$5,979,000</u>
31	TOTAL APPROPRIATION . . . . .	(( \$106,089,000 ))
32		<u>\$133,691,000</u>

33 The appropriations in this section are subject to the following  
34 conditions and limitations: The vocational rehabilitation program  
35 shall coordinate closely with the economic services program to serve  
36 general assistance unemployable clients who are referred for

1 eligibility determination and vocational rehabilitation services, and  
2 shall make every effort, within the requirements of the federal  
3 rehabilitation act of 1973, to serve these clients.

4 **Sec. 210.** 2010 c 3 s 210 (uncodified) is amended to read as  
5 follows:

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

8	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$49,818,000</del> ))
9		<u>\$48,827,000</u>
10	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$47,259,000</del> ))
11		<u>\$45,639,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$97,077,000</del> ))
13		<u>\$94,466,000</u>

14 **Sec. 211.** 2010 c 3 s 211 (uncodified) is amended to read as  
15 follows:

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

18	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$34,425,000</del> ))
19		<u>\$33,884,000</u>
20	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$34,627,000</del> ))
21		<u>\$28,934,000</u>
22	General Fund--Federal Appropriation . . . . .	(( <del>\$55,169,000</del> ))
23		<u>\$51,516,000</u>
24	General Fund--Private/Local Appropriation . . . . .	(( <del>\$1,526,000</del> ))
25		<u>\$1,121,000</u>
26	<u>Institutional Impact Account--State Appropriation . . . . .</u>	<u>\$22,000</u>
27	TOTAL APPROPRIATION . . . . .	(( <del>\$125,747,000</del> ))
28		<u>\$115,477,000</u>

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

1 (1) \$150,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$150,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the Washington state mentors  
4 program to continue its public-private partnerships to provide  
5 technical assistance and training to mentoring programs that serve at-  
6 risk youth.

7 (2) \$445,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$445,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely for funding of the teamchild  
10 project through the governor's juvenile justice advisory committee.

11 (3) \$178,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$178,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely for the juvenile detention  
14 alternatives initiative.

15 (4) Amounts appropriated in this section reflect a reduction to the  
16 family policy council. The family policy council shall reevaluate  
17 staffing levels and administrative costs to ensure to the extent  
18 possible a maximum ratio of grant moneys provided and administrative  
19 costs.

20 (5) Amounts appropriated in this section reflect a reduction to the  
21 council on children and families. The council on children and families  
22 shall reevaluate staffing levels and administrative costs to ensure to  
23 the extent possible a maximum ratio of grant moneys provided and  
24 administrative costs.

25 **Sec. 212.** 2009 c 564 s 213 (uncodified) is amended to read as  
26 follows:

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

29	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$53,431,000</del> ))
30		<u>\$64,485,000</u>
31	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$53,472,000</del> ))
32		<u>\$63,961,000</u>
33	General Fund--Federal Appropriation . . . . .	(( <del>\$49,494,000</del> ))
34		<u>\$58,718,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$156,397,000</del> ))
36		<u>\$187,164,000</u>



1           **Sec. 213.** 2009 c 564 s 214 (uncodified) is amended to read as  
 2 follows:

3 **FOR THE STATE HEALTH CARE AUTHORITY**

4	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$206,295,000</del> ))	
5			<u>\$208,209,000</u>
6	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$182,138,000</del> ))	
7			<u>\$85,629,000</u>
8	General Fund--Federal Appropriation . . . . .	(( <del>\$6,302,000</del> ))	
9			<u>\$8,841,000</u>
10	State Health Care Authority Administration Account--		
11	State Appropriation . . . . .	(( <del>\$35,261,000</del> ))	
12			<u>\$35,033,000</u>
13	Medical Aid Account--State Appropriation . . . . .	\$529,000	
14	<u>Basic Health Plan Stabilization Account--</u>		
15	<u>State Appropriation . . . . .</u>		<u>\$85,698,000</u>
16	TOTAL APPROPRIATION . . . . .	(( <del>\$430,525,000</del> ))	
17			<u>\$423,939,000</u>

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

20           (1) Within amounts appropriated in this section and sections 205  
 21 and 206 of this act, the health care authority shall continue to  
 22 provide an enhanced basic health plan subsidy for foster parents  
 23 licensed under chapter 74.15 RCW and workers in state-funded home care  
 24 programs. Under this enhanced subsidy option, foster parents eligible  
 25 to participate in the basic health plan as subsidized enrollees and  
 26 home care workers with family incomes below 200 percent of the federal  
 27 poverty level shall be allowed to enroll in the basic health plan at  
 28 the minimum premium amount charged to enrollees with incomes below  
 29 sixty-five percent of the federal poverty level.

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

35           (3) The administrator shall take at least the following actions to  
 36 assure that persons participating in the basic health plan are eligible  
 37 for the level of assistance they receive: (a) Require submission of  
 38 (i) income tax returns, and recent pay history, from all applicants, or

1 (ii) other verifiable evidence of earned and unearned income from those  
2 persons not required to file income tax returns; (b) check employment  
3 security payroll records at least once every twelve months on all  
4 enrollees; (c) require enrollees whose income as indicated by payroll  
5 records exceeds that upon which their subsidy is based to document  
6 their current income as a condition of continued eligibility; (d)  
7 require enrollees for whom employment security payroll records cannot  
8 be obtained to document their current income at least once every six  
9 months; (e) not reduce gross family income for self-employed persons by  
10 noncash-flow expenses such as, but not limited to, depreciation,  
11 amortization, and home office deductions, as defined by the United  
12 States internal revenue service; and (f) pursue repayment and civil  
13 penalties from persons who have received excessive subsidies, as  
14 provided in RCW 70.47.060(9).

15 (4) In order to maximize the funding appropriated for the basic  
16 health plan, the health care authority is directed to make  
17 modifications that will reduce the total number of subsidized enrollees  
18 to approximately 65,000 by January 1, 2010. In addition to the reduced  
19 enrollment, other modifications may include changes in enrollee premium  
20 obligations, changes in benefits, enrollee cost-sharing, and  
21 termination of the enrollment of individuals concurrently enrolled in  
22 a medical assistance program as provided in Substitute House Bill No.  
23 2341.

24 (5) \$250,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$250,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for the implementation of  
27 Substitute Senate Bill No. 5360 (community collaboratives). (~~If the~~  
28 ~~bill is not enacted by June 30, 2009, the amounts provided in this~~  
29 ~~section shall lapse.~~)

30 (6) The department shall seek public-private partnerships and  
31 federal funds that are or may become available to implement health  
32 information technology projects under the federal American recovery and  
33 reinvestment act of 2009.

34 **Sec. 214.** 2010 c 3 s 212 (uncodified) is amended to read as  
35 follows:

36 **FOR THE HUMAN RIGHTS COMMISSION**  
37 General Fund--State Appropriation (FY 2010) . . . . . \$2,638,000

1 General Fund--State Appropriation (FY 2011) . . . . . \$2,533,000  
 2 General Fund--Federal Appropriation . . . . . ((~~\$1,299,000~~))  
 3 \$1,596,000  
 4 TOTAL APPROPRIATION . . . . . ((~~\$6,470,000~~))  
 5 \$6,767,000

6 **Sec. 215.** 2009 c 564 s 216 (uncodified) is amended to read as  
 7 follows:

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

9 Worker and Community Right-to-Know Account--  
 10 State Appropriation . . . . . \$20,000  
 11 Accident Account--State Appropriation . . . . . ((~~\$18,453,000~~))  
 12 \$18,272,000  
 13 Medical Aid Account--State Appropriation . . . . . ((~~\$18,453,000~~))  
 14 \$18,272,000  
 15 TOTAL APPROPRIATION . . . . . ((~~\$36,926,000~~))  
 16 \$36,564,000

17 **Sec. 216.** 2009 c 564 s 217 (uncodified) is amended to read as  
 18 follows:

19 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

20 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$19,146,000~~))  
 21 \$17,263,000  
 22 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$19,176,000~~))  
 23 \$15,429,000  
 24 General Fund--Private/Local Appropriation . . . . . \$200,000  
 25 Death Investigations Account--State Appropriation . . . . . \$148,000  
 26 Municipal Criminal Justice Assistance Account--  
 27 State Appropriation . . . . . \$460,000  
 28 Washington Auto Theft Prevention Authority Account--  
 29 State Appropriation . . . . . \$5,844,000  
 30 TOTAL APPROPRIATION . . . . . ((~~\$44,974,000~~))  
 31 \$39,344,000

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

34 (1) (~~(\$1,874,000 of the general fund state appropriation for~~  
 35 ~~fiscal year 2010 and \$1,922,000 of the general fund state~~

1 ~~appropriation for fiscal year 2011 are provided solely for 10~~  
2 ~~additional basic law enforcement academies in fiscal year 2010 and 10~~  
3 ~~additional basic law enforcement academies in fiscal year 2011.~~

4 (+2)) \$1,191,000 of the general fund--state appropriation for  
5 fiscal year 2010 and \$1,191,000 of the general fund--state  
6 appropriation for fiscal year 2011 are provided solely for the  
7 Washington association of sheriffs and police chiefs to continue to  
8 develop, maintain, and operate the jail booking and reporting system  
9 (JBRS) and the statewide automated victim information and notification  
10 system (SAVIN).

11 ((+3)) (2) \$5,000,000 of the general fund--state appropriation for  
12 fiscal year 2010 and \$5,000,000 of the general fund--state  
13 appropriation for fiscal year 2011, are provided to the Washington  
14 association of sheriffs and police chiefs solely to verify the address  
15 and residency of registered sex offenders and kidnapping offenders  
16 under RCW 9A.44.130. The Washington association of sheriffs and police  
17 chiefs shall:

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

- 21 (i) For level I offenders, every twelve months;
- 22 (ii) For level II offenders, every six months; and
- 23 (iii) For level III offenders, every three months.

24 For the purposes of this subsection, unclassified offenders and  
25 kidnapping offenders shall be considered at risk level I unless in the  
26 opinion of the local jurisdiction a higher classification is in the  
27 interest of public safety.

28 (b) Collect performance data from all participating jurisdictions  
29 sufficient to evaluate the efficiency and effectiveness of the address  
30 and residency verification program; and

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

35 The Washington association of sheriffs and police chiefs may retain up  
36 to three percent of the amount provided in this subsection for the cost  
37 of administration. Any funds not disbursed for address and residency

1 verification or retained for administration may be allocated to local  
2 prosecutors for the prosecution costs associated with failing-to-  
3 register offenses.

4 ~~((+4))~~ (3) \$30,000 of the general fund--state appropriation for  
5 fiscal year 2010 is provided solely for the implementation of Second  
6 Substitute House Bill No. 2078 (persons with developmental disabilities  
7 in correctional facilities or jails). If the bill is not enacted by  
8 June 30, 2009, the amount provided in this subsection shall lapse.

9 (4) \$75,000 of the general fund--state appropriation for fiscal  
10 year 2011 is provided solely to implement Second Substitute Senate Bill  
11 No. 6316 (law enforcement and corrections). If the bill is not enacted  
12 by June 30, 2010, the amount provided in this subsection shall lapse.

13 **Sec. 217.** 2009 c 564 s 218 (uncodified) is amended to read as  
14 follows:

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

16	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$24,224,000</del> ))
17		<u>\$24,838,000</u>
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$25,237,000</del> ))
19		<u>\$30,472,000</u>
20	<del>((General Fund--Federal Appropriation . . . . .</del>	<del>(\$100,000))</del>
21	General Fund--Federal Appropriation . . . . .	(( <del>\$10,000,000</del> ))
22		<u>\$23,403,000</u>
23	Asbestos Account--State Appropriation . . . . .	(( <del>\$924,000</del> ))
24		<u>\$918,000</u>
25	Electrical License Account--State Appropriation . . . . .	(( <del>\$43,162,000</del> ))
26		<u>\$36,908,000</u>
27	Farm Labor Revolving Account--Private/Local Appropriation . . . . .	\$28,000
28	Worker and Community Right-to-Know Account--	
29	State Appropriation . . . . .	(( <del>\$1,979,000</del> ))
30		<u>\$1,977,000</u>
31	Public Works Administration Account--State	
32	Appropriation . . . . .	(( <del>\$5,764,000</del> ))
33		<u>\$5,862,000</u>
34	Manufactured Home Installation Training Account--	
35	State Appropriation . . . . .	(( <del>\$138,000</del> ))
36		<u>\$144,000</u>
37	Accident Account--State Appropriation . . . . .	(( <del>\$248,281,000</del> ))



1 rating plan under chapter 51.18 RCW, including analyzing how risks are  
2 pooled, the effect of including worker premium contributions in  
3 adjustment calculations, incentives for accident and illness  
4 prevention, return-to-work practices, and other sound risk-management  
5 strategies that are consistent with recognized insurance principles.

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

12 (6) The appropriations in this section reflect reductions in the  
13 appropriations for the department of labor and industries'  
14 administrative expenses. It is the intent of the legislature that  
15 these reductions shall be achieved, to the greatest extent possible, by  
16 reducing administrative costs only.

17 (7) \$500,000 of the accident account--state appropriation is  
18 provided solely for the department to contract with one or more  
19 independent experts to oversee and assist the department's  
20 implementation of improvements to the rating plan under chapter 51.18  
21 RCW, in collaboration with the department and with the department's  
22 work group of retrospective rating and workers' compensation  
23 stakeholders. The independent experts will validate the impact of  
24 recommended changes on retrospective rating participants and  
25 nonparticipants, confirm implementation technology changes, and provide  
26 other implementation assistance as determined by the department.

27 (8) \$194,000 of the accident account--state appropriation and  
28 \$192,000 of the medical aid account--state appropriation are provided  
29 solely for implementation of Senate Bill No. 5346 (health care  
30 administrative procedures). ~~((If the bill is not enacted by June 30,  
31 2009, the amounts provided in this subsection shall lapse.))~~

32 (9) \$131,000 of the accident account--state appropriation and  
33 \$128,000 of the medical aid account--state appropriation are provided  
34 solely for implementation of Senate Bill No. 5613 (stop work orders).  
35 ~~((If the bill is not enacted by June 30, 2009, the amounts provided in  
36 this subsection shall lapse.))~~

37 (10) \$68,000 of the accident account--state appropriation and  
38 \$68,000 of the medical aid account--state appropriation are provided

1 solely for implementation of Senate Bill No. 5688 (registered domestic  
2 partners). (~~If the bill is not enacted by June 30, 2009, the amounts  
3 provided in this subsection shall lapse.~~)

4 (11) \$320,000 of the accident account--state appropriation and  
5 \$147,000 of the medical aid account--state appropriation are provided  
6 solely for implementation of Senate Bill No. 5873 (apprenticeship  
7 utilization). (~~If the bill is not enacted by June 30, 2009, the  
8 amounts provided in this subsection shall lapse.~~

9 ~~(15))~~ (12) \$73,000 of the general fund--state appropriation for  
10 fiscal year 2010, \$66,000 of the general fund--state appropriation for  
11 fiscal year 2011, \$606,000 of the accident account--state  
12 appropriation, and \$600,000 of the medical aid account--state  
13 appropriation are provided solely for the implementation of House Bill  
14 No. 1555 (underground economy). (~~If the bill is not enacted by June  
15 30, 2009, the amounts provided in this subsection shall lapse.~~

16 ~~(16))~~ (13) \$574,000 of the accident account--state appropriation  
17 and \$579,000 of the medical account--state appropriation are provided  
18 solely for the implementation of House Bill No. 1402 (industrial  
19 insurance appeals). (~~If the bill is not enacted by June 30, 2009, the  
20 amounts provided in this subsection shall lapse.~~)

21 (14) \$466,000 of the accident account--state appropriation and  
22 \$89,000 of the medical aid account--state appropriation are provided  
23 solely for implementation of Senate Bill No. 6349 (farm internship  
24 program). If the bill is not enacted by June 30, 2010, the amounts  
25 provided in this subsection shall lapse.

26 (15) \$112,000 of the accident account--state appropriation and  
27 \$112,000 of the medical aid account--local appropriation are provided  
28 solely for implementation of Senate Bill No. 6332 (human trafficking).  
29 If the bill is not enacted by June 30, 2010, the amounts provided in  
30 this subsection shall lapse.

31 **Sec. 218.** 2010 c 3 s 213 (uncodified) is amended to read as  
32 follows:

33 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$1,882,000
35	( <del>General Fund--State Appropriation (FY 2011) . . . . .</del> )	<del>\$1,886,000</del>
36	TOTAL APPROPRIATION . . . . .	\$3,768,000))





1 TOTAL APPROPRIATION . . . . . ((~~\$16,878,000~~))  
2 \$18,431,000

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

5 (a) The department shall collaborate with the department of social  
6 and health services to identify and assist eligible general assistance  
7 unemployable clients to access the federal department of veterans  
8 affairs benefits.

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

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

21 (3) INSTITUTIONAL SERVICES  
22 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$3,638,000~~))  
23 \$3,317,000  
24 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$2,845,000~~))  
25 \$2,272,000  
26 General Fund--Federal Appropriation . . . . . ((~~\$50,791,000~~))  
27 \$50,224,000  
28 General Fund--Private/Local Appropriation . . . . . ((~~\$31,734,000~~))  
29 \$34,070,000  
30 TOTAL APPROPRIATION . . . . . ((~~\$89,008,000~~))  
31 \$89,883,000

32 The appropriations in this subsection are subject to the following  
33 conditions and limitations: In addition to other reductions, the  
34 appropriations in this section reflect reductions targeted specifically  
35 to state government administrative costs. These administrative  
36 reductions shall be achieved, to the greatest extent possible, by  
37 reducing those administrative costs that do not affect direct client  
38 services or direct service delivery or programs.

1       **Sec. 220.** 2009 c 564 s 221 (uncodified) is amended to read as  
2 follows:

3 **FOR THE HOME CARE QUALITY AUTHORITY**

4	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$1,229,000</del> ))
5		<u>\$1,227,000</u>
6	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$1,221,000</del> ))
7		<u>\$1,202,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$2,450,000</del> ))
9		<u>\$2,429,000</u>

10       **Sec. 221.** 2010 c 3 s 214 (uncodified) is amended to read as  
11 follows:

12 **FOR THE DEPARTMENT OF HEALTH**

13	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$107,413,000</del> ))
14		<u>\$106,921,000</u>
15	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$82,806,000</del> ))
16		<u>\$79,042,000</u>
17	General Fund--Federal Appropriation . . . . .	(( <del>\$480,871,000</del> ))
18		<u>\$564,709,000</u>
19	General Fund--Private/Local Appropriation . . . . .	(( <del>\$138,846,000</del> ))
20		<u>\$162,044,000</u>
21	Hospital Data Collection Account--State Appropriation . .	(( <del>\$326,000</del> ))
22		<u>\$213,000</u>
23	Health Professions Account--State Appropriation . . . .	(( <del>\$76,218,000</del> ))
24		<u>\$82,662,000</u>
25	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$603,000
26	Emergency Medical Services and Trauma Care Systems	
27	Trust Account--State Appropriation . . . . .	(( <del>\$13,531,000</del> ))
28		<u>\$11,612,000</u>
29	Safe Drinking Water Account--State Appropriation . . . . .	\$2,723,000
30	Drinking Water Assistance Account--Federal	
31	Appropriation . . . . .	(( <del>\$22,817,000</del> ))
32		<u>\$22,819,000</u>
33	Waterworks Operator Certification--State Appropriation . . .	\$1,519,000
34	Drinking Water Assistance Administrative Account--	
35	State Appropriation . . . . .	\$326,000
36	<u>Nursing Resource Center Account--State Appropriation . . . . .</u>	<u>\$154,000</u>
37	State Toxics Control Account--State Appropriation . . . . .	\$3,600,000

1	Medical Test Site Licensure Account--	
2	State Appropriation . . . . .	(( <del>\$2,117,000</del> ))
3		<u>\$2,270,000</u>
4	Youth Tobacco Prevention Account--State Appropriation . . .	\$1,512,000
5	<u>Community and Economic Development Fee Account--</u>	
6	<u>State Appropriation . . . . .</u>	<u>\$298,000</u>
7	Public Health Supplemental Account--Private/Local	
8	Appropriation . . . . .	(( <del>\$3,525,000</del> ))
9		<u>\$3,805,000</u>
10	Accident Account--State Appropriation . . . . .	\$295,000
11	Medical Aid Account--State Appropriation . . . . .	\$48,000
12	Tobacco Prevention and Control Account--	
13	State Appropriation . . . . .	(( <del>\$46,852,000</del> ))
14		<u>\$44,235,000</u>
15	Biotoxin Account--State Appropriation . . . . .	\$1,165,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$987,113,000</del> ))
17		<u>\$1,092,575,000</u>

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

20       (1) The department of health shall not initiate any services that  
21 will require expenditure of state general fund moneys unless expressly  
22 authorized in this act or other law. The department of health and the  
23 state board of health shall not implement any new or amended rules  
24 pertaining to primary and secondary school facilities until the rules  
25 and a final cost estimate have been presented to the legislature, and  
26 the legislature has formally funded implementation of the rules through  
27 the omnibus appropriations act or by statute. The department may seek,  
28 receive, and spend, under RCW 43.79.260 through 43.79.282, federal  
29 moneys not anticipated in this act as long as the federal funding does  
30 not require expenditure of state moneys for the program in excess of  
31 amounts anticipated in this act. If the department receives  
32 unanticipated unrestricted federal moneys, those moneys shall be spent  
33 for services authorized in this act or in any other legislation that  
34 provides appropriation authority, and an equal amount of appropriated  
35 state moneys shall lapse. Upon the lapsing of any moneys under this  
36 subsection, the office of financial management shall notify the  
37 legislative fiscal committees. As used in this subsection,

1 "unrestricted federal moneys" includes block grants and other funds  
2 that federal law does not require to be spent on specifically defined  
3 projects or matched on a formula basis by state funds.

4 (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
5 is authorized to raise fees in fiscal year 2011 as necessary to meet  
6 the actual costs of conducting business and the appropriation levels in  
7 this section. This authorization applies to fees for the review of  
8 sewage tank designs, and fees associated with the following  
9 professions: Acupuncture, dental, denturist, mental health counselor,  
10 nursing, nursing assistant, optometry, radiologic technologist,  
11 recreational therapy, respiratory therapy, social worker, and  
12 practitioners authorized under chapter 18.240 RCW.

13 (3) \$801,000 of the health professions account--state appropriation  
14 is provided solely for the purpose of funding approved treatment  
15 programs for impaired registered nurses, registered nursing license  
16 process functions, and disciplinary activities related to registered  
17 nurses.

18 (4) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is  
19 authorized to establish fees by the amount necessary to fully support  
20 the cost of activities related to the administration of long-term care  
21 worker certification. The department is further authorized to increase  
22 fees by the amount necessary to implement the regulatory requirements  
23 of the following bills: House Bill No. 1414 (health care assistants),  
24 House Bill No. 1740 (dental residency licenses), and House Bill No.  
25 1899 (retired active physician licenses).

26 ~~((+3))~~ (5) \$764,000 of the health professions account--state  
27 appropriation is provided solely for the medical quality assurance  
28 commission to maintain disciplinary staff and associated costs  
29 sufficient to reduce the backlog of disciplinary cases and to continue  
30 to manage the disciplinary caseload of the commission.

31 ~~((+4))~~ (6) \$57,000 of the general fund--state appropriation for  
32 fiscal year 2010 and \$58,000 of the general fund--state appropriation  
33 for fiscal year 2011 are provided solely for the midwifery licensure  
34 and regulatory program to offset a reduction in revenue from fees.  
35 ~~((There shall be no change to the current annual fees for new or~~  
36 ~~renewed licenses for the midwifery program.))~~ The department shall  
37 convene the midwifery advisory committee on a quarterly basis to  
38 address issues related to licensed midwifery. The appropriations in

1 this section assume that the current annual fee for new or renewed  
2 licenses for midwives shall be increased by fifty dollars per licensing  
3 period.

4 ~~((+5))~~ (7) Funding for the human papillomavirus vaccine shall not  
5 be included in the department's universal vaccine purchase program in  
6 fiscal year 2010. Remaining funds for the universal vaccine purchase  
7 program shall be used to continue the purchase of all other vaccines  
8 included in the program until May 1, 2010, or until state funds are  
9 exhausted, at which point state funding for the universal vaccine  
10 purchase program shall be discontinued. Funds from section 317 of the  
11 federal public health services act direct assistance shall not be used  
12 in lieu of state funds.

13 ~~((+6))~~ (8) Beginning July 1, 2010, the department, in  
14 collaboration with the department of social and health services, shall  
15 maximize the use of existing federal funds, including section 317 of  
16 the federal public health services act direct assistance as well as  
17 federal funds that may become available under the American recovery and  
18 reinvestment act, in order to continue to provide immunizations for  
19 low-income, nonmedicaid eligible children up to three hundred percent  
20 of the federal poverty level in state-sponsored health programs.

21 ~~((+7))~~ (9) The department shall eliminate outreach activities for  
22 the health care directives registry and use the remaining amounts to  
23 maintain the contract for the registry and minimal staffing necessary  
24 to administer the basic entry functions for the registry.

25 ~~((+8))~~ (10) Funding in this section reflects a temporary reduction  
26 of resources for the 2009-11 fiscal biennium for the state board of  
27 health to conduct health impact reviews.

28 ~~((+9))~~ (11) Pursuant to RCW 43.135.055 and 43.70.125, the  
29 department is authorized to adopt rules to establish a fee schedule to  
30 apply to applicants for initial certification surveys of health care  
31 facilities for purposes of receiving federal health care program  
32 reimbursement. The fees shall only apply when the department has  
33 determined that federal funding is not sufficient to compensate the  
34 department for the cost of conducting initial certification surveys.  
35 The fees for initial certification surveys may be established as  
36 follows: Up to \$1,815 for ambulatory surgery centers, up to \$2,015 for  
37 critical access hospitals, up to \$980 for end stage renal disease  
38 facilities, up to \$2,285 for home health agencies, up to \$2,285 for

1 hospice agencies, up to \$2,285 for hospitals, up to \$520 for  
2 rehabilitation facilities, up to \$690 for rural health clinics, and up  
3 to \$7,000 for transplant hospitals.

4 ~~((+10))~~ (12) Funding for family planning grants for fiscal year  
5 2011 is reduced in the expectation that federal funding shall become  
6 available to expand coverage of services for individuals through  
7 programs at the department of social and health services. In the event  
8 that such funding is not provided, the legislature intends to continue  
9 funding through a supplemental appropriation at fiscal year 2010  
10 levels.

11 ~~((+11))~~ (13) \$16,000,000 of the tobacco prevention and control  
12 account--state appropriation is provided solely for local health  
13 jurisdictions to conduct core public health functions as defined in RCW  
14 43.70.514.

15 ~~((+12))~~ (14) \$100,000 of the health professions account  
16 appropriation is provided solely for implementation of Substitute House  
17 Bill No. 1414 (health care assistants). If the bill is not enacted by  
18 June 30, 2009, the amount provided in this subsection shall lapse.

19 ~~((+13))~~ (15) \$42,000 of the health professions account--state  
20 appropriation is provided solely to implement Substitute House Bill No.  
21 1740 (dentistry license issuance). If the bill is not enacted by June  
22 30, 2009, the amount provided in this section shall lapse.

23 ~~((+14))~~ (16) \$23,000 of the health professions account--state  
24 appropriation is provided solely to implement Second Substitute House  
25 Bill No. 1899 (retired active physician licenses). If the bill is not  
26 enacted by June 30, 2009, the amount provided in this section shall  
27 lapse.

28 ~~((+15))~~ (17) \$12,000 of the general fund--state appropriation for  
29 fiscal year 2010 and \$67,000 of the general fund--private/local  
30 appropriation are provided solely to implement House Bill No. 1510  
31 (birth certificates). If the bill is not enacted by June 30, 2009, the  
32 amount provided in this section shall lapse.

33 ~~((+16))~~ (18) \$31,000 of the health professions account is provided  
34 for the implementation of Second Substitute Senate Bill No. 5850 (human  
35 trafficking). If the bill is not enacted by June 2009, the amount  
36 provided in this subsection shall lapse.

37 ~~((+17))~~ (19) \$282,000 of the health professions account is

1 provided for the implementation of Substitute Senate Bill No. 5752  
2 (dentists cost recovery). If the bill is not enacted by June 2009, the  
3 amount provided in this subsection shall lapse.

4 ~~((+18+))~~ (20) \$106,000 of the health professions account is  
5 provided for the implementation of Substitute Senate Bill No. 5601  
6 (speech language assistants). If the bill is not enacted by June 2009,  
7 the amount provided in this subsection shall lapse.

8 (21) \$390,000 of the health professions account--state  
9 appropriation is provided solely to implement Engrossed Substitute  
10 Senate Bill No. 6582 (nursing assistants). The amount provided in this  
11 subsection is from fee revenue authorized by Engrossed Substitute  
12 Senate Bill No. 6582. If the bill is not enacted by June 30, 2010, the  
13 amount provided in this subsection shall lapse.

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

18 **Sec. 222.** 2010 c 3 s 215 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF CORRECTIONS**

21	(1) ADMINISTRATION AND SUPPORT SERVICES	
22	General Fund--State Appropriation (FY 2010) . . . . .	<del>(( \$55,622,000 ))</del>
23		<u>\$55,626,000</u>
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$56,318,000 ))</del>
25		<u>\$56,087,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(( \$111,940,000 ))</del>
27		<u>\$111,713,000</u>

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

30 (a) Within funds appropriated in this section, the department shall  
31 seek contracts for chemical dependency vendors to provide chemical  
32 dependency treatment of offenders in corrections facilities, including  
33 corrections centers and community supervision facilities, which have  
34 demonstrated effectiveness in treatment of offenders and are able to  
35 provide data to show a successful treatment rate.

36 (b) \$35,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$35,000 of the general fund--state appropriation for



1 fiscal year 2011 are provided solely for the support of a statewide  
2 council on mentally ill offenders that includes as its members  
3 representatives of community-based mental health treatment programs,  
4 current or former judicial officers, and directors and commanders of  
5 city and county jails and state prison facilities. The council will  
6 investigate and promote cost-effective approaches to meeting the long-  
7 term needs of adults and juveniles with mental disorders who have a  
8 history of offending or who are at-risk of offending, including their  
9 mental health, physiological, housing, employment, and job training  
10 needs.

11 (2) CORRECTIONAL OPERATIONS

12 General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$456,657,000</del> ))
	<u>\$455,988,000</u>
14 General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$626,303,000</del> ))
	<u>\$623,574,000</u>
16 General Fund--Federal Appropriation . . . . .	(( <del>\$185,131,000</del> ))
	<u>\$186,240,000</u>
18 (( <del>General Fund--Private/Local Appropriation . . . . .</del>	<del>\$3,536,000</del> ))
19 Washington Auto Theft Prevention Authority Account--	
20 State Appropriation . . . . .	\$5,960,000
21 TOTAL APPROPRIATION . . . . .	(( <del>\$1,277,587,000</del> ))
22	<u>\$1,271,762,000</u>

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

25 (a) The department may expend funds generated by contractual  
26 agreements entered into for mitigation of severe overcrowding in local  
27 jails. Any funds generated in excess of actual costs shall be  
28 deposited in the state general fund. Expenditures shall not exceed  
29 revenue generated by such agreements and shall be treated as a recovery  
30 of costs.

31 (b) The department shall accomplish personnel reductions with the  
32 least possible impact on correctional custody staff, community custody  
33 staff, and correctional industries. For the purposes of this  
34 subsection, correctional custody staff means employees responsible for  
35 the direct supervision of offenders.

36 (c) During the 2009-11 biennium, when contracts are established or  
37 renewed for offender pay phone and other telephone services provided to  
38 inmates, the department shall select the contractor or contractors

1 primarily based on the following factors: (i) The lowest rate charged  
2 to both the inmate and the person paying for the telephone call; and  
3 (ii) the lowest commission rates paid to the department, while  
4 providing reasonable compensation to cover the costs of the department  
5 to provide the telephone services to inmates and provide sufficient  
6 revenues for the activities funded from the institutional welfare  
7 betterment account.

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

13 (e) A political subdivision which is applying for funding to  
14 mitigate one-time impacts associated with construction or expansion of  
15 a correctional institution, consistent with WAC 137-12A-030, may apply  
16 for the mitigation funds in the fiscal biennium in which the impacts  
17 occur or in the immediately succeeding fiscal biennium.

18 (f) Within amounts provided in this subsection, the department,  
19 jointly with the department of social and health services, shall  
20 identify the number of offenders released through the extraordinary  
21 medical placement program, the cost savings to the department of  
22 corrections, including estimated medical cost savings, and the costs  
23 for medical services in the community incurred by the department of  
24 social and health services. The department and the department of  
25 social and health services shall jointly report to the office of  
26 financial management and the appropriate fiscal committees of the  
27 legislature by November 30, 2010.

28 (g) \$11,863,000 of the general fund--state appropriation for fiscal  
29 year 2010, \$11,864,000 of the general fund--state appropriation for  
30 fiscal year 2011, and \$2,336,000 of the general fund-private/local  
31 appropriation are provided solely for in-prison evidence-based programs  
32 and for the reception diagnostic center program as part of the offender  
33 re-entry initiative.

34 (h) The department shall transition offenders from custody as close  
35 as possible to the offender's earned release date without adversely  
36 affecting public safety. The number of offenders held beyond their  
37 earned release date shall not exceed the number of offenders held

1 beyond their earned release date in fiscal year 2008. By May 15, 2010,  
2 the department shall provide a report to the office of financial  
3 management and the legislative fiscal committees on the following:

4 (i) An explanation of the increase in adult inmate population  
5 between the November 2009 and the February 2010 forecast;

6 (ii) An explanation of the increase in the number of offenders held  
7 beyond their earned release date between the beginning of fiscal year  
8 2008 and December 2009; and

9 (iii) A description of the department's actions to reduce and  
10 maintain during fiscal year 2011 the number of offenders held beyond  
11 their earned release date to the level of fiscal year 2008 and a  
12 timetable for achieving that goal.

13 For fiscal year 2011, if the department has not limited the number  
14 of offenders held beyond their earned release date to the level of  
15 fiscal year 2008, the department shall utilize contract rental beds,  
16 including the rental of beds from out-of-state vendors, to satisfy  
17 needed capacity in excess of funded capacity.

18 (i) \$12,000,000 of the general fund--state appropriation for fiscal  
19 year 2011 is provided solely for and contingent upon the department:

20 (A) Decreasing the offender population of McNeil Island corrections  
21 center to 512 offenders by December 31, 2010, closing Larch corrections  
22 center by July 1, 2010, decreasing the offender population at Pine  
23 Lodge corrections center for women to 86 offenders, and (B) for the  
24 fiscal year ending June 30, 2011, allowing department staff to occupy  
25 no more than ten houses on McNeil Island, except that the department  
26 may modify no more than two houses to provide overnight accommodations  
27 for staff on stand-by duty related to island operations, and consistent  
28 with section 502(2) of this act the Steilacoom historical school  
29 district will receive no funding for the McNeil Island school and no  
30 instruction will be offered at the school during the 2010-2011 school  
31 year.

32 (j) \$465,000 of the general fund--state appropriation for fiscal  
33 year 2011 is provided solely to implement Substitute Senate Bill No.  
34 6550 (assault against law officer). If the bill is not enacted by June  
35 30, 2010, the amount provided in this subsection shall lapse.

36 (3) COMMUNITY SUPERVISION

37 General Fund--State Appropriation (FY 2010) . . . . . ((\$151,249,000))  
38 \$151,699,000

1 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$141,785,000~~))  
2 \$139,187,000  
3 Federal Narcotics Forfeiture Account--State  
4 Appropriation . . . . . \$217,000  
5 Controlled Substance Account--State Appropriation . . . . . \$61,000  
6 TOTAL APPROPRIATION . . . . . ((~~\$293,034,000~~))  
7 \$291,164,000

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

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

15 (b) \$2,083,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$2,083,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely to implement Senate Bill No. 5525  
18 (state institutions/release). If the bill is not enacted by June 30,  
19 2009, the amounts provided in this subsection shall lapse.

20 (c) The appropriations in this subsection are based upon savings  
21 assumed from the implementation of Engrossed Substitute Senate Bill No.  
22 5288 (supervision of offenders).

23 (d) \$2,791,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$3,166,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for evidence-based community  
26 programs and for community justice centers as part of the offender re-  
27 entry initiative.

28 (e) \$418,300 of the general fund--state appropriation for fiscal  
29 year 2010 is provided solely for the purposes of settling all claims in  
30 Hilda Solis, Secretary of Labor, United States Department of Labor v.  
31 State of Washington, Department of Corrections, United States District  
32 Court, Western District of Washington, Cause No. C08-cv-05362-RJB. The  
33 expenditure of this amount is contingent on the release of all claims  
34 in the case, and total settlement costs shall not exceed the amount  
35 provided in this subsection. If settlement is not fully executed by  
36 June 30, 2010, the amount provided in this subsection shall lapse.

37 (4) CORRECTIONAL INDUSTRIES  
38 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$2,574,000~~))

1		<u>\$2,572,000</u>
2	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$2,565,000</del> ))
3		<u>\$2,537,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$5,139,000</del> ))
5		<u>\$5,109,000</u>

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

15 (5) INTERAGENCY PAYMENTS

16	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$40,455,000</del> ))
17		<u>\$40,728,000</u>
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$40,450,000</del> ))
19		<u>\$40,084,000</u>
20	TOTAL APPROPRIATION . . . . .	(( <del>\$80,905,000</del> ))
21		<u>\$80,812,000</u>

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

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

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

31 **Sec. 223.** 2009 c 564 s 224 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

34	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$2,544,000</del> ))
35		<u>\$2,500,000</u>
36	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$2,550,000</del> ))

1		<u>\$2,364,000</u>
2	General Fund--Federal Appropriation . . . . .	(( <del>\$18,125,000</del> ))
3		<u>\$18,197,000</u>
4	General Fund--Private/Local Appropriation . . . . .	(( <del>\$20,000</del> ))
5		<u>\$30,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$23,239,000</del> ))
7		<u>\$23,091,000</u>

8 The amounts appropriated in this section are subject to the  
9 following conditions and limitations: Sufficient amounts are  
10 appropriated in this section to support contracts for services that  
11 provide employment support and help with life activities for deaf and  
12 blind individuals in King county.

13 **Sec. 224.** 2010 c 3 s 216 (uncodified) is amended to read as  
14 follows:

15 **FOR THE SENTENCING GUIDELINES COMMISSION**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$962,000
17	<del>((General Fund--State Appropriation (FY 2011) . . . . .</del>	<del>\$960,000</del>
18	<del>TOTAL APPROPRIATION . . . . .</del>	<del>\$1,922,000</del> ))

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

21 (1) Within the amounts appropriated in this section, the sentencing  
22 guidelines commission, in partnership with the courts, shall develop a  
23 plan to implement an evidence-based system of community custody for  
24 adult felons that will include the consistent use of evidence-based  
25 risk and needs assessment tools, programs, supervision modalities, and  
26 monitoring of program integrity. The plan for the evidence-based  
27 system of community custody shall include provisions for identifying  
28 cost-effective rehabilitative programs; identifying offenders for whom  
29 such programs would be cost-effective; monitoring the system for cost-  
30 effectiveness; and reporting annually to the legislature. In  
31 developing the plan, the sentencing guidelines shall consult with: The  
32 Washington state institute for public policy; the legislature; the  
33 department of corrections; local governments; prosecutors; defense  
34 attorneys; victim advocate groups; law enforcement; the Washington  
35 federation of state employees; and other interested entities. The  
36 sentencing guidelines commission shall report its recommendations to  
37 the governor and the legislature by December 1, 2009.

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

5 (b) The commission shall submit the analysis described in section  
6 15 of Engrossed Substitute Senate Bill No. 5288 no later than December  
7 1, 2011.

8 (3) Beginning July 1, 2010, the functions of the sentencing  
9 guidelines commission are transferred to the economic and revenue  
10 forecast council, consistent with Substitute Senate Bill No. 6849  
11 (forecast functions). Funding for these activities for fiscal year  
12 2011 is appropriated to the economic and revenue forecast council.

13 **Sec. 225.** 2009 c 564 s 226 (uncodified) is amended to read as  
14 follows:

15 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

16	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$7,054,000</del> ))
17		<u>\$2,054,000</u>
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$53,000</del> ))
19		<u>\$5,053,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$320,561,000</del> ))
21		<u>\$324,245,000</u>
22	General Fund--Private/Local Appropriation . . . . .	(( <del>\$33,825,000</del> ))
23		<u>\$33,825,000</u>
24	Unemployment Compensation Administration	
25	Account--Federal Appropriation . . . . .	(( <del>\$332,904,000</del> ))
26		<u>\$361,235,000</u>
27	Administrative Contingency Account--State	
28	Appropriation . . . . .	(( <del>\$293,000</del> ))
29		<u>\$295,000</u>
30	Employment Service Administrative Account--	
31	State Appropriation . . . . .	(( <del>\$37,195,000</del> ))
32		<u>\$37,669,000</u>
33	<u>Back-To-Work Retraining Account--State Appropriation . . . . .</u>	<u>\$3,194,000</u>
34	TOTAL APPROPRIATION . . . . .	(( <del>\$731,885,000</del> ))
35		<u>\$767,570,000</u>

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

1 (1) (~~(\$55,029,000)~~) \$59,829,000 of the unemployment compensation  
2 administration account--federal appropriation is provided from amounts  
3 made available to the state by section 903 (d) and (f) of the social  
4 security act (Reed act). This amount is authorized to continue current  
5 unemployment insurance functions and department services to employers  
6 and job seekers.

7 (2) \$32,067,000 of the unemployment compensation administration  
8 account--federal appropriation is provided from amounts made available  
9 to the state by section 903(d) of the social security act (Reed act).  
10 This amount is authorized to fund the replacement of the unemployment  
11 insurance tax information system (TAXIS) for the employment security  
12 department. This section is subject to section 902 of this act.

13 (3) \$110,000 of the unemployment compensation administration  
14 account--federal appropriation is provided solely for implementation of  
15 Senate Bill No. 5804 (leaving part time work voluntarily). (~~(If the~~  
16 ~~bill is not enacted by June 30, 2009, the amounts provided in this~~  
17 ~~subsection shall lapse.)~~)

18 (4) \$1,263,000 of the unemployment compensation administration  
19 account--federal appropriation is provided solely for implementation of  
20 Senate Bill No. 5963 (unemployment insurance). (~~(If the bill is not~~  
21 ~~enacted by June 30, 2009, the amounts provided in this subsection shall~~  
22 ~~lapse.)~~)

23 (5) \$159,000 of the unemployment compensation account--federal  
24 appropriation is provided solely for the implementation of House Bill  
25 No. 1555 (underground economy) from funds made available to the state  
26 by section 903(d) of the social security act (Reed act).

27 (6) \$293,000 of the administrative contingency--state appropriation  
28 for fiscal year 2010 is provided solely for the implementation of House  
29 Bill No. 2227 (evergreen jobs act). (~~(If the bill is not enacted by~~  
30 ~~June 30, 2009, the amounts provided in this subsection shall lapse.)~~)

31 (7) \$7,000,000 of the general fund--state appropriation for fiscal  
32 year 2010 is provided solely for the implementation of Senate Bill No.  
33 5809 (WorkForce employment and training). (~~(If the bill is not enacted~~  
34 ~~by June 30, 2009, the amounts provided in this subsection shall~~  
35 ~~lapse.)~~)

36 (8) \$444,000 of the unemployment compensation administration  
37 account--federal appropriation is provided solely for the  
38 implementation of Substitute Senate Bill No. 6524 (unemployment



1 insurance penalties and contribution rates) from funds made available  
2 to the state by section 903 (d) or (f) of the social security act (Reed  
3 act). If the bill is not enacted by June 30, 2010, the amount provided  
4 in this subsection shall lapse.

(End of part)

**PART III**  
**NATURAL RESOURCES**

**Sec. 301.** 2009 c 564 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund--State Appropriation (FY 2010)	.. . . . (( <del>\$441,000</del> ))
	<u>\$440,000</u>
General Fund--State Appropriation (FY 2011)	.. . . . (( <del>\$445,000</del> ))
	<u>\$432,000</u>
General Fund--Federal Appropriation	.. . . . \$30,000
General Fund--Private/Local Appropriation	.. . . . (( <del>\$864,000</del> ))
	<u>\$850,000</u>
TOTAL APPROPRIATION	.. . . . (( <del>\$1,780,000</del> ))
	<u>\$1,752,000</u>

**Sec. 302.** 2010 c 3 s 301 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2010)	.. . . . (( <del>\$59,991,000</del> ))
	<u>\$58,340,000</u>
General Fund--State Appropriation (FY 2011)	.. . . . (( <del>\$58,047,000</del> ))
	<u>\$51,931,000</u>
General Fund--Federal Appropriation	.. . . . (( <del>\$82,452,000</del> ))
	<u>\$82,207,000</u>
General Fund--Private/Local Appropriation	.. . . . (( <del>\$16,668,000</del> ))
	<u>\$16,899,000</u>
Special Grass Seed Burning Research Account--State	
Appropriation	.. . . . \$14,000
Reclamation Account--State Appropriation	.. . . . (( <del>\$3,679,000</del> ))
	<u>\$3,681,000</u>
Flood Control Assistance Account--State	
Appropriation	.. . . . (( <del>\$1,965,000</del> ))
	<u>\$1,957,000</u>
Waste Reduction/Recycling/Litter Control--State	
Appropriation	.. . . . (( <del>\$14,554,000</del> ))
	<u>\$12,463,000</u>

1 State and Local Improvements Revolving Account  
2 (Water Supply Facilities)--State Appropriation . . . . . ((~~\$426,000~~))  
3 \$423,000  
4 Freshwater Aquatic Algae Control Account--State  
5 Appropriation . . . . . \$509,000  
6 Water Rights Tracking System Account--State  
7 Appropriation . . . . . \$116,000  
8 Site Closure Account--State Appropriation . . . . . ((~~\$706,000~~))  
9 \$923,000  
10 Wood Stove Education and Enforcement Account--  
11 State Appropriation . . . . . \$612,000  
12 Worker and Community Right-to-Know Account--  
13 State Appropriation . . . . . ((~~\$1,670,000~~))  
14 \$1,662,000  
15 State Toxics Control Account--State  
16 Appropriation . . . . . ((~~\$101,705,000~~))  
17 \$102,220,000  
18 State Toxics Control Account--Private/Local  
19 Appropriation . . . . . ((~~\$383,000~~))  
20 \$5,396,000  
21 Local Toxics Control Account--State Appropriation . . . . . ((~~\$24,730,000~~))  
22 \$24,691,000  
23 Water Quality Permit Account--State Appropriation . . . . . ((~~\$37,433,000~~))  
24 \$37,210,000  
25 Underground Storage Tank Account--State  
26 Appropriation . . . . . ((~~\$3,298,000~~))  
27 \$3,273,000  
28 Biosolids Permit Account--State Appropriation . . . . . ((~~\$1,413,000~~))  
29 \$1,873,000  
30 Hazardous Waste Assistance Account--State  
31 Appropriation . . . . . ((~~\$5,930,000~~))  
32 \$5,892,000  
33 Air Pollution Control Account--State Appropriation . . . . . ((~~\$2,030,000~~))  
34 \$2,167,000  
35 Oil Spill Prevention Account--State Appropriation . . . . . ((~~\$10,688,000~~))  
36 \$10,621,000  
37 Air Operating Permit Account--State Appropriation . . . . . ((~~\$2,783,000~~))  
38 \$2,762,000

1	Freshwater Aquatic Weeds Account--State	
2	Appropriation . . . . .	(( <del>\$1,699,000</del> ))
3		<u>\$1,698,000</u>
4	Oil Spill Response Account--State Appropriation . . . . .	(( <del>\$7,078,000</del> ))
5		<u>\$7,077,000</u>
6	Metals Mining Account--State Appropriation . . . . .	\$14,000
7	Water Pollution Control Revolving Account--State	
8	Appropriation . . . . .	(( <del>\$465,000</del> ))
9		<u>\$534,000</u>
10	Water Pollution Control Revolving Account--Federal	
11	Appropriation . . . . .	(( <del>\$1,940,000</del> ))
12		<u>\$2,220,000</u>
13	<u>Water Rights Processing Account--State Appropriation . . . . .</u>	<u>\$235,000</u>
14	TOTAL APPROPRIATION . . . . .	(( <del>\$442,998,000</del> ))
15		<u>\$439,620,000</u>

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

18       (1) \$170,000 of the oil spill prevention account--state  
19 appropriation is provided solely for a contract with the University of  
20 Washington's sea grant program to continue an educational program  
21 targeted to small spills from commercial fishing vessels, ferries,  
22 cruise ships, ports, and marinas.

23       (2) \$240,000 of the woodstove education and enforcement account--  
24 state appropriation is provided solely for citizen outreach efforts to  
25 improve understanding of burn curtailments, the proper use of wood  
26 heating devices, and public awareness of the adverse health effects of  
27 woodsmoke pollution.

28       (3) \$3,000,000 of the general fund--private/local appropriation is  
29 provided solely for contracted toxic-site cleanup actions at sites  
30 where multiple potentially liable parties agree to provide funding.

31       (4) \$3,600,000 of the local toxics account--state appropriation is  
32 provided solely for the standby emergency rescue tug stationed at Neah  
33 Bay.

34       (5) \$811,000 of the state toxics account--state appropriation is  
35 provided solely for oversight of toxic cleanup at facilities that  
36 treat, store, and dispose of hazardous wastes.

37       (6) \$1,456,000 of the state toxics account--state appropriation is

1 provided solely for toxic cleanup at sites where willing parties  
2 negotiate prepayment agreements with the department and provide  
3 necessary funding.

4 (7) \$558,000 of the state toxics account--state appropriation and  
5 \$3,000,000 of the local toxics account--state appropriation are  
6 provided solely for grants and technical assistance to Puget Sound-area  
7 local governments engaged in updating shoreline master programs.

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

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

34 (10) The department (~~(is authorized to)~~) shall increase the  
35 following fees in the 2009-2011 biennium as necessary to meet the  
36 actual costs of conducting business and the appropriation levels in  
37 this section: Environmental lab accreditation, dam safety and  
38 inspection, biosolids permitting, air emissions new source review,

1 ((and)) manufacturer registration and renewal, and sewage treatment  
2 plant operator licensing. The department shall increase the air  
3 contaminate source registration fee as necessary to reduce the general  
4 fund support by fifty percent.

5 (11) \$63,000 of the state toxics control account--state  
6 appropriation is provided solely for implementation of Substitute  
7 Senate Bill No. 5797 (solid waste handling permits). If the bill is  
8 not enacted by June 30, 2009, the amount provided in this subsection  
9 shall lapse.

10 (12) \$225,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$193,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for implementation of Engrossed  
13 Second Substitute Bill No. 5560 (agency climate leadership). If the  
14 bill is not enacted by June 30, 2009, the amounts provided in this  
15 subsection shall lapse.

16 (13) \$150,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$150,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely for watershed planning  
19 implementation grants to continue ongoing efforts to develop and  
20 implement water agreements in the Nooksack Basin and the Bertrand  
21 watershed. These amounts are intended to support project  
22 administration; monitoring; negotiations in the Nooksack watershed  
23 between tribes, the department, and affected water users; continued  
24 implementation of a flow augmentation project; plan implementation in  
25 the Fishtrap watershed; and the development of a water bank.

26 (14) \$215,000 of the general fund--state appropriation for fiscal  
27 year 2010 and \$235,000 of the general fund--state appropriation for  
28 fiscal year 2011 are provided solely to provide watershed planning  
29 implementation grants for WRIA 32 to implement Substitute House Bill  
30 No. 1580 (pilot local water management program). If the bill is not  
31 enacted by June 30, 2009, the amounts provided in this subsection shall  
32 lapse.

33 (15) \$200,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$200,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for the purpose of supporting the  
36 trust water rights program and processing trust water right transfer  
37 applications that improve instream flow.

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

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

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

14 (17) \$73,000 of the water quality permit account--state  
15 appropriation is provided solely to implement Substitute House Bill No.  
16 1413 (water discharge fees). If the bill is not enacted by June 30,  
17 2009, the amount provided in this subsection shall lapse.

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

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

33 (20) Within amounts appropriated in this section the department  
34 shall develop recommendations by December 1, 2009, for a convenient and  
35 effective mercury-containing light recycling program for residents,  
36 small businesses, and small school districts throughout the state. The  
37 department shall consider options including but not limited to, a  
38 producer-funded program, a recycler-supported or recycle fee program,

1 a consumer fee at the time of purchase, general fund appropriations, or  
2 a currently existing dedicated account. The department shall involve  
3 and consult with stakeholders including persons who represent  
4 retailers, waste haulers, recyclers, mercury-containing light  
5 manufacturers or wholesalers, cities, counties, environmental  
6 organizations and other interested parties. The department shall  
7 report its findings and recommendations for a recycling program for  
8 mercury-containing lights to the appropriate committees of the  
9 legislature by December 1, 2009.

10 (21) During the 2009-11 biennium, the department shall implement  
11 its cost reimbursement authority for processing water right  
12 applications using a competitive bidding process. For each cost  
13 reimbursement application, the department shall obtain cost proposals  
14 and other necessary information from at least three prequalified costs  
15 reimbursement consultants and shall select the lowest responsive  
16 bidder.

17 (22) \$140,000 of the freshwater aquatic algae control account--  
18 state appropriation is provided solely for grants to cities, counties,  
19 tribes, special purpose districts, and state agencies for capital and  
20 operational expenses used to manage and study excessive saltwater algae  
21 with an emphasis on the periodic accumulation of sea lettuce on Puget  
22 Sound beaches.

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

34 (24) \$220,000 of the site closure account--state appropriation is  
35 provided solely for litigation expenses associated with the lawsuit  
36 filed by energy solutions, inc., against the Northwest interstate  
37 compact on low-level radioactive waste management and its executive  
38 director.





1 (1) \$204,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$244,000 of the general fund-- state appropriation for  
3 fiscal year 2011 are provided solely for the implementation of  
4 Substitute House Bill No. 2157 (salmon recovery). If the bill is not  
5 enacted by June 30, 2009, the amounts provided in this subsection shall  
6 lapse.

7 (2) The recreation and conservation office, under the direction of  
8 the salmon recovery funding board, shall assess watershed and regional-  
9 scale capacity issues relating to the support and implementation of  
10 salmon recovery. The assessment shall examine priority setting and  
11 incentives to further promote coordination to ensure that effective and  
12 efficient mechanisms for delivery of salmon recovery funding board  
13 funds are being utilized. The salmon recovery funding board shall  
14 distribute its operational funding to the appropriate entities based on  
15 this assessment.

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

25 (4) \$25,000 of the general fund--state appropriation for fiscal  
26 year 2011 is provided solely for implementation of Senate Bill No. 6274  
27 (trail interactions work group). If the bill is not enacted by June  
28 30, 2010, the amount provided in this subsection shall lapse.

29 (5) The biodiversity council shall be extended through fiscal year  
30 2011.

31 **Sec. 305.** 2009 c 564 s 305 (uncodified) is amended to read as  
32 follows:

33 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

34	General Fund--State Appropriation (FY 2010) . . . . .	(((\$1,079,000))
35		<u>\$1,076,000</u>
36	General Fund--State Appropriation (FY 2011) . . . . .	(((\$1,074,000))
37		<u>\$1,162,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$2,153,000~~))  
2 \$2,238,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: \$57,000 of the general fund--state  
5 appropriation for fiscal year 2010 is provided solely for tenant  
6 improvement costs associated with moving the office to a new location.

7 **Sec. 306.** 2010 c 3 s 303 (uncodified) is amended to read as  
8 follows:

9 **FOR THE CONSERVATION COMMISSION**

10 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$7,575,000~~))  
11 \$7,321,000  
12 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$7,590,000~~))  
13 \$6,276,000  
14 General Fund--Federal Appropriation . . . . . \$1,179,000  
15 TOTAL APPROPRIATION . . . . . ((~~\$16,344,000~~))  
16 \$14,776,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations: In order to maintain a high degree of  
19 customer service and accountability for conservation districts,  
20 \$125,000 is to support the conservation commission's administrative  
21 activities related to the processing of conservation district invoices  
22 and budgeting.

23 NEW SECTION. **Sec. 307. DEPARTMENT OF FISH AND WILDLIFE**

24 2009 c 564 s 307 and 2010 c 3 s 304 are each repealed.

25 **Sec. 308.** 2009 c 564 s 308 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

28 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$40,275,000~~))  
29 \$48,772,000  
30 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$40,857,000~~))  
31 \$150,797,000  
32 General Fund--Federal Appropriation . . . . . ((~~\$26,731,000~~))  
33 \$122,039,000  
34 General Fund--Private/Local Appropriation . . . . . ((~~\$1,371,000~~))  
35 \$49,936,000

1 Forest Development Account--State Appropriation . . . . . (~~(\$41,765,000)~~)  
2 \$41,771,000  
3 Off Road Vehicle Account--State Appropriation . . . . . (~~(\$4,236,000)~~)  
4 \$5,090,000  
5 Surveys and Maps Account--State Appropriation . . . . . \$2,543,000  
6 Aquatic Lands Enhancement Account--State  
7 Appropriation . . . . . (~~(\$7,217,000)~~)  
8 \$15,367,000  
9 Resources Management Cost Account--State  
10 Appropriation . . . . . (~~(\$78,951,000)~~)  
11 \$81,012,000  
12 Surface Mining Reclamation Account--State  
13 Appropriation . . . . . \$3,490,000  
14 Disaster Response Account--State Appropriation . . . . . \$5,000,000  
15 Forest and Fish Support Account--State Appropriation . . . . . \$8,000,000  
16 Aquatic Land Dredged Material Disposal Site  
17 Account--State Appropriation . . . . . \$1,336,000  
18 Natural Resources Conservation Areas Stewardship  
19 Account--State Appropriation . . . . . (~~(\$34,000)~~)  
20 \$297,000  
21 State Toxics Control Account--State Appropriation . . . . . (~~(\$80,000)~~)  
22 \$720,000  
23 Air Pollution Control Account--State Appropriation . . . . . \$569,000  
24 NOVA Program Account--State Appropriation . . . . . (~~(\$982,000)~~)  
25 \$10,542,000  
26 Derelict Vessel Removal Account--State Appropriation . . . . . \$1,754,000  
27 Agricultural College Trust Management Account--  
28 State Appropriation . . . . . \$2,643,000  
29 Winter Recreation Account--State Appropriation . . . . . \$1,558,000  
30 Snowmobile Account--State Appropriation . . . . . \$4,842,000  
31 Recreational Fisheries Enhancement Account--State  
32 Appropriation . . . . . \$3,640,000  
33 Warm Water Game Fish Account--State Appropriation . . . . . \$2,877,000  
34 Eastern Washington Pheasant Enhancement Account--State  
35 Appropriation . . . . . \$848,000  
36 Aquatic Invasive Species Enforcement Account--State  
37 Appropriation . . . . . \$207,000  
38 Aquatic Invasive Species Prevention Account--State

1	<u>Appropriation . . . . .</u>	<u>\$844,000</u>
2	<u>Wildlife Account--State Appropriation . . . . .</u>	<u>\$83,605,000</u>
3	<u>Special Wildlife Account--State Appropriation . . . . .</u>	<u>\$2,381,000</u>
4	<u>Special Wildlife Account--Federal Appropriation . . . . .</u>	<u>\$8,928,000</u>
5	<u>Special Wildlife Account--Private/Local Appropriation . . . . .</u>	<u>\$487,000</u>
6	<u>Wildlife Rehabilitation Account--State Appropriation . . . . .</u>	<u>\$270,000</u>
7	<u>Regional Fisheries Enhancement Salmonid Recovery</u>	
8	<u>Account--State Appropriation . . . . .</u>	<u>\$5,001,000</u>
9	<u>Oil Spill Prevention Account--State Appropriation . . . . .</u>	<u>\$884,000</u>
10	<u>Recreation Resources Account--State Appropriation . . . . .</u>	<u>\$9,802,000</u>
11	<u>Parks Renewal and Stewardship Account--State</u>	
12	<u>Appropriation . . . . .</u>	<u>\$71,778,000</u>
13	<u>Parks Renewal and Stewardship Account--Private/Local</u>	
14	<u>Appropriation . . . . .</u>	<u>\$300,000</u>
15	<u>Oyster Reserve Land Account--State Appropriation . . . . .</u>	<u>\$918,000</u>
16	<u>Hydraulic Project Approval Account--State Appropriation . . . . .</u>	<u>\$2,555,000</u>
17	<u>State Efficiency and Restructuring Account--State</u>	
18	<u>Appropriation . . . . .</u>	<u>\$10,570,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <u>\$267,834,000</u> ))
20		<u>\$763,973,000</u>

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

23 (1) \$1,355,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$1,299,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for deposit into the agricultural  
26 college trust management account and are provided solely to manage  
27 approximately 70,700 acres of Washington State University's  
28 agricultural college trust lands.

29 (2) ((\$11,128,000)) \$22,670,000 of the general fund--state  
30 appropriation for fiscal year 2010, \$11,128,000 of the general fund--  
31 state appropriation for fiscal year 2011, and \$5,000,000 of the  
32 disaster response account--state appropriation are provided solely for  
33 emergency fire suppression. None of the general fund and disaster  
34 response account amounts provided in this subsection may be used to  
35 fund agency indirect and administrative expenses. Agency indirect and  
36 administrative costs shall be allocated among the agency's remaining  
37 accounts and appropriations. The department of natural resources shall  
38 submit a quarterly report to the office of financial management and the

1 legislative fiscal committees detailing information on current and  
2 planned expenditures from the disaster response account. This work  
3 shall be done in coordination with the military department.

4 (3) \$5,000,000 of the forest and fish support account--state  
5 appropriation is provided solely for adaptive management, monitoring,  
6 and participation grants to tribes. If federal funding for this  
7 purpose is reinstated, the amount provided in this subsection shall  
8 lapse.

9 (4) \$600,000 of the derelict vessel removal account--state  
10 appropriation is provided solely for removal of derelict and abandoned  
11 vessels that have the potential to contaminate Puget Sound.

12 (5) \$666,000 of the general fund--federal appropriation is provided  
13 solely to implement House Bill No. 2165 (forest biomass energy  
14 project). If the bill is not enacted by June 30, 2009, the amount  
15 provided in this subsection shall lapse.

16 (6) \$5,000 of the general fund--state appropriation for fiscal year  
17 2010 and \$5,000 of the general fund--state appropriation for fiscal  
18 year 2011 are provided solely to implement Substitute House Bill No.  
19 1038 (specialized forest products). If the bill is not enacted by June  
20 30, 2009, the amounts provided in this subsection shall lapse.

21 (7) \$440,000 of the state general fund--state appropriation for  
22 fiscal year 2010 and \$440,000 of the state general fund--state  
23 appropriation for fiscal year 2011 are provided solely for forest work  
24 crews that support correctional camps and are contingent upon  
25 continuing operations of Naselle youth camp at the level provided in  
26 fiscal year 2008. The department shall consider using up to \$2,000,000  
27 of the general fund--federal appropriation to support and utilize  
28 correctional camp crews to implement natural resource projects approved  
29 by the federal government for federal stimulus funding.

30 (8) The department of natural resources shall dispose of the King  
31 Air aircraft it currently owns. Before disposal and within existing  
32 funds, the department shall transfer specialized equipment for fire  
33 surveillance to the department's Partenavia aircraft. Disposal of the  
34 aircraft must occur no later than June 30, 2010, and the proceeds from  
35 the sale of the aircraft shall be deposited into the ((~~natural~~  
36 ~~resources equipment revolving fund~~)) forest and fish support account.  
37 ((~~At the expiration of current leases~~))

1        (9) No later than June 30, 2011, the department shall lease  
2 facilities in eastern Washington sufficient to house the necessary  
3 aircraft, mechanics, and pilots used for forest fire prevention and  
4 suppression.

5        ~~((+9))~~ (10) \$30,000 of the general fund--state appropriation for  
6 fiscal year 2010 and \$30,000 of the general fund--state appropriation  
7 for fiscal year 2011 are provided solely for implementation of  
8 Engrossed Second Substitute Bill No. 5560 (agency climate leadership).  
9 If the bill is not enacted by June 30, 2009, the amounts provided in  
10 this subsection shall lapse.

11        (11) \$1,030,000 of the aquatic lands enhancement account--state  
12 appropriation for fiscal year 2011 is provided solely for continuing  
13 scientific studies already underway as part of the adaptive management  
14 process. Funds may not be used to initiate new studies unless the  
15 department secures new federal funding for the adaptive management  
16 process.

17        (12) \$79,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$79,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for a grant for the operation of  
20 the Northwest avalanche center.

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

24        (14) With the passage of Substitute House Bill No. 2339 (state  
25 parks system donation), the legislature finds that it has provided  
26 sufficient funds to ensure that all state parks remain open during the  
27 2009-11 biennium. The commission shall not close state parks unless  
28 revenue collections are insufficient to fund the ongoing operation of  
29 state parks.

30        (15) \$294,000 of the aquatic lands enhancement account--state  
31 appropriation is provided solely for the implementation of hatchery  
32 reform recommendations defined by the hatchery scientific review group.

33        (16) \$355,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$422,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for the department to implement a  
36 pilot project with the Confederated Tribes of the Colville Reservation  
37 to develop expanded recreational fishing opportunities on Lake Rufus  
38 Woods and its northern shoreline and to conduct joint enforcement of

1 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
2 state and tribal intergovernmental agreements developed under the  
3 Columbia River water supply program. For the purposes of the pilot  
4 project:

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

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

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

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

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

21 (17) Prior to submitting its 2011-2013 biennial operating and  
22 capital budget request related to state fish hatcheries to the office  
23 of financial management, the department shall contract with the  
24 hatchery scientific review group (HSRG) to review this request. This  
25 review shall: (a) Determine if the proposed requests are consistent  
26 with HSRG recommendations; (b) prioritize the components of the  
27 requests based on their contributions to protecting wild salmonid  
28 stocks and meeting the recommendations of the HSRG; and (c) evaluate  
29 whether the proposed requests are being made in the most cost effective  
30 manner. The department shall provide a copy of the HSRG review to the  
31 office of financial management with their agency budget proposal.

32 (18) Within existing funds, the department shall continue  
33 implementing its capital program action plan dated September 1, 2007,  
34 including the purchase of the necessary maintenance and support costs  
35 for the capital programs and engineering tools. The department shall  
36 report to the office of financial management and the appropriate  
37 committees of the legislature its progress in implementing the plan,



1 including improvements instituted in its capital program, by September  
2 30, 2010.

3 (19) \$1,232,000 of the state wildlife account--state appropriation  
4 is provided solely to implement Substitute House Bill No. 1778 (fish  
5 and wildlife).

6 (20) \$400,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$400,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for a state match to support the  
9 Puget Sound nearshore partnership between the department and the U.S.  
10 army corps of engineers.

11 (21) \$50,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$50,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely for removal of derelict gear in  
14 Washington waters.

15 (22) The department shall dispose of all Cessna aircraft it  
16 currently owns. The proceeds from the aircraft shall be deposited into  
17 the state wildlife account. Disposal of the aircraft must occur no  
18 later than June 30, 2010.

19 (23) \$60,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$60,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for implementation of Engrossed  
22 Second Substitute Bill No. 5560 (agency climate leadership).

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

35 (25) \$100,000 of the eastern Washington pheasant enhancement  
36 account--state appropriation is provided solely for the department to  
37 support efforts to enhance permanent and temporary pheasant habitat on  
38 public and private lands in Grant, Franklin, and Adams counties. The

1 department may support efforts by entities including conservation  
2 districts, nonprofit organizations, and landowners, and must require  
3 such entities to provide significant nonstate matching resources, which  
4 may be in the form of funds, material, or labor.

5 (26) Within the amounts appropriated in this section, the  
6 department shall develop a method for allocating its administrative and  
7 overhead costs proportionate to program fund use. As part of its 2011-  
8 2013 biennial operating budget, the department shall submit a decision  
9 package that rebalances expenditure authority for all agency funds  
10 based upon proportionate contributions.

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

16 (28) \$2,555,000 of the hydraulic project approval account--state  
17 appropriation is provided solely for implementation of Substitute  
18 Senate Bill No. 6448 (hydraulic project permitting). If the bill is  
19 not enacted by June 30, 2010, the amount provided in this subsection  
20 shall lapse.

21 (29) \$113,000 of the natural resources conservation areas  
22 stewardship account--state appropriation is provided solely for  
23 implementation of Substitute Senate Bill No. 6747 (natural heritage  
24 program/DNR). If the bill is not enacted by June 30, 2010, the amount  
25 provided in this subsection shall lapse.

26 (30) Prior to opening game management unit 490 to public hunting,  
27 the department shall complete an environmental impact statement that  
28 includes an assessment of how public hunting activities will impact the  
29 ongoing protection of the public water supply.

30 (31) The department must work with appropriate stakeholders to  
31 facilitate the disposition of salmon to best utilize the resource,  
32 increase revenues to regional fisheries enhancement groups, and enhance  
33 the provision of nutrients to food banks. By November 1, 2010, the  
34 department must provide a report to the appropriate committees of the  
35 legislature summarizing these discussions, outcomes, and  
36 recommendations. After November 1, 2010, the department shall not  
37 solicit or award a surplus salmon disposal contract without first

1 giving due consideration to implementing the recommendations developed  
2 during the stakeholder process.

3 (32) \$10,570,000 of the state efficiency and restructuring  
4 account--state appropriation is provided solely for one-time costs and  
5 other transition costs necessary for the consolidation of the  
6 department of fish and wildlife, state parks and recreation commission,  
7 and the department of natural resources by June 30, 2011. No later  
8 than July 1, 2010, the department of natural resources, the department  
9 of fish and wildlife, the fish and wildlife commission, and the state  
10 parks and recreation commission shall devise a plan to implement the  
11 consolidation. Beginning September 1, 2010, the department of natural  
12 resources shall lead implementation of the consolidation and the  
13 consolidation shall be complete by June 30, 2011.

14 (33) The appropriations in this section reflect the transfer of the  
15 entire 2009-11 fiscal biennial appropriations for the department of  
16 fish and wildlife and the state parks and recreation commission. The  
17 authorization to expend from these transferred appropriations shall be  
18 reduced by any expenditures from the appropriations prior to the  
19 effective date of this section.

20 **Sec. 309.** 2010 c 3 s 305 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF AGRICULTURE**

23	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$12,329,000</del> ))
24		<u>\$12,158,000</u>
25	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$11,271,000</del> ))
26		<u>\$15,536,000</u>
27	General Fund--Federal Appropriation . . . . .	(( <del>\$11,565,000</del> ))
28		<u>\$21,008,000</u>
29	General Fund--Private/Local Appropriation . . . . .	\$194,000
30	Aquatic Lands Enhancement Account--State	
31	Appropriation . . . . .	\$2,559,000
32	State Toxics Control Account--State Appropriation . . .	(( <del>\$4,298,000</del> ))
33		<u>\$4,689,000</u>
34	Water Quality Permit Account--State Appropriation . . . . .	\$61,000
35	TOTAL APPROPRIATION . . . . .	(( <del>\$42,277,000</del> ))
36		<u>\$56,205,000</u>

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

3 (1) \$350,000 of the aquatic lands enhancement account appropriation  
4 is provided solely for funding to the Pacific county noxious weed  
5 control board to eradicate remaining spartina in Willapa Bay.

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

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

17 (4) \$65,000 of the general fund--state appropriation for fiscal  
18 year 2011 is provided solely for a contract with a food distribution  
19 program for communities in the southwestern portion of the state for  
20 workers adversely affected by timber harvest reductions and salmon  
21 fishing closures and reductions. The department may not charge  
22 administrative overhead or expenses to the funds provided in this  
23 subsection.

24 (5) When reducing laboratory activities and functions, the  
25 department shall not impact any research or analysis pertaining to  
26 bees.

27 **Sec. 310.** 2010 c 3 s 306 (uncodified) is amended to read as  
28 follows:

29 **FOR THE PUGET SOUND PARTNERSHIP**

30	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$3,172,000</del> ))
31		<u>\$3,027,000</u>
32	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$3,143,000</del> ))
33		<u>\$2,677,000</u>
34	General Fund--Federal Appropriation . . . . .	(( <del>\$3,623,000</del> ))
35		<u>\$7,236,000</u>
36	Aquatic Lands Enhancement Account--State Appropriation . .	(( <del>\$500,000</del> ))
37		<u>\$496,000</u>

1 State Toxics Control Account--State Appropriation . . . . . (~~(\$896,000)~~)  
2 \$817,000  
3 TOTAL APPROPRIATION . . . . . (~~(\$11,334,000)~~)  
4 \$14,253,000

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

7 (1) \$305,000 of the general fund--state appropriation for fiscal  
8 year 2010 is provided solely for measuring water and habitat quality to  
9 determine watershed health and assist salmon recovery.

10 (2) \$896,000 of the state toxics control account--state  
11 appropriation is provided solely for activities that contribute to  
12 Puget Sound protection and recovery, including provision of independent  
13 advice and assessment of the state's oil spill prevention,  
14 preparedness, and response programs, including review of existing  
15 activities and recommendations for any necessary improvements. The  
16 partnership may carry out this function through an existing committee,  
17 such as the ecosystem coordination board or the leadership council, or  
18 may appoint a special advisory council. Because this is a unique  
19 statewide program, the partnership may invite participation from  
20 outside the Puget Sound region.

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

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

29 (5) (~~(\$877,000)~~) \$764,000 of the general fund--state appropriation  
30 for fiscal year 2010 and (~~(\$877,000)~~) \$537,000 of the general fund--  
31 state appropriation for fiscal year 2011 are provided solely to support  
32 public education and volunteer programs. The partnership is directed  
33 to distribute the majority of funding as grants to local organizations,  
34 local governments, and education, communication, and outreach network  
35 partners. The partnership shall track progress for this activity  
36 through the accountability system of the Puget Sound partnership.

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

1 year 2011 is provided solely for implementation of Senate Bill No. 6347  
2 (seawater desalination). If the bill is not enacted by June 30, 2010,  
3 the amount provided in this subsection shall lapse.

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

(End of part)

**PART IV**  
**TRANSPORTATION**

**Sec. 401.** 2010 c 3 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2010) . . . . .	\$1,436,000
General Fund--State Appropriation (FY 2011) . . . . .	\$1,535,000
Architects' License Account--State Appropriation . . . . .	\$767,000
Professional Engineers' Account--State Appropriation . . . . .	<del>(\$3,586,000)</del>
	<u>\$3,580,000</u>
Real Estate Commission Account--State Appropriation . . . . .	\$10,047,000
Master License Account--State Appropriation . . . . .	<del>(\$15,718,000)</del>
	<u>\$15,801,000</u>
Uniform Commercial Code Account--State Appropriation . . . . .	\$3,100,000
Real Estate Education Account--State Appropriation . . . . .	\$276,000
Real Estate Appraiser Commission Account--State Appropriation . . . . .	<del>(\$1,692,000)</del>
	<u>\$1,692,000</u>
Business and Professions Account--State Appropriation . . . . .	<del>(\$15,270,000)</del>
	<u>\$15,272,000</u>
Real Estate Research Account--State Appropriation . . . . .	\$320,000
Geologists' Account--State Appropriation . . . . .	\$53,000
Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
TOTAL APPROPRIATION . . . . .	<del>(\$53,831,000)</del>
	<u>\$53,910,000</u>

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

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

(2) \$1,352,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill

1 No. 5391 (tattoo and body piercing). If the bill is not enacted by  
2 June 30, 2009, the amount provided in this subsection shall lapse.

3 (3) \$358,000 of the business and professions account--state  
4 appropriation is provided solely to implement Senate Bill No. 6126  
5 (professional athletics). If the bill is not enacted by June 30, 2009,  
6 the amount provided in this subsection shall lapse.

7 (4) \$81,000 of the master license account--state appropriation is  
8 provided solely to implement Engrossed Senate Bill No. 6263 (Washington  
9 vaccine association). The amount provided in this subsection shall be  
10 from fee revenue under Engrossed Senate Bill No. 6263. If the bill is  
11 not enacted by June 30, 2010, the amount provided in this subsection  
12 shall lapse.

13 **Sec. 402.** 2010 c 3 s 402 (uncodified) is amended to read as  
14 follows:

15 **FOR THE STATE PATROL**

16	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$40,668,000</del> ))
17		<u>\$39,883,000</u>
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$39,566,000</del> ))
19		<u>\$37,906,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$11,401,000</del> ))
21		<u>\$15,168,000</u>
22	General Fund--Private/Local Appropriation . . . . .	(( <del>\$3,568,000</del> ))
23		<u>\$4,981,000</u>
24	Death Investigations Account--State Appropriation . . .	(( <del>\$6,022,000</del> ))
25		<u>\$5,561,000</u>
26	Enhanced 911 Account--State Appropriation . . . . .	\$589,000
27	County Criminal Justice Assistance Account--State	
28	Appropriation . . . . .	\$3,122,000
29	Municipal Criminal Justice Assistance Account--State	
30	Appropriation . . . . .	\$1,245,000
31	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
32	<u>Vehicle License Fraud--State Appropriation . . . . .</u>	<u>\$270,000</u>
33	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
34	Fire Service Training Account--State Appropriation . . .	(( <del>\$8,717,000</del> ))
35		<u>\$8,715,000</u>
36	Aquatic Invasive Species Enforcement Account--State	
37	Appropriation . . . . .	\$54,000



1 State Toxics Control Account--State Appropriation . . . . . \$504,000  
 2 Fingerprint Identification Account--State  
 3 Appropriation . . . . . ((\$7,371,000))  
 4 \$8,387,000  
 5 TOTAL APPROPRIATION . . . . . ((\$130,960,000))  
 6 \$134,518,000

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

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

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

24 (3) ~~((The 2010 legislature will review the use of king air planes  
 25 by the executive branch and the adequacy of funding in this budget  
 26 regarding maintaining and operating the planes to successfully  
 27 accomplish their mission.))~~ The department shall dispose of the two  
 28 King Air aircraft it currently owns. The proceeds from the sale of the  
 29 airplanes shall be deposited into the state general fund and the state  
 30 patrol highway account in equal amounts. Disposal of the aircraft must  
 31 occur no later than June 30, 2011.

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

1 (5) \$400,000 of the fire service training account--state  
2 appropriation is provided solely for the firefighter apprenticeship  
3 training program.

4 (6) \$48,000 of the fingerprint identification account--state  
5 appropriation is provided solely to implement Substitute House Bill No.  
6 1621 (consumer loan companies). If the bill is not enacted by June 30,  
7 2009, the amounts provided in this subsection shall lapse.

8 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,  
9 the state patrol is authorized to increase the following fees in fiscal  
10 year 2011 as necessary to meet the actual costs of conducting business  
11 and the appropriation levels in this section: Collision records  
12 requests, fire training academy courses, and fire training academy  
13 dormitory accommodations.

(End of part)

**PART V**  
**EDUCATION**

**Sec. 501.** 2009 c 564 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$34,798,000</del> ))
	<u>\$35,588,000</u>
General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$32,969,000</del> ))
	<u>\$31,115,000</u>
General Fund--Federal Appropriation . . . . .	(( <del>\$86,571,000</del> ))
	<u>\$87,433,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$154,338,000</del> ))
	<u>\$154,136,000</u>

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

(1) A maximum of ((~~\$22,532,000~~)) \$22,752,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$21,023,000~~)) \$20,046,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) ((~~\$11,792,000~~)) \$11,165,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$11,325,000~~)) \$9,832,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, ((via the)) monthly ((report of school district enrollment)), accurate monthly headcount and FTE

1 enrollments for students in (~~internet~~) alternative learning  
2 experience (ALE) programs as well as information about resident and  
3 serving districts.

4 (iii) \$927,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$941,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for research and development  
7 activities associated with the development of options for new school  
8 finance systems, including technical staff, reprogramming, and analysis  
9 of alternative student funding formulae. Within this amount is  
10 \$150,000 for the state board of education for further development of  
11 accountability systems, and \$150,000 for the professional educator  
12 standards board for continued development of teacher certification and  
13 evaluation systems.

14 (b) \$965,000 of the general fund--state appropriation for fiscal  
15 year 2010 and (~~(\$965,000)~~) \$946,000 of the general fund--state  
16 appropriation for fiscal year 2011 are provided solely for the  
17 operation and expenses of the state board of education, including basic  
18 education assistance activities.

19 (c) \$5,366,000 of the general fund--state appropriation for fiscal  
20 year 2010 and (~~(\$5,264,000)~~) \$3,062,000 of the general fund--state  
21 appropriation for fiscal year 2011 are provided solely to the  
22 professional educator standards board for the following:

23 (i) \$1,070,000 in fiscal year 2010 and (~~(\$1,070,000)~~) \$1,058,000 in  
24 fiscal year 2011 are for the operation and expenses of the Washington  
25 professional educator standards board, including administering the  
26 alternative routes to certification program, pipeline for paraeducators  
27 conditional scholarship loan program, and the retooling to teach math  
28 conditional loan program;

29 (ii) \$3,431,000 of the general fund--state appropriation for fiscal  
30 year 2010 and (~~(\$3,431,000)~~) \$1,716,000 of the general fund--state  
31 appropriation for fiscal year 2011 are for conditional scholarship  
32 loans and mentor stipends provided through the alternative routes to  
33 certification program administered by the professional educator  
34 standards board. (~~Of these amounts:~~

35 ~~(A) \$500,000 each year is for conditional scholarships to~~  
36 ~~candidates seeking an endorsement in special education, math, science,~~  
37 ~~or bilingual education;~~

1       ~~(B) \$2,372,000 for fiscal year 2010 and \$2,372,000 for fiscal year~~  
2 ~~2011 are for the expansion of conditional scholarship loans and mentor~~  
3 ~~stipends for individuals enrolled in alternative route state~~  
4 ~~partnership programs and seeking endorsements in math, science, special~~  
5 ~~education or bilingual education;~~

6       ~~(C) Any remaining amounts in this subsection (c) shall be used to~~  
7 ~~continue existing alternative routes to certification programs; and~~

8       ~~(D) Candidates seeking math and science endorsements under (A) and~~  
9 ~~(B) of this subsection shall receive priority for funding;)~~

10       (iii) \$231,000 of the general fund--state appropriation for fiscal  
11 year 2010 (~~and \$231,000 of the general fund--state appropriation for~~  
12 ~~fiscal year 2011 are)) is for the recruiting Washington teachers  
13 program;~~

14       (iv) \$200,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$200,000 of the general fund--state appropriation for  
16 fiscal year 2011 provided in this subsection are for \$4,000 conditional  
17 loan stipends for paraeducators participating in the pipeline for  
18 paraeducators program;

19       (v) \$244,000 of the general fund--state appropriation for fiscal  
20 year 2010 (~~and \$244,000 of the general fund--state appropriation for~~  
21 ~~fiscal year 2011 are)) is for conditional stipends for certificated  
22 teachers pursuing a mathematics or science endorsement under the  
23 retooling to teach mathematics or science program. The conditional  
24 stipends shall be for endorsement exam fees as well as stipends for  
25 teachers who must also complete coursework; and~~

26       (vi) \$102,000 of the general fund--state appropriation for fiscal  
27 year 2010 is provided for the implementation of Second Substitute  
28 Senate Bill No. 5973 (student achievement gap). The professional  
29 educator standards board (PESB) will convene a workgroup to identify a  
30 list of model standards for cultural competency and make  
31 recommendations to the education committees of the legislature on the  
32 strengths and weaknesses of those standards. Funding is also included  
33 here in the amount of \$10,000 for the PESB to develop an interagency  
34 agreement with the center for the improvement of student learning to  
35 participate.

36       (d) \$1,099,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$144,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for replacement of the

1 apportionment system, which includes the processes that collect school  
2 district budget and expenditure information, staffing characteristics,  
3 and the student enrollments that drive the funding process.

4 (e) \$1,227,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$1,227,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the creation of a statewide  
7 data base of longitudinal student information. This amount is  
8 conditioned on the department satisfying the requirements in section  
9 902 of this act.

10 (f) \$75,000 of the general fund--state appropriation for fiscal  
11 year 2010 (~~and \$75,000 of the general fund--state appropriation for~~  
12 ~~fiscal year 2011 are~~) is provided solely to promote the financial  
13 literacy of students. The effort will be coordinated through the  
14 financial education public-private partnership.

15 (g) To the maximum extent possible, in adopting new agency rules or  
16 making any changes to existing rules or policies related to the fiscal  
17 provisions in the administration of part V of this act, the office of  
18 the superintendent of public instruction shall attempt to request  
19 approval through the normal legislative budget process.

20 (h) \$44,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$45,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for the implementation of  
23 Substitute Senate Bill No. 5248 (enacting the interstate compact on  
24 educational opportunity for military children).

25 (i) \$700,000 of the general fund--state appropriation for fiscal  
26 year 2010 and \$700,000 of the general fund--state appropriation for  
27 fiscal year 2011 are provided solely for the implementation of  
28 Substitute Senate Bill No. 5410 (online learning).

29 (j) \$25,000 of the general fund--state appropriation for fiscal  
30 year 2010 (~~and \$25,000 of the general fund--state appropriation for~~  
31 ~~fiscal year 2011 are~~) is provided solely for project citizen, a  
32 program sponsored by the national conference of state legislatures and  
33 the center for civic education to promote participation in government  
34 by middle school students.

35 (k) \$778,000 of the general fund--state appropriation for fiscal  
36 year 2010 is provided solely for office of the attorney general costs  
37 related to *McCleary v. State of Washington*.

1       (l) \$1,700,000 of the general fund--state appropriation for fiscal  
2 year 2011 is provided solely for implementation of Second Substitute  
3 Senate Bill No. 6760 (basic education instructional allocation  
4 distribution formula) which includes reprogramming of systems used to  
5 calculate, apportion, and distribute state funding for public schools.

6       (m) \$181,000 of the general fund--state appropriation for fiscal  
7 year 2011 is provided solely for the implementation of Second  
8 Substitute Senate Bill No. 6798 (implementing the recommendations of  
9 the achievement gap oversight and accountability committee).

10       (n) \$55,000 of the general fund--state appropriation for fiscal  
11 year 2011 is provided solely for the implementation of Substitute  
12 Senate Bill No. 6629 (convening a working group to make recommendations  
13 defining a basic education program for highly capable students).

14       (o) \$1,000,000 of the general fund--state appropriation for fiscal  
15 year 2011 is provided solely for contracting with a college scholarship  
16 organization with expertise in conducting outreach to students  
17 concerning eligibility for the Washington college bound scholarship  
18 consistent with chapter 405, Laws of 2007.

19       (p) \$69,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$115,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for implementation of Substitute  
22 Senate Bill No. 6759 (requiring a plan for a voluntary program of early  
23 learning as a part of basic education).

24       (2) \$12,836,000 of the general fund--state appropriation for fiscal  
25 year 2010, (~~(\$12,407,000)~~) \$11,069,000 of the general fund--state  
26 appropriation for fiscal year 2011, and \$55,890,000 of the general  
27 fund--federal appropriation are for statewide programs.

28       (a) HEALTH AND SAFETY

29       (i) \$2,541,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$2,541,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for a corps of nurses located at  
32 educational service districts, as determined by the superintendent of  
33 public instruction, to be dispatched to the most needy schools to  
34 provide direct care to students, health education, and training for  
35 school staff.

36       (ii) \$100,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$100,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for a school safety training

1 program provided by the criminal justice training commission. The  
2 commission, in collaboration with the school safety center advisory  
3 committee, shall provide the school safety training for all school  
4 administrators and school safety personnel, including school safety  
5 personnel hired after the effective date of this section.

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

9 (iv) \$96,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$96,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for the school safety center in  
12 the office of the superintendent of public instruction subject to the  
13 following conditions and limitations:

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

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

26 (v) \$70,000 of the general fund--state appropriation for fiscal  
27 year 2010 (~~and \$70,000 of the general fund--state appropriation for~~  
28 ~~fiscal year 2011 are~~) is provided solely for the youth suicide  
29 prevention program.

30 (vi) \$50,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$50,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for a nonviolence and leadership  
33 training program provided by the institute for community leadership.

34 (vii) The office of financial management, in collaboration with the  
35 superintendent of public instruction, shall create the coordinated  
36 school health public-private partnership account as a local account, in  
37 accordance with RCW 43.88.195, to support the efforts of the  
38 partnership. Revenues to the account may include gifts from the



1 private sector, federal funds, and any appropriations made by the  
2 legislature or other sources. Grants and their administration shall be  
3 paid from the account. Only the superintendent of public instruction  
4 or the superintendent of public instruction's designee may authorize  
5 expenditures from the account and only in consultation with the  
6 partnership. The account is subject to allotment procedures under  
7 chapter 43.88 RCW but an appropriation is not required for expenditure.  
8 If funding is not available in sufficient amounts to carry out the  
9 specific tasks of the partnership, nothing in this subsection  
10 (2)(a)(vii) requires action by the office of the superintendent of  
11 public instruction.

12 (viii) The office of the superintendent of public instruction, in  
13 collaboration with the Washington state school directors' association  
14 and the task force on gangs in schools and other stakeholders, shall  
15 develop and make available to school districts a model policy and  
16 procedure prohibiting criminal street gang activity by January 1, 2011.  
17 Representatives of the following stakeholder groups must be included in  
18 the development of the model policy: School directors, school  
19 administrators, civil rights organizations, the state ethnic  
20 commissions, the tribal leaders' congress, the office of the education  
21 ombudsman, the achievement gap oversight and accountability commission,  
22 parents, students, and law enforcement.

23 (b) TECHNOLOGY

24 (i) \$1,939,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$1,939,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for K-20 telecommunications  
27 network technical support in the K-12 sector to prevent system failures  
28 and avoid interruptions in school utilization of the data processing  
29 and video-conferencing capabilities of the network. These funds may be  
30 used to purchase engineering and advanced technical support for the  
31 network.

32 (ii) \$1,475,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$1,045,000 of the general fund--state appropriation for  
34 fiscal year 2011, and \$435,000 of the general fund--federal  
35 appropriation are provided solely for implementing a comprehensive data  
36 system to include financial, student, and educator data. The office of  
37 the superintendent of public instruction will convene a data governance  
38 group to create a comprehensive needs-requirement document, conduct a

1 gap analysis, and define operating rules and a governance structure for  
2 K-12 data collections. A preliminary report shall be submitted to the  
3 fiscal committees and the education policy committees of the house of  
4 representatives and senate by November 2009.

5 (iii) \$1,656,000 of the general fund--federal appropriation for  
6 fiscal year 2010 and \$2,483,000 of the general fund--federal  
7 appropriation for fiscal year 2011 of the American recovery and  
8 reinvestment act (ARRA) 2009 funds for education technology are  
9 provided solely for distribution to school districts, by formula, as  
10 provided in the ARRA and related federal guidelines. \$4,139,000 of the  
11 general fund--federal appropriation of the American recovery and  
12 reinvestment act (ARRA) 2009 funds for education technology shall be  
13 awarded to local education agencies through a competitive grant  
14 process.

15 (c) GRANTS AND ALLOCATIONS

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

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

29 (iii) \$25,000 of the general fund--state appropriation for fiscal  
30 year 2010 (~~and \$25,000 of the general fund--state appropriation for~~  
31 ~~fiscal year 2011 are~~) is provided solely for developing and  
32 disseminating curriculum and other materials documenting women's role  
33 in World War II.

34 (iv) \$175,000 of the general fund--state appropriation for fiscal  
35 year 2010 (~~and \$175,000 of the general fund--state appropriation for~~  
36 ~~fiscal year 2011 are~~) is provided solely for incentive grants for  
37 districts and pilot projects to develop preapprenticeship programs.  
38 Incentive grant awards up to \$10,000 each shall be used to support the

1 program's design, school/business/labor agreement negotiations, and  
2 recruiting high school students for preapprenticeship programs in the  
3 building trades and crafts.

4 (v) \$3,219,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$3,220,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the dissemination of the  
7 navigation 101 curriculum to all districts. The funding shall support  
8 electronic student planning tools and software for analyzing the impact  
9 of navigation 101 on student performance, as well as grants to a  
10 maximum of one hundred school districts each year, based on progress  
11 and need for the implementation of the navigation 101 program. The  
12 implementation grants shall be awarded to a cross-section of school  
13 districts reflecting a balance of geographic and demographic  
14 characteristics. Within the amounts provided, the office of the  
15 superintendent of public instruction will create a navigation 101  
16 accountability model to analyze the impact of the program.

17 (vi) \$675,000 of the general fund--state appropriation for fiscal  
18 year 2010 (~~and \$675,000 of the general fund--state appropriation for~~  
19 ~~fiscal year 2011 are~~) is provided solely for implementation of a  
20 statewide program for comprehensive dropout prevention, intervention,  
21 and retrieval.

22 (vii) \$50,000 of the general fund--state appropriation for fiscal  
23 year 2010 (~~and \$50,000 of the general fund--state appropriation for~~  
24 ~~fiscal year 2011 are~~) is provided solely for program initiatives to  
25 address the educational needs of Latino students and families. Using  
26 the full amounts of the appropriations under this subsection  
27 (2)(c)(vii), the office of the superintendent of public instruction  
28 shall contract with the Seattle community coalition of compaña quetzal  
29 to provide for three initiatives: (A) Early childhood education; (B)  
30 parent leadership training; and (C) high school success and college  
31 preparation programs.

32 (viii) \$75,000 of the general fund--state appropriation for fiscal  
33 year 2010 (~~and \$75,000 of the general fund--state appropriation for~~  
34 ~~fiscal year 2011 are~~) is provided solely for a pilot project to  
35 encourage bilingual high school students to pursue public school  
36 teaching as a profession. Using the full amounts of the appropriation  
37 under this subsection, the office of the superintendent of public  
38 instruction shall contract with the Latino/a educational achievement

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

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

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

21 (xi) \$25,000 of the general--state appropriation for fiscal year  
22 2010 (~~and \$25,000 of the general fund--state appropriation for fiscal~~  
23 ~~year 2011 are~~) is provided solely for the communities in school  
24 program in Pierce county.

25 **Sec. 502.** 2009 c 564 s 502 (uncodified) is amended to read as  
26 follows:

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

29	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$5,083,217,000</del> ))
30		<u>\$4,806,108,000</u>
31	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$5,103,543,000</del> ))
32		<u>\$5,393,078,000</u>
33	TOTAL APPROPRIATION . . . . .	(( <del>\$10,186,760,000</del> ))
34		<u>\$10,199,186,000</u>

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

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

4 (2) Consistent with section 222(2) of this act, the amounts  
5 provided within this section assume a reduction of \$222,000 in the  
6 general allocation provided for the Steilacoom historical school  
7 district as a result of the department of corrections, by December 31,  
8 2010, decreasing the offender population at McNeil island corrections  
9 center. The Steilacoom historical school district will receive no  
10 funding for the Harriet Taylor elementary school and no instruction  
11 will be offered at the school during the 2010-2011 school year.

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

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

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

27 (ii)(A) For the 2009-10 school year, fifty-three and two-tenths  
28 certificated instructional staff units per thousand full-time  
29 equivalent students in grades K-4, and, for the 2010-11 school year,  
30 forty-nine and five-tenths certificated instructional staff units per  
31 thousand full-time equivalent students in grades K-3, for districts  
32 that enroll fewer than 25 percent of their total full-time equivalent  
33 student enrollment in grades K-4 in digital or online learning programs  
34 defined in WAC 392-121-182.

35 (B) For the 2010-11 school year, forty-six certificated  
36 instructional staff units per thousand full-time equivalent students in  
37 grade four.



1 basic support, and payments shall be adjusted for reported vocational  
2 enrollments on the same monthly basis as those adjustments for  
3 enrollment for students eligible for basic support; and

4 (iii) Indirect cost charges by a school district to vocational-  
5 secondary programs shall not exceed 15 percent of the combined basic  
6 education and vocational enhancement allocations of state funds;

7 (d) For districts enrolling not more than twenty-five average  
8 annual full-time equivalent students in grades K-8, and for small  
9 school plants within any school district which have been judged to be  
10 remote and necessary by the state board of education and enroll not  
11 more than twenty-five average annual full-time equivalent students in  
12 grades K-8:

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

18 (ii) For those enrolling students in grades 7 or 8, 1.68  
19 certificated instructional staff units and 0.32 certificated  
20 administrative staff units for enrollment of not more than five  
21 students, plus one-tenth of a certificated instructional staff unit for  
22 each additional student enrolled;

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

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

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

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

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

6 (ii) For all other small high schools under this subsection, nine  
7 certificated instructional staff units and one-half of a certificated  
8 administrative staff unit for the first sixty average annual full time  
9 equivalent students, and additional staff units based on a ratio of  
10 0.8732 certificated instructional staff units and 0.1268 certificated  
11 administrative staff units per each additional forty-three and one-half  
12 average annual full time equivalent students.

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

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

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

27 (~~((+3))~~) (4) Allocations for classified salaries for the 2009-10 and  
28 2010-11 school years shall be calculated using formula-generated  
29 classified staff units determined as follows:

30 (a) For enrollments generating certificated staff unit allocations  
31 under subsection (2)(e) through (h) of this section, one classified  
32 staff unit for each 2.94 certificated staff units allocated under such  
33 subsections;

34 (b) For all other enrollment in grades K-12, including vocational  
35 full-time equivalent enrollments, one classified staff unit for each  
36 (~~((58.75))~~) 60.00 average annual full-time equivalent students; and

37 (c) For each nonhigh school district with an enrollment of more



1 than fifty annual average full-time equivalent students and less than  
2 one hundred eighty students, an additional one-half of a classified  
3 staff unit.

4 ~~((+4))~~ (5) Fringe benefit allocations shall be calculated at a  
5 rate of 14.43 percent in the 2009-10 school year and 14.43 percent in  
6 the 2010-11 school year for certificated salary allocations provided  
7 under subsection (2) of this section, and a rate of 16.58 percent in  
8 the 2009-10 school year and 16.58 percent in the 2010-11 school year  
9 for classified salary allocations provided under subsection (3) of this  
10 section.

11 ~~((+5))~~ (6) Insurance benefit allocations shall be calculated at  
12 the maintenance rate specified in section 504(2) of this act, based on  
13 the number of benefit units determined as follows:

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

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

22 ~~((+6))~~ (7)(a) For nonemployee-related costs associated with each  
23 certificated staff unit allocated under subsection (2)(a), (b), and (d)  
24 through (g) of this section, there shall be provided a maximum of  
25 \$10,179 per certificated staff unit in the 2009-10 school year and a  
26 maximum of ~~(( \$10,445 ))~~ \$10,424 per certificated staff unit in the 2010-  
27 11 school year.

28 (b) For nonemployee-related costs associated with each vocational  
29 certificated staff unit allocated under subsection (2)(c)(i)(A) of this  
30 section, there shall be provided a maximum of \$24,999 per certificated  
31 staff unit in the 2009-10 school year and a maximum of ~~(( \$25,449 ))~~  
32 \$25,399 per certificated staff unit in the 2010-11 school year.

33 (c) For nonemployee-related costs associated with each vocational  
34 certificated staff unit allocated under subsection (2)(c)(i)(B) of this  
35 section, there shall be provided a maximum of \$19,395 per certificated  
36 staff unit in the 2009-10 school year and a maximum of ~~(( \$19,744 ))~~  
37 \$19,705 per certificated staff unit in the 2010-11 school year.

1        (~~(7)~~) (8) Allocations for substitute costs for classroom teachers  
2 shall be distributed at a maintenance rate of \$607.44 for the 2009-10  
3 and 2010-11 school years per allocated classroom teachers exclusive of  
4 salary increase amounts provided in section 504 of this act. Solely  
5 for the purposes of this subsection, allocated classroom teachers shall  
6 be equal to the number of certificated instructional staff units  
7 allocated under subsection (2) of this section, multiplied by the ratio  
8 between the number of actual basic education certificated teachers and  
9 the number of actual basic education certificated instructional staff  
10 reported statewide for the prior school year.

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

20        (~~(9)~~) (10) Funding in this section is sufficient to provide  
21 additional service year credits to educational staff associates  
22 pursuant to chapter 403, Laws of 2007.

23        (~~(10)~~) (11)(a) The superintendent may distribute a maximum of  
24 (~~(\$7,288,000)~~) \$7,286,000 outside the basic education formula during  
25 fiscal years 2010 and 2011 as follows:

26        (i) For fire protection for school districts located in a fire  
27 protection district as now or hereafter established pursuant to chapter  
28 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010  
29 and a maximum of (~~(\$577,000)~~) \$576,000 may be expended in fiscal year  
30 2011;

31        (ii) For summer vocational programs at skills centers, a maximum of  
32 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of  
33 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year  
34 amount may carry over from one year to the next;

35        (iii) A maximum of (~~(\$404,000)~~) \$403,000 may be expended for school  
36 district emergencies; and

37        (iv) A maximum of \$485,000 each fiscal year may be expended for  
38 programs providing skills training for secondary students who are

1 enrolled in extended day school-to-work programs, as approved by the  
2 superintendent of public instruction. The funds shall be allocated at  
3 a rate not to exceed \$500 per full-time equivalent student enrolled in  
4 those programs.

5 (b) Funding in this section is sufficient to fund a maximum of 1.6  
6 FTE enrollment for skills center students pursuant to chapter 463, Laws  
7 of 2007.

8 ~~((+11))~~ (12) For purposes of RCW 84.52.0531, the increase per  
9 full-time equivalent student is 4.0 percent from the 2008-09 school  
10 year to the 2009-10 school year and ~~((4.0))~~ 1.0 percent from the 2009-  
11 10 school year to the 2010-11 school year.

12 ~~((+12))~~ (13) If two or more school districts consolidate and each  
13 district was receiving additional basic education formula staff units  
14 pursuant to subsection (2)(b) through (g) of this section, the  
15 following shall apply:

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

20 (b) For the fourth through eighth school years following  
21 consolidation, the difference between the basic education formula staff  
22 units received by the districts for the school year prior to  
23 consolidation and the basic education formula staff units after  
24 consolidation pursuant to subsection (2)(a) through (h) of this section  
25 shall be reduced in increments of twenty percent per year.

26 **Sec. 503.** 2009 c 564 s 503 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION**  
29 **EMPLOYEE COMPENSATION.** (1) The following calculations determine the  
30 salaries used in the general fund allocations for certificated  
31 instructional, certificated administrative, and classified staff units  
32 under section 502 of this act:

33 (a) Salary allocations for certificated instructional staff units  
34 shall be determined for each district by multiplying the district's  
35 certificated instructional total base salary shown on LEAP Document 2  
36 by the district's average staff mix factor for certificated

1 instructional staff in that school year, computed using LEAP Document  
2 1; and

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

7 (2) For the purposes of this section:

8 (a) "LEAP Document 1" means the staff mix factors for certificated  
9 instructional staff according to education and years of experience, as  
10 developed by the legislative evaluation and accountability program  
11 committee on (~~April 22, 2009, at 08:22 hours~~) February 16, 2010, at  
12 08:22 hours; and

13 (b) "LEAP Document 2" means the school year salary allocations for  
14 certificated administrative staff and classified staff and derived and  
15 total base salaries for certificated instructional staff as developed  
16 by the legislative evaluation and accountability program committee on  
17 (~~April 22, 2009, at 08:22 hours~~) February 16, 2010, at 09:10 hours.

18 (3) Incremental fringe benefit factors shall be applied to salary  
19 adjustments at a rate of 14.43 percent for school year 2009-10 and  
20 14.43 percent for school year 2010-11 for certificated staff and for  
21 classified staff 16.58 percent for school year 2009-10 and 16.58  
22 percent for the 2010-11 school year.

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

26 Table Of Total Base Salaries For Certificated Instructional Staff  
27 For School Year 2009-10

28	Years of									MA+90
29	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	or PHD
30	0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115
31	1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589
32	2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061
33	3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
34	4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
35	5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
36	6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993

1	7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
2	8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
3	9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
4	10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
5	11				47,032	50,399	52,849	50,528	53,897	56,345
6	12				48,517	52,048	54,571	52,122	55,545	58,068
7	13					53,737	56,335	53,773	57,234	59,831
8	14					55,434	58,165	55,471	59,042	61,663
9	15					56,877	59,679	56,913	60,577	63,266
10	16 or more					58,014	60,871	58,051	61,788	64,531

((Table Of Total Base Salaries For Certificated Instructional Staff  
For School Year 2010-11

13	Years of									MA+90
14	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	or PHD
15	0	34,237	35,162	36,120	37,080	40,161	42,145	41,047	44,128	46,115
16	1	34,698	35,635	36,606	37,608	40,721	42,695	41,503	44,617	46,589
17	2	35,137	36,083	37,064	38,144	41,248	43,242	41,963	45,067	47,061
18	3	35,589	36,545	37,536	38,650	41,749	43,791	42,398	45,494	47,538
19	4	36,033	37,031	38,028	39,180	42,297	44,354	42,855	45,971	48,030
20	5	36,492	37,494	38,501	39,718	42,823	44,921	43,319	46,425	48,523
21	6	36,963	37,943	38,984	40,262	43,352	45,462	43,794	46,885	48,993
22	7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
23	8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
24	9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
25	10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
26	11				47,032	50,399	52,849	50,528	53,897	56,345
27	12				48,517	52,048	54,571	52,122	55,545	58,068
28	13					53,737	56,335	53,773	57,234	59,831
29	14					55,434	58,165	55,471	59,042	61,663
30	15					56,877	59,679	56,913	60,577	63,266
31	16 or more					58,014	60,871	58,051	61,788	64,531))

Table Of Total Base Salaries For Certificated Instructional Staff

For School Year 2010-11

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	<u>34,048</u>	<u>34,968</u>	<u>35,920</u>	<u>36,875</u>	<u>39,939</u>	<u>41,913</u>	<u>40,820</u>	<u>43,885</u>	<u>45,860</u>
1	<u>34,506</u>	<u>35,439</u>	<u>36,403</u>	<u>37,400</u>	<u>40,496</u>	<u>42,459</u>	<u>41,274</u>	<u>44,370</u>	<u>46,332</u>
2	<u>34,943</u>	<u>35,884</u>	<u>36,859</u>	<u>37,933</u>	<u>41,020</u>	<u>43,004</u>	<u>41,731</u>	<u>44,818</u>	<u>46,802</u>
3	<u>35,393</u>	<u>36,343</u>	<u>37,329</u>	<u>38,437</u>	<u>41,518</u>	<u>43,549</u>	<u>42,164</u>	<u>45,243</u>	<u>47,276</u>
4	<u>35,834</u>	<u>36,826</u>	<u>37,818</u>	<u>38,964</u>	<u>42,064</u>	<u>44,110</u>	<u>42,618</u>	<u>45,718</u>	<u>47,765</u>
5	<u>36,290</u>	<u>37,287</u>	<u>38,288</u>	<u>39,498</u>	<u>42,586</u>	<u>44,673</u>	<u>43,080</u>	<u>46,169</u>	<u>48,256</u>
6	<u>36,759</u>	<u>37,734</u>	<u>38,769</u>	<u>40,039</u>	<u>43,113</u>	<u>45,211</u>	<u>43,552</u>	<u>46,626</u>	<u>48,723</u>
7	<u>37,582</u>	<u>38,572</u>	<u>39,621</u>	<u>40,960</u>	<u>44,079</u>	<u>46,235</u>	<u>44,438</u>	<u>47,556</u>	<u>49,713</u>
8	<u>38,787</u>	<u>39,831</u>	<u>40,905</u>	<u>42,355</u>	<u>45,516</u>	<u>47,751</u>	<u>45,832</u>	<u>48,994</u>	<u>51,228</u>
9		<u>41,135</u>	<u>42,262</u>	<u>43,765</u>	<u>46,999</u>	<u>49,310</u>	<u>47,241</u>	<u>50,477</u>	<u>52,788</u>
10			<u>43,635</u>	<u>45,247</u>	<u>48,524</u>	<u>50,913</u>	<u>48,724</u>	<u>52,003</u>	<u>54,390</u>
11				<u>46,772</u>	<u>50,121</u>	<u>52,557</u>	<u>50,249</u>	<u>53,599</u>	<u>56,034</u>
12				<u>48,249</u>	<u>51,761</u>	<u>54,269</u>	<u>51,835</u>	<u>55,238</u>	<u>57,748</u>
13					<u>53,440</u>	<u>56,024</u>	<u>53,476</u>	<u>56,918</u>	<u>59,501</u>
14					<u>55,128</u>	<u>57,844</u>	<u>55,165</u>	<u>58,716</u>	<u>61,322</u>
15					<u>56,563</u>	<u>59,349</u>	<u>56,599</u>	<u>60,242</u>	<u>62,917</u>
16 or more					<u>57,693</u>	<u>60,535</u>	<u>57,731</u>	<u>61,447</u>	<u>64,174</u>

(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.

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

3 (e) "Credits" means college quarter hour credits and equivalent in-  
4 service credits computed in accordance with RCW 28A.415.020 and  
5 28A.415.023.

6 (6) No more than ninety college quarter-hour credits received by  
7 any employee after the baccalaureate degree may be used to determine  
8 compensation allocations under the state salary allocation schedule and  
9 LEAP documents referenced in this act, or any replacement schedules and  
10 documents, unless:

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

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

14 (7) The certificated instructional staff base salary specified for  
15 each district in LEAP Document 2 and the salary schedules in subsection  
16 (4)(a) of this section include one learning improvement day for the  
17 2009-10 school year only. A school district is eligible for the  
18 learning improvement day funds only if the learning improvement day has  
19 been added to the 180-day contract year. If fewer days are added, the  
20 additional learning improvement allocation shall be adjusted  
21 accordingly. The additional day shall be limited to specific  
22 activities identified in the state required school improvement plan  
23 related to improving student learning that are consistent with  
24 education reform implementation, and shall not be considered part of  
25 basic education. The principal in each school shall assure that the  
26 day(~~s-are~~) is used to provide the necessary school-wide, all staff  
27 professional development that is tied directly to the school  
28 improvement plan. The school principal and the district superintendent  
29 shall maintain documentation as to their approval of these activities.  
30 The length of a learning improvement day shall not be less than the  
31 length of a full day under the base contract. The superintendent of  
32 public instruction shall ensure that school districts adhere to the  
33 intent and purposes of this subsection.

34 (8) The salary allocation schedules established in this section are  
35 for allocation purposes only except as provided in RCW 28A.400.200(2).

36 **Sec. 504.** 2009 c 564 s 504 (uncodified) is amended to read as  
37 follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
2 **COMPENSATION ADJUSTMENTS**

3	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$4,215,000</del> ))
4		<u>(\$4,414,000)</u>
5	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$14,172,000</del> ))
6		<u>(\$1,743,000)</u>
7	General Fund--Federal Appropriation . . . . .	(( <del>\$6,000</del> ))
8		<u>(\$1,000)</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$9,963,000</del> ))
10		<u>(\$6,158,000)</u>

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

13 (1)(a) Additional salary adjustments as necessary to fund the base  
14 salaries for certificated instructional staff as listed for each  
15 district in LEAP Document 2, defined in section 503(2)(b) of this act.  
16 Allocations for these salary adjustments shall be provided to all  
17 districts that are not grandfathered to receive salary allocations  
18 above the statewide salary allocation schedule, and to certain  
19 grandfathered districts to the extent necessary to ensure that salary  
20 allocations for districts that are currently grandfathered do not fall  
21 below the statewide salary allocation schedule.

22 (b) Additional salary adjustments to certain districts as necessary  
23 to fund the per full-time-equivalent salary allocations for  
24 certificated administrative staff as listed for each district in LEAP  
25 Document 2, defined in section 503(2)(b) of this act. These  
26 adjustments shall ensure a minimum salary allocation for certificated  
27 administrative staff of \$57,986 in the 2009-10 school year and \$57,986  
28 in the 2010-11 school year.

29 (c) Additional salary adjustments to certain districts as necessary  
30 to fund the per full-time-equivalent salary allocations for classified  
31 staff as listed for each district in LEAP Document 2, defined in  
32 section 503(2)(b) of this act. These salary adjustments ensure a  
33 minimum salary allocation for classified staff of \$31,865 in the 2009-  
34 10 school year and \$31,865 in the 2010-11 school year.

35 (d) The appropriations in this subsection (1) include associated  
36 incremental fringe benefit allocations at rates 13.79 percent for the  
37 2009-10 school year and 13.79 percent for the 2010-11 school year for



1 certificated staff and 13.08 percent for the 2009-10 school year and  
2 13.08 percent for the 2010-11 school year for classified staff.

3 (e) The appropriations in this section include the increased or  
4 decreased portion of salaries and incremental fringe benefits for all  
5 relevant state-funded school programs in part V of this act. Changes  
6 for general apportionment (basic education) are based on the salary  
7 allocation schedules and methodology in sections 502 and 503 of this  
8 act. Changes for special education result from changes in each  
9 district's basic education allocation per student. Changes for  
10 educational service districts and institutional education programs are  
11 determined by the superintendent of public instruction using the  
12 methodology for general apportionment salaries and benefits in sections  
13 502 and 503 of this act. The appropriations in this section provide  
14 incremental fringe benefit alterations based on formula adjustments as  
15 follows:

	School Year	
	2009-10	2010-11
Pupil Transportation (per weighted pupil mile)	\$0	\$0
Highly Capable (per formula student)	(\$1.49)	<del>(\$1.49)</del>
		<u>(\$2.98)</u>
Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	<del>(\$3.93)</del>
		<u>(\$7.86)</u>
Learning Assistance (per formula student)	(\$1.18)	<del>(\$1.18)</del>
		<u>(\$2.36)</u>

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

27 (2) (~~\$44,188,000~~) \$43,652,000 is provided for adjustments to  
28 insurance benefit allocations. The maintenance rate for insurance  
29 benefit allocations is \$732.00 per month for the 2009-10 and 2010-11  
30 school years. The appropriations in this section provide for a rate  
31 increase to \$745.00 per month for the 2009-10 school year and \$768.00  
32 per month for the 2010-11 school year. The adjustments to health  
33 insurance benefits are at the following rates:

	School Year	
	2009-10	2010-11
1		
2		
3	\$0.12	\$0.33
4	\$0.82	\$2.22
5	\$2.10	\$5.83
6	\$0.54	\$1.49

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

9       **Sec. 505.** 2009 c 564 s 505 (uncodified) is amended to read as  
10 follows:

11	<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION</b>	
12	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$307,357,000</del> ))
13		<u>\$317,105,000</u>
14	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$307,070,000</del> ))
15		<u>\$318,831,000</u>
16	TOTAL APPROPRIATION . . . . .	(( <del>\$614,427,000</del> ))
17		<u>\$635,936,000</u>

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

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

23       (2) A maximum of \$878,000 of this fiscal year 2010 appropriation  
24 and a maximum of ((~~\$894,000~~)) \$892,000 of the fiscal year 2011  
25 appropriation may be expended for regional transportation coordinators  
26 and related activities. The transportation coordinators shall ensure  
27 that data submitted by school districts for state transportation  
28 funding shall, to the greatest extent practical, reflect the actual  
29 transportation activity of each district.

30       (3) Allocations for transportation of students shall be based on  
31 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school  
32 year and ((~~\$48.40~~)) \$48.37 per weighted mile in the 2010-11 school year  
33 exclusive of salary and benefit adjustments provided in section 504 of  
34 this act. Allocations for transportation of students transported more

1 than one radius mile shall be based on weighted miles as determined by  
2 superintendent of public instruction multiplied by the per mile  
3 reimbursement rates for the school year pursuant to the formulas  
4 adopted by the superintendent of public instruction. Allocations for  
5 transportation of students living within one radius mile shall be based  
6 on the number of enrolled students in grades kindergarten through five  
7 living within one radius mile of their assigned school multiplied by  
8 the per mile reimbursement rate for the school year multiplied by 1.29.

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

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

22 (6) Funding levels in this section reflect reductions from the  
23 implementation of Substitute House Bill No. 1292 (authorizing waivers  
24 from the one hundred eighty-day school year requirement in order to  
25 allow four-day school weeks).

26 **Sec. 506.** 2009 c 564 s 506 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**  
29 **PROGRAMS**

30	General Fund--State Appropriation (FY 2010) . . . . .	\$3,159,000
31	General Fund--State Appropriation (FY 2011) . . . . .	\$3,159,000
32	General Fund--Federal Appropriation . . . . .	<del>(\$281,988,000)</del>
33		<u>\$391,988,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(\$288,306,000)</del>
35		<u>\$398,306,000</u>

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

1 (1) \$3,000,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$3,000,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided for state matching money for federal  
4 child nutrition programs.

5 (2) \$100,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$100,000 of the 2011 fiscal year appropriation are  
7 provided for summer food programs for children in low-income areas.

8 (3) \$59,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$59,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely to reimburse school districts for  
11 school breakfasts served to students enrolled in the free or reduced  
12 price meal program pursuant to chapter 287, Laws of 2005 (requiring  
13 school breakfast programs in certain schools).

14 (4) \$1,588,000 of the general fund--federal appropriation of  
15 American recovery and reinvestment act of 2009 (ARRA) funds is provided  
16 solely for equipment assistance to school food authorities (SFAs)  
17 participating in the national school lunch program (NSLP). Local SFAs  
18 may apply to the office of the superintendent of public instruction to  
19 receive grants in accordance with provisions of the ARRA. As  
20 stipulated in the ARRA, priority will be given to SFAs for equipment  
21 for schools in which at least 50 percent of the students are eligible  
22 for free or reduced-priced meals.

23 **Sec. 507.** 2009 c 564 s 507 (uncodified) is amended to read as  
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
26 **PROGRAMS**

27	General Fund--State Appropriation (FY 2010) . . . . .	(\$640,959,000)
28		<u>\$632,131,000</u>
29	General Fund--State Appropriation (FY 2011) . . . . .	(\$652,388,000)
30		<u>\$649,148,000</u>
31	General Fund--Federal Appropriation . . . . .	(\$656,052,000)
32		<u>\$664,601,000</u>
33	Education Legacy Trust Account--State	
34	Appropriation . . . . .	\$756,000
35	TOTAL APPROPRIATION . . . . .	(\$1,950,155,000)
36		<u>\$1,946,636,000</u>

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

3 (1) Funding for special education programs is provided on an excess  
4 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
5 that special education students as a class receive their full share of  
6 the general apportionment allocation accruing through sections 502 and  
7 504 of this act. To the extent a school district cannot provide an  
8 appropriate education for special education students under chapter  
9 28A.155 RCW through the general apportionment allocation, it shall  
10 provide services through the special education excess cost allocation  
11 funded in this section.

12 (2)(a) The superintendent of public instruction shall ensure that:

13 (i) Special education students are basic education students first;

14 (ii) As a class, special education students are entitled to the  
15 full basic education allocation; and

16 (iii) Special education students are basic education students for  
17 the entire school day.

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

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

25 (4) The superintendent of public instruction shall distribute state  
26 funds to school districts based on two categories: (a) The first  
27 category includes (i) children birth through age two who are eligible  
28 for the optional program for special education eligible developmentally  
29 delayed infants and toddlers, and (ii) students eligible for the  
30 mandatory special education program and who are age three or four, or  
31 five and not yet enrolled in kindergarten; and (b) the second category  
32 includes students who are eligible for the mandatory special education  
33 program and who are age five and enrolled in kindergarten and students  
34 age six through 21.

35 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent  
36 shall make allocations to each district based on the sum of:

37 (i) A district's annual average headcount enrollment of students  
38 ages birth through four and those five year olds not yet enrolled in

1 kindergarten, as defined in subsection (4) of this section, multiplied  
2 by the district's average basic education allocation per full-time  
3 equivalent student, multiplied by 1.15; and

4 (ii) A district's annual average full-time equivalent basic  
5 education enrollment multiplied by the funded enrollment percent  
6 determined pursuant to subsection (6)(b) of this section, multiplied by  
7 the district's average basic education allocation per full-time  
8 equivalent student multiplied by 0.9309.

9 (b) For purposes of this subsection, "average basic education  
10 allocation per full-time equivalent student" for a district shall be  
11 based on the staffing ratios required by RCW 28A.150.260 and shall not  
12 include enhancements, secondary vocational education, or small schools.

13 (6) The definitions in this subsection apply throughout this  
14 section.

15 (a) "Annual average full-time equivalent basic education  
16 enrollment" means the resident enrollment including students enrolled  
17 through choice (RCW 28A.225.225) and students from nonhigh districts  
18 (RCW 28A.225.210) and excluding students residing in another district  
19 enrolled as part of an interdistrict cooperative program (RCW  
20 28A.225.250).

21 (b) "Enrollment percent" means the district's resident special  
22 education annual average enrollment, excluding the birth through age  
23 four enrollment and those five year olds not yet enrolled in  
24 kindergarten, as a percent of the district's annual average full-time  
25 equivalent basic education enrollment.

26 Each district's general fund--state funded special education  
27 enrollment shall be the lesser of the district's actual enrollment  
28 percent or 12.7 percent.

29 (7) At the request of any interdistrict cooperative of at least 15  
30 districts in which all excess cost services for special education  
31 students of the districts are provided by the cooperative, the maximum  
32 enrollment percent shall be calculated in accordance with subsection  
33 (6)(b) of this section, and shall be calculated in the aggregate rather  
34 than individual district units. For purposes of this subsection, the  
35 average basic education allocation per full-time equivalent student  
36 shall be calculated in the aggregate rather than individual district  
37 units.

1 (8) To the extent necessary, (~~(\$73,668,000)~~) \$44,269,000 of the  
2 general fund--state appropriation and \$29,574,000 of the general fund--  
3 federal appropriation are provided for safety net awards for districts  
4 with demonstrated needs for special education funding beyond the  
5 amounts provided in subsection (5) of this section. If the federal  
6 safety net awards based on the federal eligibility threshold exceed the  
7 federal appropriation in this subsection (8) in any fiscal year, the  
8 superintendent shall expend all available federal discretionary funds  
9 necessary to meet this need. Safety net funds shall be awarded by the  
10 state safety net oversight committee subject to the following  
11 conditions and limitations:

12 (a) The committee shall consider unmet needs for districts that can  
13 convincingly demonstrate that all legitimate expenditures for special  
14 education exceed all available revenues from state funding formulas.  
15 In the determination of need, the committee shall also consider  
16 additional available revenues from federal sources. Differences in  
17 program costs attributable to district philosophy, service delivery  
18 choice, or accounting practices are not a legitimate basis for safety  
19 net awards. In the determination of need, the committee shall require  
20 that districts demonstrate that they are maximizing their eligibility  
21 for all state and federal revenues related to services for special  
22 education-eligible students. Awards associated with (b) and (c) of  
23 this subsection shall not exceed the total of a district's specific  
24 determination of need.

25 (b) The committee shall then consider the extraordinary high cost  
26 needs of one or more individual special education students.  
27 Differences in costs attributable to district philosophy, service  
28 delivery choice, or accounting practices are not a legitimate basis for  
29 safety net awards.

30 (c) Using criteria developed by the committee, the committee shall  
31 then consider extraordinary costs associated with communities that draw  
32 a larger number of families with children in need of special education  
33 services. The safety net awards to school districts shall be adjusted  
34 to reflect amounts awarded under (b) of this subsection.

35 (d) The maximum allowable indirect cost for calculating safety net  
36 eligibility may not exceed the federal restricted indirect cost rate  
37 for the district plus one percent.

1       (e) The office of the superintendent of public instruction, at the  
2 conclusion of each school year, shall recover safety net funds that  
3 were distributed prospectively but for which districts were not  
4 subsequently eligible.

5       (f) Safety net awards must be adjusted for any audit findings or  
6 exceptions related to special education funding.

7       (~~(f)~~) (g) Safety net awards shall be adjusted based on the  
8 percent of potential medicaid eligible students billed as calculated by  
9 the superintendent in accordance with chapter 318, Laws of 1999. The  
10 state safety net oversight committee shall ensure that safety net  
11 documentation and awards are based on current medicaid revenue amounts.

12       (9) The superintendent of public instruction may adopt such rules  
13 and procedures as are necessary to administer the special education  
14 funding and safety net award process. Prior to revising any standards,  
15 procedures, or rules, the superintendent shall consult with the office  
16 of financial management and the fiscal committees of the legislature.

17       (10) The safety net oversight committee appointed by the  
18 superintendent of public instruction shall consist of:

19       (a) One staff from the office of superintendent of public  
20 instruction;

21       (b) Staff of the office of the state auditor who shall be nonvoting  
22 members of the committee; and

23       (c) One or more representatives from school districts or  
24 educational service districts knowledgeable of special education  
25 programs and funding.

26       (11) The office of the superintendent of public instruction shall  
27 review and streamline the application process to access safety net  
28 funds, provide technical assistance to school districts, and annually  
29 survey school districts regarding improvement to the process.

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

35       (13) The superintendent shall maintain the percentage of federal  
36 flow-through to school districts at 85 percent. In addition to other  
37 purposes, school districts may use increased federal funds for high-



1 cost students, for purchasing regional special education services from  
2 educational service districts, and for staff development activities  
3 particularly relating to inclusion issues.

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

8 (15) \$262,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$251,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely for two additional full-time  
11 equivalent staff to support the work of the safety net committee and to  
12 provide training and support to districts applying for safety net  
13 awards.

14 (16) (~~(\$221,357,000)~~) \$229,833,000 of the general fund--federal  
15 appropriation of American recovery and reinvestment act of 2009 funds  
16 is provided solely for the individuals with disabilities education act  
17 (IDEA), Part B, for distribution to school districts. The funds' use  
18 is to be consistent with the current IDEA, Part B statutory and  
19 regulatory requirements.

20 (17) \$50,000 of the general fund--state appropriation for fiscal  
21 year 2010, \$50,000 of the general fund--state appropriation for fiscal  
22 2011, and \$100,000 of the general fund--federal appropriation shall be  
23 expended to support a special education ombudsman program within the  
24 office of superintendent of public instruction.

25 **Sec. 508.** 2009 c 564 s 509 (uncodified) is amended to read as  
26 follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**  
28 **ASSISTANCE**

29	General Fund--State Appropriation (FY 2010) . . . . .	( <del>(\$42,921,000)</del> )
30		<u>\$73,900,000</u>
31	General Fund--State Appropriation (FY 2011) . . . . .	( <del>(\$209,997,000)</del> )
32		<u>\$117,831,000</u>
33	<u>Education Legacy Trust--State Appropriation (FY 2011) . . . . .</u>	<u>\$140,832,000</u>
34	General Fund--Federal Appropriation . . . . .	\$176,284,000
35	TOTAL APPROPRIATION . . . . .	( <del>(\$429,202,000)</del> )
36		<u>\$508,847,000</u>

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

3 (1) \$176,284,000 of the general fund--federal appropriation for  
4 fiscal year 2010 is provided solely for American recovery and  
5 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
6 state reductions for local effort assistance payments.

7 (2) Within appropriations provided in this section are funds  
8 sufficient for implementation of Substitute Senate Bill No. 6502  
9 (restoring the school district levy base).

10 **Sec. 509.** 2009 c 564 s 510 (uncodified) is amended to read as  
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
13 **EDUCATION PROGRAMS**

14	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$18,943,000</del> ))
15		<u>\$18,059,000</u>
16	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$17,992,000</del> ))
17		<u>\$19,006,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$36,935,000</del> ))
19		<u>\$37,065,000</u>

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

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

25 (2) State funding provided under this section is based on salaries  
26 and other expenditures for a 220-day school year. The superintendent  
27 of public instruction shall monitor school district expenditure plans  
28 for institutional education programs to ensure that districts plan for  
29 a full-time summer program.

30 (3) State funding for each institutional education program shall be  
31 based on the institution's annual average full-time equivalent student  
32 enrollment. Staffing ratios for each category of institution shall  
33 remain the same as those funded in the 1995-97 biennium.

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

1 (5) (~~(\$329,000)~~) \$228,000 of the general fund--state appropriation  
2 for fiscal year 2010 and (~~(\$329,000)~~) \$228,000 of the general fund--  
3 state appropriation for fiscal year 2011 are provided solely to  
4 maintain at least one certificated instructional staff and related  
5 support services at an institution whenever the K-12 enrollment is not  
6 sufficient to support one full-time equivalent certificated  
7 instructional staff to furnish the educational program. The following  
8 types of institutions are included: Residential programs under the  
9 department of social and health services for developmentally disabled  
10 juveniles, programs for juveniles under the department of corrections,  
11 and programs for juveniles under the juvenile rehabilitation  
12 administration.

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

15 (7) Included within appropriations in this section are funds  
16 sufficient to provide for juveniles in adult jails, consistent with  
17 Second Substitute Senate Bill No. 6702.

18 **Sec. 510.** 2009 c 564 s 511 (uncodified) is amended to read as  
19 follows:

20 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**  
21 **CAPABLE STUDENTS**

22	General Fund--State Appropriation (FY 2010) . . . . .	<del>(\$9,430,000)</del>
23		<u>\$9,189,000</u>
24	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$9,437,000)</del>
25		<u>\$9,188,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(\$18,867,000)</del>
27		<u>\$18,377,000</u>

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

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

33 (2) Allocations for school district programs for highly capable  
34 students shall be distributed at a maximum rate of \$401.08 per funded  
35 student for the 2009-10 school year and \$401.08 per funded student for  
36 the 2010-11 school year, exclusive of salary and benefit adjustments

1 pursuant to section 504 of this act. The number of funded students  
2 shall be a maximum of 2.314 percent of each district's full-time  
3 equivalent basic education enrollment.

4 (3) \$90,000 of the fiscal year 2010 appropriation and \$90,000 of  
5 the fiscal year 2011 appropriation are provided for the Washington  
6 destination imagination network and future problem-solving programs.

7 (4) \$170,000 of the fiscal year 2010 appropriation and \$170,000 of  
8 the fiscal year 2011 appropriation are provided for the centrum program  
9 at Fort Worden state park.

10 **Sec. 511.** 2009 c 564 s 512 (uncodified) is amended to read as  
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS**  
13 **PURPOSES UNDER THE ELEMENTARY AND SECONDARY SCHOOL IMPROVEMENT ACT AND**  
14 **THE NO CHILD LEFT BEHIND ACT**

15 General Fund--Federal Appropriation . . . . . (~~(\$43,450,000)~~)  
16 \$43,886,000

17 **Sec. 512.** 2010 c 3 s 501 (uncodified) is amended to read as  
18 follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
20 **PROGRAMS**

21 General Fund--State Appropriation (FY 2010) . . . . . (~~(\$93,681,000)~~)  
22 \$93,586,000

23 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$102,512,000)~~)  
24 \$99,913,000

25 General Fund--Federal Appropriation . . . . . \$152,626,000

26 Education Legacy Trust Account--State  
27 Appropriation . . . . . (~~(\$95,112,000)~~)  
28 \$103,084,000

29 TOTAL APPROPRIATION . . . . . (~~(\$443,931,000)~~)  
30 \$449,209,000

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

33 (1) (~~(\$36,806,000)~~) \$35,734,000 of the general fund--state  
34 appropriation for fiscal year 2010, \$34,516,000 of the general fund--  
35 state appropriation for fiscal year 2011, \$1,350,000 of the education  
36 legacy trust account--state appropriation, and \$15,868,000 of the

1 general fund--federal appropriation are provided solely for development  
2 and implementation of (~~the Washington~~) student assessments (~~of~~  
3 ~~student learning (WASL)~~), including: (i) Development and  
4 implementation of retake assessments for high school students who are  
5 not successful in one or more content areas of the (~~WASL~~)  
6 assessments; and (ii) development and implementation of alternative  
7 assessments or appeals procedures to implement the certificate of  
8 academic achievement. The superintendent of public instruction shall  
9 report 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 (~~WASL~~) assessment results, on or around  
13 June 10th of each year.

14 (2) \$3,249,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$3,249,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for the design of the state  
17 assessment system and the implementation of end of course assessments  
18 for high school math.

19 (3) \$1,014,000 of the education legacy trust account appropriation  
20 is provided solely for allocations to districts for salaries and  
21 benefits for the equivalent of two additional professional development  
22 days for fourth and fifth grade teachers during the 2008-2009 school  
23 year. The allocations shall be made based on the calculations of  
24 certificated instructional staff units for fourth and fifth grade  
25 provided in section 502 of this act and on the calculations of  
26 compensation provided in sections 503 and 504 of this act. Districts  
27 may use the funding to support additional days for professional  
28 development as well as job-embedded forms of professional development.

29 (4) \$3,241,000 of the education legacy trust fund appropriation is  
30 provided solely for allocations to districts for salaries and benefits  
31 for the equivalent of three additional professional development days  
32 for middle and high school math and science teachers during the 2008-  
33 2009 school year, as well as specialized training for one math and  
34 science teacher in each middle school and high school during the 2008-  
35 2009 school year. Districts may use the funding to support additional  
36 days for professional development as well as job-embedded forms of  
37 professional development.

1 (5) \$3,850,000 of the education legacy trust account--state  
2 appropriation is provided solely for a math and science instructional  
3 coaches program pursuant to chapter 396, Laws of 2007. Funding shall  
4 be used to provide grants to schools and districts to provide salaries,  
5 benefits, and professional development activities for up to twenty-five  
6 instructional coaches in middle and high school math and twenty-five  
7 instructional coaches in middle and high school science in each year of  
8 the biennium; and up to \$300,000 may be used by the office of the  
9 superintendent of public instruction to administer and coordinate the  
10 program.

11 (6) (~~(\$1,781,000)~~) \$1,740,000 of the general fund--state  
12 appropriation for fiscal year 2010 and (~~(\$1,943,000)~~) \$1,775,000 of the  
13 general fund--state appropriation for fiscal year 2011 are provided  
14 solely to allow approved middle and junior high school career and  
15 technical education programs to receive enhanced vocational funding.  
16 The office of the superintendent of public instruction shall provide  
17 allocations to districts for middle and junior high school students in  
18 accordance with the funding formulas provided in section 502 of this  
19 act. (~~(If Second Substitute Senate Bill No. 5676 is enacted the~~  
20 ~~allocations are formula driven, otherwise the office of the~~  
21 ~~superintendent shall consider the funding provided in this subsection~~  
22 ~~as a fixed amount, and shall adjust funding to stay within the amounts~~  
23 ~~provided in this subsection.)~~)

24 (7) \$139,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$139,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for (a) staff at the office of the  
27 superintendent of public instruction to coordinate and promote efforts  
28 to develop integrated math, science, technology, and engineering  
29 programs in schools and districts across the state; and (b) grants of  
30 \$2,500 to provide twenty middle and high school teachers each year  
31 professional development training for implementing integrated math,  
32 science, technology, and engineering program in their schools.

33 (8) \$1,579,000 of the general fund--state appropriation for fiscal  
34 year 2010 (~~(and \$1,579,000 of the general fund--state appropriation for~~  
35 ~~fiscal year 2011 are))~~) is provided solely for the Washington state  
36 leadership and assistance for science education reform (LASER) regional  
37 partnership activities coordinated at the Pacific science center,  
38 including instructional material purchases, teacher and principal

1 professional development, and school and community engagement events.  
2 Funding shall be distributed to the various LASER activities in a  
3 manner proportional to LASER program spending during the 2007-2009  
4 biennium.

5 (9) (~~(\$81,010,000)~~) \$88,981,000 of the education legacy trust  
6 account--state appropriation is provided solely for grants for  
7 voluntary full-day kindergarten at the highest poverty schools, as  
8 provided in chapter 400, Laws of 2007. The office of the  
9 superintendent of public instruction shall provide allocations to  
10 districts for recipient schools in accordance with the funding formulas  
11 provided in section 502 of this act. Each kindergarten student who  
12 enrolls for the voluntary full-day program in a recipient school shall  
13 count as one-half of one full-time equivalent student for the purpose  
14 of making allocations under this subsection. Although the allocations  
15 are formula-driven, the office of the superintendent shall consider the  
16 funding provided in this subsection as a fixed amount, and shall limit  
17 the number of recipient schools so as to stay within the amounts  
18 appropriated each fiscal year in this subsection. The funding provided  
19 in this subsection is estimated to provide full-day kindergarten  
20 programs for 20 percent of kindergarten enrollment. Funding priority  
21 shall be given to schools with the highest poverty levels, as measured  
22 by prior year free and reduced priced lunch eligibility rates in each  
23 school. Additionally, as a condition of funding, school districts must  
24 agree to provide the full-day program to the children of parents who  
25 request it in each eligible school. For the purposes of calculating a  
26 school district levy base, funding provided in this subsection shall be  
27 considered a state block grant program under RCW 84.52.0531.

28 (a) Of the amounts provided in this subsection, a maximum of  
29 \$272,000 may be used for administrative support of the full-day  
30 kindergarten program within the office of the superintendent of public  
31 instruction.

32 (b) Student enrollment pursuant to this program shall not be  
33 included in the determination of a school district's overall K-12 FTE  
34 for the allocation of student achievement programs and other funding  
35 formulas unless specifically stated.

36 (10) \$700,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$900,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for the development of a

1 leadership academy for school principals and administrators. The  
2 superintendent of public instruction shall contract with an independent  
3 organization to design, field test, and implement a state-of-the-art  
4 education leadership academy that will be accessible throughout the  
5 state. Initial development of the content of the academy activities  
6 shall be supported by private funds. Semiannually the independent  
7 organization shall report on amounts committed by foundations and  
8 others to support the development and implementation of this program.  
9 Leadership academy partners, with varying roles, shall include the  
10 state level organizations for school administrators and principals, the  
11 superintendent of public instruction, the professional educator  
12 standards board, and others as the independent organization shall  
13 identify.

14 (11) \$105,754,000 of the general fund--federal appropriation is  
15 provided for preparing, training, and recruiting high quality teachers  
16 and principals under Title II of the no child left behind act.

17 (12) \$1,546,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$3,046,000 of the general fund-- state appropriation for  
19 fiscal year 2011 (~~are provided solely to the office of the~~  
20 ~~superintendent of public instruction for~~) must be expended on focused  
21 assistance. The office of the superintendent of public instruction  
22 shall conduct educational audits of low-performing schools and enter  
23 into performance agreements between school districts and the office to  
24 implement the recommendations of the audit and the community. Funding  
25 in this subsection may be used for focused assistance programs for  
26 individual schools as well as school districts. The office of the  
27 superintendent of public instruction shall report to the legislature by  
28 January 1, 2012, providing certification from the state auditor that  
29 the entire funds were used for the designated purpose.

30 (13) \$30,702,000 of the general fund--federal appropriation is  
31 provided for the reading first program under Title I of the no child  
32 left behind act.

33 (14) \$1,667,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$1,667,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely to eliminate the lunch co-pay for  
36 students in grades kindergarten through third grade that are eligible  
37 for reduced price lunch.



1 (15) \$5,285,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$5,285,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for: (a) The meals for kids  
4 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the  
5 breakfast co-pay for students eligible for reduced price lunch; and (c)  
6 for additional assistance for school districts initiating a summer food  
7 service program.

8 (16) \$1,056,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$1,056,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely for the Washington reading corps.  
11 The superintendent shall allocate reading corps members to low-  
12 performing schools and school districts that are implementing  
13 comprehensive, proven, research-based reading programs. Two or more  
14 schools may combine their Washington reading corps programs. Grants  
15 provided under this section may be used by school districts for  
16 expenditures from September 2009 through August 31, 2011.

17 (17) \$3,594,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$3,594,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for grants to school districts to  
20 provide a continuum of care for children and families to help children  
21 become ready to learn. Grant proposals from school districts shall  
22 contain local plans designed collaboratively with community service  
23 providers. If a continuum of care program exists in the area in which  
24 the school district is located, the local plan shall provide for  
25 coordination with existing programs to the greatest extent possible.  
26 Grant funds shall be allocated pursuant to RCW 70.190.040.

27 (18) \$1,959,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$1,959,000 of the general fund--state appropriation for  
29 fiscal year 2011 are provided solely for improving technology  
30 infrastructure, monitoring and reporting on school district technology  
31 development, promoting standards for school district technology,  
32 promoting statewide coordination and planning for technology  
33 development, and providing regional educational technology support  
34 centers, including state support activities, under chapter 28A.650 RCW.

35 (19) \$225,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$225,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for the operation of the center  
38 for the improvement of student learning pursuant to RCW 28A.300.130.

1 (20) \$250,000 of the education legacy trust account--state  
2 appropriation is provided solely for costs associated with the office  
3 of the superintendent of public instruction's statewide director of  
4 technology position.

5 (21)(a) (~~(\$28,270,000)~~) \$26,017,000 of the general fund--state  
6 appropriation for fiscal year 2010 and (~~(\$36,513,000)~~) \$36,383,000 of  
7 the general fund--state appropriation for fiscal year 2011 are provided  
8 solely for the following bonuses for teachers who hold valid, unexpired  
9 certification from the national board for professional teaching  
10 standards and who are teaching in a Washington public school, subject  
11 to the following conditions and limitations:

12 (i) For national board certified teachers, a bonus of \$5,000 per  
13 teacher beginning in the 2007-08 school year and adjusted for inflation  
14 in each school year thereafter in which Initiative 732 cost of living  
15 adjustments are provided. National board certified teachers who become  
16 public school principals shall continue to receive this bonus for as  
17 long as they are principals and maintain the national board  
18 certification;

19 (ii) An additional \$5,000 annual bonus shall be paid to national  
20 board certified teachers who teach in either: (A) High schools where  
21 at least 50 percent of student headcount enrollment is eligible for  
22 federal free or reduced price lunch, (B) middle schools where at least  
23 60 percent of student headcount enrollment is eligible for federal free  
24 or reduced price lunch, or (C) elementary schools where at least 70  
25 percent of student headcount enrollment is eligible for federal free or  
26 reduced price lunch;

27 (iii) The superintendent of public instruction shall adopt rules to  
28 ensure that national board certified teachers meet the qualifications  
29 for bonuses under (a)(ii) of this subsection for less than one full  
30 school year receive bonuses in a pro-rated manner; and

31 (iv) During the 2009-10 and 2010-11 school years, and within the  
32 available appropriation, certificated instructional staff who have met  
33 the eligibility requirements and have applied for certification from  
34 the national board for professional teaching standards may receive a  
35 conditional two thousand dollars or the amount set by the office of the  
36 superintendent of public instruction to contribute toward the current  
37 assessment fee, not including the initial up-front candidacy payment.  
38 The fee shall be an advance on the first annual bonus under RCW

1 28A.405.415. The assessment fee for national certification is provided  
2 in addition to compensation received under a district's salary schedule  
3 adopted in accordance with RCW 28A.405.200 and shall not be included in  
4 calculations of a district's average salary and associated salary  
5 limitation under RCW 28A.400.200. Recipients who fail to receive  
6 certification after three years are required to repay the assessment  
7 fee, not including the initial up-front candidacy payment, as set by  
8 the national board for professional teaching standards and administered  
9 by the office of the superintendent of public instruction. The office  
10 of the superintendent of public instruction shall adopt rules to define  
11 the terms for initial grant of the assessment fee and repayment,  
12 including applicable fees.

13 (b) Included in the amounts provided in this subsection are amounts  
14 for mandatory fringe benefits.

15 (22) \$2,750,000 of the general fund--state appropriation for fiscal  
16 year 2010 and (~~(\$2,750,000)~~) \$300,000 of the general fund--state  
17 appropriation for fiscal year 2011 are provided solely for secondary  
18 career and technical education grants pursuant to chapter 170, Laws of  
19 2008. This funding may additionally be used to support FIRST Robotics  
20 programs. In fiscal year 2011, if equally matched by private  
21 donations, the appropriation shall be used to support FIRST Robotics  
22 programs and professional development.

23 (23) \$300,000 of the general fund--state appropriation for fiscal  
24 year 2010 (~~and \$300,000 of the general fund--state appropriation for~~  
25 ~~fiscal year 2011 are~~) is provided solely for the local farms-healthy  
26 kids program as described in chapter 215, Laws of 2008.

27 (24) \$2,348,000 of the general fund--state appropriation for fiscal  
28 year 2010 (~~and \$2,348,000 of the general fund--state appropriation for~~  
29 ~~fiscal year 2011 are~~) is appropriated for a beginning educator support  
30 program. School districts and/or regional consortia may apply for  
31 grant funding beginning in the 2009-10 school year. The superintendent  
32 shall implement this program in 5 to 15 school districts and/or  
33 regional consortia. The program provided by a district and/or regional  
34 consortia shall include: A paid orientation; assignment of a qualified  
35 mentor; development of a professional growth plan for each beginning  
36 teacher aligned with professional certification; release time for  
37 mentors and new teachers to work together, and teacher observation time  
38 with accomplished peers. \$250,000 may be used to provide state-wide

1 professional development opportunities for mentors and beginning  
2 educators. The superintendent of public instruction shall adopt rules  
3 to establish and operate a research-based beginning educator support  
4 program no later than August 31, 2009. OSPI must evaluate the  
5 program's progress and may contract for this work. A report to the  
6 legislature about the beginning educator support program is due  
7 November 1, 2010.

8 (25) \$4,400,000 of the education legacy trust account--state  
9 appropriation is provided solely for the development and implementation  
10 of diagnostic assessments, consistent with the recommendations of the  
11 Washington assessment of student learning work group.

12 (26) (~~(\$70,000 of the general fund--state appropriation for fiscal~~  
13 ~~year 2010 is provided solely for implementation of~~) Funds in this  
14 section reflect the cost of implementing Engrossed Substitute Senate  
15 Bill No. 5414 (statewide assessments and curricula).

16 (27) \$530,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$530,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided solely for the leadership internship  
19 program for superintendents, principals, and program administrators.

20 (28) Funding for the community learning center program, established  
21 in RCW 28A.215.060, and providing grant funding for the 21st century  
22 after-school program, is suspended and not eliminated.

23 (29) \$3,575,000 of the general fund--state appropriation for fiscal  
24 year 2011 is provided solely for implementation of Engrossed Second  
25 Substitute Senate Bill No. 6696 (education reform).

26 **Sec. 513.** 2009 c 564 s 514 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
29 **BILINGUAL PROGRAMS**

30	General Fund--State Appropriation (FY 2010) . . . . .	(( \$77,994,000 ))
31		<u>\$76,419,000</u>
32	General Fund--State Appropriation (FY 2011) . . . . .	(( \$80,937,000 ))
33		<u>\$77,672,000</u>
34	General Fund--Federal Appropriation . . . . .	(( \$45,263,000 ))
35		<u>\$65,263,000</u>
36	TOTAL APPROPRIATION . . . . .	(( \$204,194,000 ))
37		<u>\$219,354,000</u>

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

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

6 (2) The superintendent shall distribute a maximum of \$901.46 per  
7 eligible bilingual student in the 2009-10 school year and \$901.46 in  
8 the 2010-11 school year, exclusive of salary and benefit adjustments  
9 provided in section 504 of this act.

10 (3) The superintendent may withhold up to 1.5 percent of the school  
11 year allocations to school districts in subsection (2) of this section,  
12 and adjust the per eligible pupil rates in subsection (2) of this  
13 section accordingly, solely for the central provision of assessments as  
14 provided in RCW 28A.180.090 (1) and (2).

15 (4) \$70,000 of the amounts appropriated in this section are  
16 provided solely to track current and former transitional bilingual  
17 program students.

18 (5) The general fund--federal appropriation in this section is  
19 provided for migrant education under Title I Part C and English  
20 language acquisition, and language enhancement grants under Title III  
21 of the elementary and secondary education act.

22 **Sec. 514.** 2009 c 564 s 515 (uncodified) is amended to read as  
23 follows:

24 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
25 **ASSISTANCE PROGRAM**

26	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$101,067,000</del> ))
27		<u>\$103,865,000</u>
28	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$102,237,000</del> ))
29		<u>\$110,520,000</u>
30	General Fund--Federal Appropriation . . . . .	(( <del>\$543,925,000</del> ))
31		<u>\$553,925,000</u>
32	Education Legacy Trust Account--State	
33	Appropriation . . . . .	\$47,980,000
34	TOTAL APPROPRIATION . . . . .	(( <del>\$795,209,000</del> ))
35		<u>\$816,290,000</u>

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

1 (1) The general fund--state appropriations in this section are  
2 subject to the following conditions and limitations:

3 (a) The appropriations include such funds as are necessary to  
4 complete the school year ending in the fiscal year and for prior fiscal  
5 year adjustments.

6 (b) Funding for school district learning assistance programs shall  
7 be allocated at maximum rates of \$281.71 per funded student for the  
8 2009-10 school year and (~~(\$282.63)~~) \$282.56 per funded student for the  
9 2010-11 school year exclusive of salary and benefit adjustments  
10 provided under section 504 of this act.

11 (c) A school district's funded students for the learning assistance  
12 program shall be the sum of the following as appropriate:

13 (i) The district's full-time equivalent enrollment in grades K-12  
14 for the prior school year multiplied by the district's percentage of  
15 October headcount enrollment in grades K-12 eligible for free or  
16 reduced price lunch in the prior school year; and

17 (ii) If, in the prior school year, the district's percentage of  
18 October headcount enrollment in grades K-12 eligible for free or  
19 reduced price lunch exceeded forty percent, subtract forty percent from  
20 the district's percentage and multiply the result by the district's K-  
21 12 annual average full-time equivalent enrollment for the prior school  
22 year.

23 (d) In addition to the amounts allocated in (b) and (c) of this  
24 subsection, an additional amount shall be allocated to school districts  
25 with high concentrations of poverty and English language learner  
26 students, subject to the following rules and conditions:

27 (i) To qualify for additional funding under this subsection, a  
28 district's October headcount enrollment in grades kindergarten through  
29 grade twelve must have at least twenty percent enrolled in the  
30 transitional bilingual instruction program based on an average of the  
31 program headcount taken in October and May of the prior school year;  
32 and must also have at least forty percent eligible for free or reduced  
33 price lunch based on October headcount enrollment in grades  
34 kindergarten through twelve in the prior school year.

35 (ii) Districts meeting the specifications in (d)(i) of this  
36 subsection shall receive additional funded students for the learning  
37 assistance program at the rates specified in subsection (1)(b) of this  
38 section. The number of additional funded student units shall be

1 calculated by subtracting twenty percent from the district's percent  
2 transitional bilingual instruction program enrollment as defined in  
3 (d)(i) of this subsection, and the resulting percent shall be  
4 multiplied by the district's kindergarten through twelve annual average  
5 full-time equivalent enrollment for the prior school year.

6 (2) The general fund--federal appropriation in this section is  
7 provided for Title I Part A allocations of the no child left behind act  
8 of 2001.

9 (3) A school district may carry over from one year to the next up  
10 to 10 percent of the general fund--state or education legacy trust  
11 funds allocated under this program; however, carryover funds shall be  
12 expended for the learning assistance program.

13 (4) School districts are encouraged to coordinate the use of these  
14 funds with other federal, state, and local sources to serve students  
15 who are below grade level and to make efficient use of resources in  
16 meeting the needs of students with the greatest academic deficits.

17 (5) Within amounts appropriated in this section, funding is  
18 provided for the implementation of extended learning programs required  
19 in chapter 328, Laws of 2008.

20 (6) \$51,970,000 of the general fund--federal appropriation for  
21 fiscal year 2010 and \$77,955,000 of the general fund--federal  
22 appropriation for fiscal year 2011 of American recovery and  
23 reinvestment act of 2009 (ARRA) Title I, Part A funds are in addition  
24 to regular Title I, Part A allocations solely for allocation to  
25 eligible school districts in accordance with the guidelines of ARRA.

26 (7) \$48,981,000 of the general fund--federal appropriation from the  
27 American recovery and reinvestment act of 2009 (ARRA) is for school  
28 improvement. This consists of 4 percent, or \$5,413,000 of the Title I,  
29 Part A recovery funds which must be set aside for school improvement as  
30 well as \$43,568,000 in additional school improvement funds.

31 **Sec. 515.** 2009 c 564 s 516 (uncodified) is amended to read as  
32 follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**  
34 **PROGRAM**

35	<u>General Fund--State Appropriation (FY 2010)</u> . . . . .	<u>\$19,260,000</u>
36	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$104,101,000</del> ))
37		<u>\$25,730,000</u>

1 General Fund--Federal Appropriation . . . . . ((\$200,295,000))  
 2 \$181,054,000  
 3 TOTAL APPROPRIATION . . . . . ((\$304,396,000))  
 4 \$226,044,000

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

7 (1) Funding for school district student achievement programs shall  
 8 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-  
 9 10 school year (~~and \$99.32 per FTE student for the 2010-11 school~~  
 10 ~~year~~). For the purposes of this section, FTE student refers to the  
 11 annual average full-time equivalent enrollment of the school district  
 12 in grades kindergarten through twelve for the prior school year, as  
 13 reported to the office of the superintendent of public instruction by  
 14 August 31st of the previous school year.

15 (2) The appropriation is allocated for the following uses as  
 16 specified in RCW 28A.505.210:

17 (a) To reduce class size by hiring certificated elementary  
 18 classroom teachers in grades K-4 and paying nonemployee-related costs  
 19 associated with those new teachers;

20 (b) To make selected reductions in class size in grades 5-12, such  
 21 as small high school writing classes;

22 (c) To provide extended learning opportunities to improve student  
 23 academic achievement in grades K-12, including, but not limited to,  
 24 extended school year, extended school day, before-and-after-school  
 25 programs, special tutoring programs, weekend school programs, summer  
 26 school, and all-day kindergarten;

27 (d) To provide additional professional development for educators  
 28 including additional paid time for curriculum and lesson redesign and  
 29 alignment, training to ensure that instruction is aligned with state  
 30 standards and student needs, reimbursement for higher education costs  
 31 related to enhancing teaching skills and knowledge, and mentoring  
 32 programs to match teachers with skilled, master teachers. The funding  
 33 shall not be used for salary increases or additional compensation for  
 34 existing teaching duties, but may be used for extended year and  
 35 extended day teaching contracts;

36 (e) To provide early assistance for children who need  
 37 prekindergarten support in order to be successful in school; or



1 (f) To provide improvements or additions to school building  
2 facilities which are directly related to the class size reductions and  
3 extended learning opportunities under (a) through (c) of this  
4 subsection (2).

5 (3) The superintendent of public instruction shall distribute the  
6 school year allocation according to the monthly apportionment schedule  
7 defined in RCW 28A.510.250.

8 (4) (~~(\$200,295,000)~~) \$181,054,000 of the general fund--federal  
9 appropriation for fiscal year 2010 is provided solely for American  
10 recovery and reinvestment act of 2009 (ARRA) fiscal stabilization funds  
11 to restore state reductions for the student achievement program.

(End of part)

**PART VI**  
**HIGHER EDUCATION**

**Sec. 601.** 2009 c 564 s 601 (uncodified) is amended to read as follows:

The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the department of personnel for inclusion in the department's data warehouse. Uniform reporting procedures shall be established by the department of personnel for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4) The colleges of education for institutions with appropriations in sections 606 through 611 shall develop a plan, by October 30, 2009, to increase the number of math and science teacher endorsements and certificates granted by the institution. The plan shall address the college's math and science teacher endorsement and certification completion goal for each of the next six years, beginning with the 2010-2011 academic year, and shall be reported to the governor, the relevant policy committees of the legislature, the higher education coordinating board (HECB) and the professional educator standards board (PESB). Plan components may address: Student advising practices, increased outreach and recruitment efforts to under-represented populations, linkages with university mathematics and science

1 departments, and implementation of redesigned, innovative endorsement  
2 and certification programs. To accomplish this work, enrollments may  
3 need to be shifted from low-need endorsement and certificate areas to  
4 math and science. A report shall be made each October 30th to the HECB  
5 and PESB regarding the degree to which plan goals have been met and  
6 activities undertaken to support those outcomes.

7 (5) In accordance with RCW 28B.10.920 through 28B.10.922, the state  
8 performance agreement committee and each public four-year institution  
9 of higher education shall develop performance agreements for the period  
10 September 1, 2009, through June 30, 2015. The agreements shall reflect  
11 the level of state, tuition, and other resources appropriated or  
12 authorized for each institution in this act and in the omnibus 2009-11  
13 omnibus capital budget act, as well as reasonably anticipated changes  
14 in such resources for the two subsequent biennia as required to  
15 accomplish the higher education master plan as adopted by the  
16 legislature. The agreements shall build upon each institution's actual  
17 performance relative to the 2011 targets previously negotiated between  
18 the institution, the higher education coordinating board, and the  
19 office of financial management, and shall include measurable  
20 performance targets, benchmarks, and goals in areas including but not  
21 limited to:

- 22 (a) Student enrollment levels, by campus;
- 23 (b) Baccalaureate and advanced degree production;
- 24 (c) Baccalaureate and advanced degree production in high employer-  
25 demand fields;
- 26 (d) Undergraduate retention and graduation rates;
- 27 (e) Time-to-degree for students entering as freshmen, and as upper-  
28 division transfers;
- 29 (f) Efficiency to degree; and
- 30 (g) Capital investment as required to (i) maintain existing  
31 capacity, and (ii) meet enrollment targets in accordance with the  
32 master plan as adopted by the legislature.

33 Each institution shall report progress toward its performance targets  
34 during the preceding academic year to the state performance agreement  
35 committee prior to November 1, 2010. The higher education coordinating  
36 board shall consolidate and summarize the institutional reports, and  
37 provide them to the relevant policy and fiscal committees of the  
38 legislature by December 1, 2010.

1 (6) To facilitate transparency and compliance with the American  
2 recovery and reinvestment act, the institutions of higher education  
3 receiving state and federal appropriations under sections 605 through  
4 611 of this act shall allot anticipated state, federal, and tuition  
5 expenditures by budget program and fiscal year. The office of  
6 financial management shall notify the legislative ways and means  
7 committees of the proposed allotments at least ten days prior to their  
8 approval.

9 (7) To the extent permitted by the applicable personnel system  
10 rules, and to the extent collectively bargained with represented  
11 employees, institutions of higher education are encouraged to achieve  
12 the reductions in full-time-equivalent employment and payroll levels  
13 necessary to operate within this budget through strategies that will  
14 minimize impacts on employees, their families, their communities, and  
15 short- and longer-term accomplishment of institutional mission.  
16 Institutions are encouraged to utilize strategies such as reduced work-  
17 hours per day or week, voluntary leave without pay, and temporary  
18 furloughs that enable employees to maintain permanent employment  
19 status. Institutions are further encouraged to implement such  
20 strategies in ways that will enable employees to maintain full  
21 insurance benefits, full retirement service credit, and a living wage.

22 (8)(a) For institutions receiving appropriations in section 605 of  
23 this act the only allowable salary increases provided are those with  
24 normally occurring promotions and increases related to faculty and  
25 staff retention, to the extent permitted by Engrossed Substitute Senate  
26 Bill No. 5460, and House Bill No. 2328.

27 (b) For employees under the jurisdiction of chapter 41.56 RCW,  
28 salary increases will be in accordance with the applicable collective  
29 bargaining agreement. However, an increase shall not be provided to  
30 any classified employee whose salary is above the approved salary range  
31 maximum for the class to which the employee's position is allocated.

32 (c) For each institution of higher education receiving  
33 appropriations under sections 606 through 611 of this act:

34 (i) The only allowable salary increases are those associated with  
35 normally occurring promotions and increases related to faculty and  
36 staff retention, to the extent permitted by Engrossed Substitute Senate  
37 Bill No. 5460 (~~and~~), House Bill No. 2328, and Senate Bill No. 6382;  
38 and

1 (ii) Institutions may provide salary increases from other sources  
 2 to instructional and research faculty, exempt professional staff,  
 3 teaching and research assistants, as classified by the office of  
 4 financial management, and all other nonclassified staff, but not  
 5 including employees under RCW 28B.16.015, to the extent permitted by  
 6 Engrossed Substitute Senate Bill No. 5460 and House Bill No. 2328. Any  
 7 salary increase granted under the authority of this subsection  
 8 (8)(c)(ii) shall not be included in an institution's salary base for  
 9 future state funding. It is the intent of the legislature that state  
 10 general fund support for an institution shall not increase during the  
 11 current or any future biennium as a result of any salary increases  
 12 authorized under this subsection (8)(c)(ii).

13 **Sec. 602.** 2009 c 564 s 605 (uncodified) is amended to read as  
 14 follows:

15 **FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

16	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$620,071,000</del> ))
17		<u>\$630,800,000</u>
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$642,509,000</del> ))
19		<u>\$608,842,000</u>
20	General Fund--Federal Appropriation . . . . .	\$17,171,000
21	Education Legacy Trust Account--State Appropriation . . . . .	\$95,125,000
22	<u>Back-to-Work Retraining Account--State Appropriation . . . . .</u>	<u>\$27,834,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$1,374,876,000</del> ))
24		<u>\$1,379,772,000</u>

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

27 (1) \$28,761,000 of the general fund--state appropriation for fiscal  
 28 year 2010 (~~and~~), \$28,761,000 of the general fund--state appropriation  
 29 for fiscal year 2011 are provided solely as special funds for training  
 30 and related support services, including financial aid, as specified in  
 31 RCW 28C.04.390. Funding is provided to support at least 6,200 full-  
 32 time equivalent students in fiscal year 2010 and at least 6,200 full-  
 33 time equivalent students in fiscal year 2011.

34 (2) The back-to-work retraining account--state appropriation is  
 35 provided solely to enroll at least 6,000 additional full-time  
 36 equivalent students in worker retraining services in fiscal year 2011.

1 This appropriation is provided pursuant to RCW 50.24.014 as amended in  
2 section 926 of this act.

3 (3) \$2,725,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$2,725,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for administration and customized  
6 training contracts through the job skills program. The state board  
7 shall make an annual report by January 1st of each year to the governor  
8 and to the appropriate policy and fiscal committees of the legislature  
9 regarding implementation of this section, listing the scope of grant  
10 awards, the distribution of funds by educational sector and region of  
11 the state, and the results of the partnerships supported by these  
12 funds.

13 ((+3)) (4) Of the amounts appropriated in this section, \$3,500,000  
14 is provided solely for the student achievement initiative.

15 ((+4)) (5) When implementing the appropriations in this section,  
16 the state board and the trustees of the individual community and  
17 technical colleges shall minimize impact on academic programs, maximize  
18 reductions in administration, and shall at least maintain, and endeavor  
19 to increase, enrollment opportunities and degree and certificate  
20 production in high employer-demand fields of study at their academic  
21 year 2008-09 levels.

22 ((+5)) (6) Within the board's 2009-11 biennial budget allocation  
23 to Bellevue College, and pursuant to RCW 28B.50.810, the college may  
24 implement, on a tuition and fee basis, an additional applied  
25 baccalaureate degree in interior design. This program is intended to  
26 provide students with additional opportunities to earn baccalaureate  
27 degrees and to respond to emerging job and economic growth  
28 opportunities. The program reviews and approval decisions required by  
29 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that  
30 the degree may be offered during the 2009-10 academic year.

31 ((+6)) (7) In accordance with the recommendations of the higher  
32 education coordinating board's 2008 *Kitsap region higher education*  
33 *center study*, the state board shall facilitate development of  
34 university centers by allocating thirty 2-year and 4-year partnership  
35 full-time enrollment equivalencies to Olympic College and ten 2-year  
36 and 4-year partnership full-time enrollment equivalencies to Peninsula  
37 College. The colleges shall use the allocations to establish a  
38 partnership with a baccalaureate university or universities for

1 delivery of upper division degree programs in the Kitsap region. The  
2 Olympic and Peninsula Community College districts shall additionally  
3 work together to ensure coordinated development of these and other  
4 future baccalaureate opportunities through coordinated needs  
5 assessment, planning, and scheduling.

6 ~~((+7))~~ (8) By September 1, 2009, the state board for community and  
7 technical colleges, the higher education coordinating board, and the  
8 office of financial management shall review and to the extent necessary  
9 revise current 2009-11 performance measures and targets based on the  
10 level of state, tuition, and other resources appropriated or authorized  
11 in this act and in the omnibus 2009-11 omnibus capital budget act. The  
12 boards and the office of financial management shall additionally  
13 develop new performance targets for the 2011-13 and the 2013-15 biennia  
14 that will guide and measure the community and technical college  
15 system's contributions to achievement of the state's higher education  
16 master plan goals.

17 ~~((+8))~~ (9) \$2,250,000 of the general fund--state appropriation for  
18 fiscal year 2010 and \$2,250,000 of the general fund--state  
19 appropriation for fiscal year 2011 are provided solely for the hospital  
20 employee education and training program under which labor, management,  
21 and college partnerships develop or expand and evaluate training  
22 programs for incumbent hospital workers that lead to careers in nursing  
23 and other high-demand health care occupations. The board shall report  
24 student progress, outcomes, and costs to the relevant fiscal and policy  
25 committees of the legislature by November 2009 and November 2010.

26 ~~((+9))~~ (10) Community and technical colleges are not required to  
27 send mass mailings of course catalogs to residents of their districts.  
28 Community and technical colleges shall consider lower cost  
29 alternatives, such as mailing postcards or brochures that direct  
30 individuals to online information and other ways of acquiring print  
31 catalogs.

32 ~~((+10))~~ (11) \$1,112,000 of the general fund--state appropriation  
33 for fiscal year 2010 and \$1,113,000 of the general fund--state  
34 appropriation for fiscal year 2011 are provided solely for the state  
35 board to enhance online distance learning and open courseware  
36 technology. Funds shall be used to support open courseware, open  
37 textbooks, open licenses to increase access, affordability and quality  
38 of courses in higher education. The state board for community and

1 technical colleges shall select the most appropriate courses to support  
2 open courseware based solely upon criteria of maximizing the value of  
3 instruction and reducing costs of textbooks and other instructional  
4 materials for the greatest number of students in higher education,  
5 regardless of the type of institution those students attend.

6 **Sec. 603.** 2009 c 564 s 606 (uncodified) is amended to read as  
7 follows:

8 **FOR THE UNIVERSITY OF WASHINGTON**

9	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$269,552,000</del> ))
10		<u>\$269,082,000</u>
11	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$297,130,000</del> ))
12		<u>\$262,560,000</u>
13	General Fund--Federal Appropriation . . . . .	(( <del>\$24,730,000</del> ))
14		<u>\$43,971,000</u>
15	Education Legacy Trust Account--State Appropriation . . . . .	\$54,408,000
16	Accident Account--State Appropriation . . . . .	(( <del>\$6,712,000</del> ))
17		<u>\$6,544,000</u>
18	Medical Aid Account--State Appropriation . . . . .	(( <del>\$6,524,000</del> ))
19		<u>\$6,361,000</u>
20	Biotoxin Account--State Appropriation . . . . .	\$450,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$659,506,000</del> ))
22		<u>\$643,376,000</u>

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

25 (1) In implementing the appropriations in this section, the  
26 president and regents shall seek to minimize impacts on student  
27 services and instructional programs by maximizing reductions in  
28 administration and other non-instructional activities.

29 (2) Because higher education is an essential driver of economic  
30 recovery and development, the university shall maintain, and endeavor  
31 to increase, enrollment and degree production levels at or beyond their  
32 academic year 2008-09 levels in the following high-demand fields:  
33 Biological and biomedical sciences; computer and information sciences;  
34 education with specializations in special education, math, or science;  
35 engineering and engineering technology; health professions and related  
36 clinical sciences; and mathematics and statistics.



1 (3) \$75,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$75,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for forestry research by the  
4 Olympic natural resources center.

5 (4) \$150,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for the William D. Ruckelshaus center for  
7 facilitation, support, and analysis to support the nurse staffing  
8 steering committee in its work to apply best practices related to  
9 patient safety and nurse staffing.

10 (5) \$54,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$54,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the University of Washington  
13 geriatric education center to provide a voluntary adult family home  
14 certification program. In addition to the minimum qualifications  
15 required under RCW 70.128.120, individuals participating in the  
16 voluntary adult family home certification program shall complete fifty-  
17 two hours of class requirements as established by the University of  
18 Washington geriatric education center. Individuals completing the  
19 requirements of RCW 70.128.120 and the voluntary adult family home  
20 certification program shall be issued a certified adult family home  
21 license by the department of social and health services. The  
22 department of social and health services shall adopt rules implementing  
23 the provisions of this subsection.

24 (6) \$50,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$52,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for the center for international  
27 trade in forest products in the college of forest resources.

28 **Sec. 604.** 2009 c 564 s 607 (uncodified) is amended to read as  
29 follows:

30 **FOR WASHINGTON STATE UNIVERSITY**

31	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$178,578,000</del> ))
32		<u>\$169,132,000</u>
33	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$196,163,000</del> ))
34		<u>\$173,654,000</u>
35	General Fund--Federal Appropriation . . . . .	\$15,772,000
36	Education Legacy Trust Account--State Appropriation . . . . .	\$34,696,000
37	TOTAL APPROPRIATION . . . . .	(( <del>\$425,209,000</del> ))

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other non-instructional activities.

(2) Because higher education is an essential driver of economic recovery and development, the university shall maintain, and endeavor to increase, enrollment and degree production levels at or beyond their academic year 2008-09 levels in the following high-demand fields: Biological and biomedical sciences; computer and information sciences; education with specializations in special education, math, or science; engineering and engineering technology; health professions and related clinical sciences; and mathematics and statistics.

(3) When implementing reductions for fiscal year 2010 and fiscal year 2011, Washington State University shall minimize reductions to extension services and agriculture extension services. Agriculture extension includes:

(a) Faculty with extension appointments working within the following departments in the college of agricultural, human, and natural resource sciences with extension appointments: Animal sciences, crop and soil sciences, entomology, horticulture, and plant pathology;

(b) The portion of county extension educators' appointments assigned to the "agricultural programs" area;

(c) Staff with extension appointments and extension operating allocations located at the irrigated agriculture research and extension center (Prosser), northwest Washington research and extension center (Mt. Vernon), and tree fruit research and extension center (Wenatchee); and

(d) Extension contributions to the center for precision agricultural systems, center for sustaining agriculture and natural resources, and the agriculture weather network.

(4) At least \$75,000 of the general fund--state appropriation for fiscal year 2010 and at least \$75,000 of the general fund--state appropriation for fiscal year 2011 (~~(are provided solely for)~~) shall be expended on research related to honeybee colony collapse disease.



1 Education Legacy Trust Account--State Appropriation . . . . \$19,076,000  
 2 TOTAL APPROPRIATION . . . . . ((~~\$93,915,000~~))  
 3 \$88,947,000

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

6 (1) In implementing the appropriations in this section, the  
 7 president and governing board shall seek to minimize impacts on student  
 8 services and instructional programs by maximizing reductions in  
 9 administration and other non-instructional activities.

10 (2) Because higher education is an essential driver of economic  
 11 recovery and development, the university shall maintain, and endeavor  
 12 to increase, enrollment and degree production levels at or beyond their  
 13 academic year 2008-09 levels in the following high-demand fields:  
 14 Biological and biomedical sciences; computer and information sciences;  
 15 education with specializations in special education, math, or science;  
 16 engineering and engineering technology; health professions and related  
 17 clinical sciences; and mathematics and statistics.

18 **Sec. 607.** 2009 c 564 s 610 (uncodified) is amended to read as  
 19 follows:

20 **FOR THE EVERGREEN STATE COLLEGE**  
 21 General Fund--State Appropriation (FY 2010) . . . . . ((~~\$20,512,000~~))  
 22 \$20,481,000  
 23 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$22,865,000~~))  
 24 \$18,095,000  
 25 General Fund--Federal Appropriation . . . . . \$2,366,000  
 26 Education Legacy Trust Account--State Appropriation . . . . \$5,450,000  
 27 TOTAL APPROPRIATION . . . . . ((~~\$51,193,000~~))  
 28 \$46,392,000

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

31 (1) In implementing the appropriations in this section, the  
 32 president and governing board shall seek to minimize impacts on student  
 33 services and instructional programs by maximizing reductions in  
 34 administration and other non-instructional activities.

35 (2) Because higher education is an essential driver of economic  
 36 recovery and development, the college shall maintain, and endeavor to  
 37 increase, enrollment and degree production levels at or beyond their

1 academic year 2008-09 levels in the following high-demand fields:  
2 Biological and biomedical sciences; computer and information sciences;  
3 education with specializations in special education, math, or science;  
4 engineering and engineering technology; health professions and related  
5 clinical sciences; and mathematics and statistics.

6 (3) At least \$100,000 of the general fund--state appropriation for  
7 fiscal year 2010 and at least \$100,000 of the general fund--state  
8 appropriation for fiscal year 2011 shall be expended on the labor  
9 education and research center.

10 (4) \$100,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$100,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the Washington state institute  
13 for public policy to report to the legislature regarding efficient and  
14 effective programs and policies. The report shall calculate the return  
15 on investment to taxpayers from evidence-based prevention and  
16 intervention programs and policies that influence crime, K-12 education  
17 outcomes, child maltreatment, substance abuse, mental health, public  
18 health, public assistance, employment, and housing. The institute for  
19 public policy shall provide the legislature with a comprehensive list  
20 of programs and policies that improve these outcomes for children and  
21 adults in Washington and result in more cost-efficient use of public  
22 resources. The institute shall submit interim reports by December 15,  
23 2009, and October 1, 2010, and a final report by June 30, 2011. The  
24 institute may receive additional funds from a private organization for  
25 the purpose of conducting this study.

26 (5) To the extent federal or private funding is available for this  
27 purpose, the Washington state institute for public policy and the  
28 center for reinventing public education at the University of Washington  
29 shall examine the relationship between participation in pension systems  
30 and teacher quality and mobility patterns in the state. The department  
31 of retirement systems shall facilitate researchers' access to necessary  
32 individual-level data necessary to effectively conduct the study. The  
33 researchers shall ensure that no individually identifiable information  
34 will be disclosed at any time. An interim report on project findings  
35 shall be completed by November 15, 2010, and a final report shall be  
36 submitted to the governor and to the relevant committees of the  
37 legislature by October 15, 2011.

1 (6) At least \$200,000 of the general fund--state appropriation for  
2 fiscal year 2010 and at least \$200,000 of the general fund--state  
3 appropriation for fiscal year 2011 shall be expended on the Washington  
4 center for undergraduate education.

5 (7) \$15,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for the Washington state institute for  
7 public policy to examine the need for and methods to increase the  
8 availability of nonfood items, such as personal hygiene supplies,  
9 soaps, paper products, and other items, to needy persons in the state.  
10 The study shall examine existing private and public programs that  
11 provide such products, and develop recommendations for the most cost-  
12 effective incentives for private and public agencies to increase local  
13 distribution outlets and local and regional networks of supplies. A  
14 final report shall be delivered to the legislature and the governor by  
15 December 1, 2009.

16 (8) \$17,000 of the general fund--state appropriation for fiscal  
17 year 2010 and \$42,000 of the general fund--state appropriation for  
18 fiscal year 2011 are provided to the Washington state institute for  
19 public policy to implement Second Substitute House Bill No. 2106 (child  
20 welfare outcomes). If the bill is not enacted by June 30, 2009, the  
21 amounts provided in this subsection shall lapse.

22 (9) \$54,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$23,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely to implement Substitute Senate  
25 Bill No. 5882 (racial disproportionality). If the bill is not enacted  
26 by June 30, 2009, the amounts provided in this subsection shall lapse.

27 (10) \$75,000 of the general fund--state appropriation for fiscal  
28 year 2010 is provided solely for the Washington state institute of  
29 public policy to evaluate the adequacy of and access to financial aid  
30 and independent living programs for youth in foster care. The  
31 examination shall include opportunities to improve efficiencies within  
32 these programs. The institute shall report its findings by December 1,  
33 2009.

34 (11) \$75,000 of the general fund--state appropriation for fiscal  
35 year 2010 is provided solely for the Washington state institute for  
36 public policy to conduct an assessment of the general assistance  
37 unemployable program and other similar programs. The assessment shall  
38 include a review of programs in other states that provide similar

1 services and will include recommendations on promising approaches that  
2 both improve client outcomes and reduce state costs. A report is due  
3 by December 1, 2009.

4 (12) To the extent funds are available, the Washington state  
5 institute for public policy is encouraged to continue the longitudinal  
6 analysis of long-term mental health outcomes directed in chapter 334,  
7 Laws of 2001 (mental health performance audit), to build upon the  
8 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill  
9 offenders); and to assess program outcomes and cost effectiveness of  
10 the children's mental health pilot projects as required by chapter 372,  
11 Laws of 2006.

12 (13) \$50,000 of the general fund--state appropriation for fiscal  
13 year 2011 is provided solely for the institute for public policy to  
14 provide research support to the quality education council.

15 **Sec. 608.** 2009 c 564 s 611 (uncodified) is amended to read as  
16 follows:

17 **FOR WESTERN WASHINGTON UNIVERSITY**

18	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$43,141,000</del> ))
19		<u>\$43,028,000</u>
20	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$52,752,000</del> ))
21		<u>\$46,833,000</u>
22	General Fund--Federal Appropriation . . . . .	\$8,885,000
23	Education Legacy Trust Account--State Appropriation . . . . .	\$13,036,000
24	TOTAL APPROPRIATION . . . . .	(( <del>\$117,814,000</del> ))
25		<u>\$111,782,000</u>

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

28 (1) In implementing the appropriations in this section, the  
29 president and governing board shall seek to minimize impacts on student  
30 services and instructional programs by maximizing reductions in  
31 administration and other non-instructional activities.

32 (2) Because higher education is an essential driver of economic  
33 recovery and development, the university shall maintain, and endeavor  
34 to increase, enrollment and degree production levels at or beyond their  
35 academic year 2008-09 levels in the following high-demand fields:  
36 Biological and biomedical sciences; computer and information sciences;

1 education with specializations in special education, math, or science;  
2 engineering and engineering technology; health professions and related  
3 clinical sciences; and mathematics and statistics.

4 **Sec. 609.** 2009 c 564 s 612 (uncodified) is amended to read as  
5 follows:

6 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**  
7 **ADMINISTRATION**

8	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$6,611,000</del> ))
9		<u>\$6,394,000</u>
10	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$6,203,000</del> ))
11		<u>\$5,191,000</u>
12	General Fund--Federal Appropriation . . . . .	\$4,352,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$17,166,000</del> ))
14		<u>\$15,937,000</u>

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

17 (1) Within the funds appropriated in this section, the higher  
18 education coordinating board shall complete a system design planning  
19 project that defines how the current higher education delivery system  
20 can be shaped and expanded over the next ten years to best meet the  
21 needs of Washington citizens and businesses for high quality and  
22 accessible post-secondary education. The board shall propose policies  
23 and specific, fiscally feasible implementation recommendations to  
24 accomplish the goals established in the *2008 strategic master plan for*  
25 *higher education*. The project shall specifically address the roles,  
26 missions, and instructional delivery systems both of the existing and  
27 of proposed new components of the higher education system; the extent  
28 to which specific academic programs should be expanded, consolidated,  
29 or discontinued and how that would be accomplished; the utilization of  
30 innovative instructional delivery systems and pedagogies to reach both  
31 traditional and nontraditional students; and opportunities to  
32 consolidate institutional administrative functions. The study  
33 recommendations shall also address the proposed location, role,  
34 mission, academic program, and governance of any recommended new  
35 campus, institution, or university center. During the planning  
36 process, the board shall inform and actively involve the chairs from  
37 the senate and house of representatives committees on higher education,



1 or their designees. The board shall report the findings and  
2 recommendations of this system design planning project to the governor  
3 and the appropriate committees of the legislature by December 1, 2009.

4 (2) \$146,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$65,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the higher education  
7 coordinating board to administer Engrossed Second Substitute House Bill  
8 No. 2021 (revitalizing student financial aid). If the bill is not  
9 enacted by June 30, 2009, the amounts provided in this subsection shall  
10 lapse.

11 (3) \$227,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$11,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely to implement Engrossed Second  
14 Substitute House Bill No. 1946 (regarding higher education online  
15 technology). If the bill is not enacted by June 30, 2009, the amounts  
16 provided in this subsection shall lapse.

17 ~~((4) \$400,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$400,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for the higher education  
20 coordinating board to contract with the Pacific Northwest university of  
21 health sciences to conduct training and education of health care  
22 professionals to promote osteopathic physician services in rural and  
23 underserved areas of the state.))~~

24 **Sec. 610.** 2009 c 564 s 613 (uncodified) is amended to read as  
25 follows:

26 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
27 **PROGRAMS**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$204,332,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$229,711,000)</del>
30		<u>\$67,959,000</u>
31	General Fund--Federal Appropriation . . . . .	\$13,124,000
32	Education Legacy Trust Account--State Appropriation . .	<del>(\$88,062,000)</del>
33		<u>\$224,435,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(\$535,229,000)</del>
35		<u>\$509,850,000</u>

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

1           (1) (~~(\$191,704,000)~~) \$194,775,000 of the general fund--state  
2 appropriation for fiscal year 2010, (~~(\$232,929,000)~~) \$66,923,000 of the  
3 general fund--state appropriation for fiscal year 2011, (~~(\$80,190,000)~~)  
4 \$218,335,000 of the education legacy trust account appropriation, and  
5 \$2,446,000 of the general fund--federal appropriation are provided  
6 solely for student financial aid payments under the state need grant;  
7 the state work study program including up to a four percent  
8 administrative allowance; the Washington scholars program; and the  
9 Washington award for vocational excellence. State need grant(~~(~~  
10 ~~Washington award for vocational excellence, and state work study)~~)  
11 awards shall be adjusted to offset the cost of the resident  
12 undergraduate tuition increases authorized under this act. (~~The~~  
13 ~~Washington scholars program shall provide awards sufficient to offset~~  
14 ~~ninety percent of the total tuition and fee award.)~~)

15           (2)(a) Within the funds appropriated in this section, eligibility  
16 for the state need grant shall include students with family incomes at  
17 or below 70 percent of the state median family income (MFI), adjusted  
18 for family size. Awards for all students shall be adjusted by the  
19 estimated amount by which Pell grant increases exceed projected  
20 increases in the noninstructional costs of attendance. Awards for  
21 students with incomes between 51 and 70 percent of the state median  
22 shall be prorated at the following percentages of the award amount  
23 granted to those with incomes below 51 percent of the MFI: 70 percent  
24 for students with family incomes between 51 and 55 percent MFI; 65  
25 percent for students with family incomes between 56 and 60 percent MFI;  
26 60 percent for students with family incomes between 61 and 65 percent  
27 MFI; and 50 percent for students with family incomes between 66 and 70  
28 percent MFI.

29           (b) Grant awards for students at private four-year colleges shall  
30 be set at the same level as the student would receive if attending one  
31 of the public research universities.

32           (3) (~~(\$1,000,000 of the education legacy trust account--state~~  
33 ~~appropriation is provided solely to encourage more students to teach~~  
34 ~~secondary mathematics and science. \$500,000 of this amount is for the~~  
35 ~~future teacher scholarship and conditional loan program. \$500,000 of~~  
36 ~~this amount is provided to support state work study positions for~~  
37 ~~students to intern in secondary schools and classrooms.~~)

1       ~~(4) \$3,872,000~~) Students selected as Washington scholars and as  
2 Washington award for vocational excellence recipients prior to the  
3 2009-10 academic year shall continue to receive scholarships during the  
4 2010-11 academic year. During the 2010-11 academic year, scholarships  
5 shall continue to be set according to the 2009-10 award schedule, with  
6 no adjustment for tuition and fee increases. No scholarships or awards  
7 shall be provided during the 2010-11 academic year for students  
8 graduating high school during the 2009-10 academic year.

9       (4) To the maximum extent practicable, the board shall provide  
10 state work study subsidies only to resident students during the 2010-11  
11 academic year. Additionally, in order to provide work opportunities to  
12 as many resident students as possible, the board is encouraged to  
13 increase the proportion of student wages that is to be paid by both  
14 proprietary and nonprofit, public, and private employers.

15       (5) \$3,127,000 of the education legacy trust account--state  
16 appropriation is provided solely for the passport to college  
17 scholarship program pursuant to chapter 28B.117 RCW. ~~((The higher~~  
18 ~~education coordinating board shall contract with a college scholarship~~  
19 ~~organization with expertise in managing scholarships for low-income,~~  
20 ~~high-potential students and foster care children and young adults to~~  
21 ~~administer the program. Of the amount in this subsection, \$39,000 is~~  
22 ~~provided solely for the higher education coordinating board for~~  
23 ~~administration of the contract and the remaining shall be contracted~~  
24 ~~out to the organization for the following purposes:~~

25       ~~(a) \$384,000 is provided solely for program administration, and~~  
26       ~~(b) \$3,449,000 is provided solely for student financial aid for up~~  
27 ~~to 151 students and to fund student support services. Funds are~~  
28 ~~provided for student scholarships, provider training, and for incentive~~  
29 ~~payments to the colleges they attend for individualized student support~~  
30 ~~services which may include, but are not limited to, college and career~~  
31 ~~advising, counseling, tutoring, costs incurred for students while~~  
32 ~~school is not in session, personal expenses, health insurance, and~~  
33 ~~emergency services.~~

34       ~~(5))~~ (6) \$1,250,000 of the general fund--state appropriation for  
35 fiscal year 2010 ~~((and \$1,250,000 of the general fund state~~  
36 ~~appropriation for fiscal year 2011 are))~~ is provided solely for the  
37 health professional scholarship and loan program. The funds provided  
38 in this subsection shall be: (a) Prioritized for health care delivery

1 sites demonstrating a commitment to serving the uninsured; and (b)  
2 allocated between loan repayments and scholarships proportional to  
3 current program allocations.

4 ~~((+6))~~ (7) For fiscal year 2010 and fiscal year 2011, the board  
5 shall defer loan or conditional scholarship repayments to the future  
6 teachers conditional scholarship and loan repayment program for up to  
7 one year for each participant if the participant has shown evidence of  
8 efforts to find a teaching job but has been unable to secure a teaching  
9 job per the requirements of the program.

10 ~~((+7))~~ (8) \$246,000 of the general fund--state appropriation for  
11 fiscal year 2010 and \$246,000 of the general fund--state appropriation  
12 for fiscal year 2011 are for community scholarship matching grants and  
13 its administration. To be eligible for the matching grant, nonprofit  
14 groups organized under section 501(c)(3) of the federal internal  
15 revenue code must demonstrate they have raised at least \$2,000 in new  
16 moneys for college scholarships after the effective date of this  
17 section. Groups may receive no more than one \$2,000 matching grant per  
18 year and preference shall be given to groups affiliated with  
19 scholarship America. Up to a total of \$46,000 per year of the amount  
20 appropriated in this section may be awarded to a nonprofit community  
21 organization to administer scholarship matching grants, with preference  
22 given to an organization affiliated with scholarship America.

23 ~~((+8))~~ (9) \$500,000 of the general fund--state appropriation for  
24 fiscal year 2010 and \$500,000 of the general fund--state appropriation  
25 for fiscal year 2011 are provided solely for state need grants provided  
26 to students enrolled in three to five credit-bearing quarter credits,  
27 or the equivalent semester credits. Total state expenditures on this  
28 program shall not exceed the amounts provided in this subsection.

29 ~~((+9) \$3,000,000)~~ (10) \$2,500,000 of the education legacy trust  
30 account--state appropriation is provided solely for the gaining early  
31 awareness and readiness for undergraduate programs project.

32 ~~((+10) \$75,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$75,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for higher education student child  
35 care matching grants under chapter 28B.135 RCW.))~~

36 **Sec. 611.** 2009 c 564 s 614 (uncodified) is amended to read as  
37 follows:



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

3 (1) (~~(\$55,696,000)~~) \$54,878,000 of the general fund--state  
4 appropriation for fiscal year 2010 and (~~(\$55,696,000)~~) \$54,685,000 of  
5 the general fund--state appropriation for fiscal year 2011 are provided  
6 solely for early childhood education and assistance program services.  
7 This appropriation temporarily reduces the number of slots for the  
8 2009-11 fiscal biennium for the early childhood education and  
9 assistance program. The department shall reduce slots where providers  
10 serve both federal headstart and early childhood education and  
11 assistance program children, to the greatest extent possible, in order  
12 to achieve no reduction of slots across the state. The amounts in this  
13 subsection also reflect reductions to the administrative expenditures  
14 for the early childhood education and assistance program. The  
15 department shall reduce administrative expenditures, to the greatest  
16 extent possible, prior to reducing early childhood education and  
17 assistance program slots. Of these amounts, \$10,284,000 is a portion  
18 of the biennial amount of state matching dollars required to receive  
19 federal child care and development fund grant dollars.

20 (2) \$1,000,000 of the general fund--federal appropriation is  
21 provided to the department to contract with Thrive by Five, Washington  
22 for a pilot project for a quality rating and improvement system to  
23 provide parents with information they need to choose quality child care  
24 and education programs and to improve the quality of early care and  
25 education programs. The department in collaboration with Thrive by  
26 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,  
27 and Kitsap counties. The department shall use child care development  
28 fund quality money for this purpose.

29 (3) \$425,000 of the general fund--state appropriation for fiscal  
30 year 2010(~~(, \$425,000 of the general fund--state appropriation for~~  
31 ~~fiscal year 2011,)) and \$850,000 of the general fund--federal  
32 appropriation are provided solely for child care resource and referral  
33 network services. The general fund--federal funding represents moneys  
34 from the American recovery and reinvestment act of 2009 (child care  
35 development block grant).~~

36 (4) (~~(\$750,000 of the general fund--state appropriation for fiscal~~  
37 ~~year 2010, \$750,000 of the general fund--state appropriation for fiscal~~  
38 ~~year 2011, and)) \$1,500,000 of the general fund--federal appropriation~~

1 ((are)) is provided solely for the career and wage ladder program  
2 created by chapter 507, Laws of 2005. The general fund--federal  
3 funding represents moneys from the American recovery and reinvestment  
4 act of 2009 (child care development block grant).

5 (5) \$50,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$50,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for the department to work with  
8 stakeholders and the office of the superintendent of public instruction  
9 to identify and test a kindergarten assessment process and tools in  
10 geographically diverse school districts. School districts may  
11 participate in testing the kindergarten assessment process on a  
12 voluntary basis. The department shall report to the legislature on the  
13 kindergarten assessment process not later than January 15, 2011.  
14 Expenditure of amounts provided in this subsection is contingent on  
15 receipt of an equal match from private sources. As matching funds are  
16 made available, the department may expend the amounts provided in this  
17 subsection.

18 (6) \$1,600,000 of the general fund--federal appropriation is  
19 provided solely for the department to fund programs to improve the  
20 quality of infant and toddler child care through training, technical  
21 assistance, and child care consultation.

22 (7) \$200,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$200,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely to develop and provide culturally  
25 relevant supports for parents, family, and other caregivers.

26 ((+9)) (8) The department is the lead agency for and recipient of  
27 the federal child care and development fund grant. Amounts within this  
28 grant shall be used to fund child care licensing, quality initiatives,  
29 agency administration, and other costs associated with child care  
30 subsidies. The department shall transfer a portion of this grant to  
31 the department of social and health services to partially fund the  
32 child care subsidies paid by the department of social and health  
33 services on behalf of the department of early learning.

34 ((+10)) (9) The department shall use child care development fund  
35 money to satisfy the federal audit requirement of the improper payments  
36 act (IPIA) of 2002. In accordance with the IPIA's rules, the money  
37 spent on the audits will not count against the five percent state limit  
38 on administrative expenditures.







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

3 (1) It is the intent of the legislature that the reductions in  
4 appropriations in this section shall be achieved, to the greatest  
5 extent possible, by reducing those administrative costs that do not  
6 affect direct client services or direct service delivery or programs.  
7 The agency shall, to the greatest extent possible, reduce spending in  
8 those areas that shall have the least impact on implementing its  
9 mission.

10 (2) \$15,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$541,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely on the condition that the agency  
13 shall not award any grant or other funding to artists not resident in  
14 the state of Washington between the effective date of this section and  
15 July 1, 2011. If grants or other funding is provided to artists not  
16 resident in Washington state, the amounts provided in this subsection  
17 shall lapse.

18 **Sec. 617.** 2009 c 564 s 620 (uncodified) is amended to read as  
19 follows:

20 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

21	General Fund--State Appropriation (FY 2010) . . . . .	((( <del>\$2,592,000</del> )))
22		<u>\$2,586,000</u>
23	General Fund--State Appropriation (FY 2011) . . . . .	((( <del>\$2,636,000</del> )))
24		<u>\$2,560,000</u>
25	TOTAL APPROPRIATION . . . . .	((( <del>\$5,228,000</del> )))
26		<u>\$5,146,000</u>

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

35 **Sec. 618.** 2009 c 564 s 621 (uncodified) is amended to read as  
36 follows:

1 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

2	General Fund--State Appropriation (FY 2010) . . . . .	(\$1,612,000)
3		<u>\$1,607,000</u>
4	General Fund--State Appropriation (FY 2011) . . . . .	(\$1,655,000)
5		<u>\$1,598,000</u>
6	TOTAL APPROPRIATION . . . . .	(\$3,267,000)
7		<u>\$3,205,000</u>

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

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2009 c 564 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 2010), General Fund--State Appropriation (FY 2011), 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 Retirement 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 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

Sec. 702. 2009 c 564 s 703 (uncodified) is amended to read as follows:

1 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
 2 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**  
 3 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

4	General Fund--State Appropriation (FY 2010) . . . . .	(( <del>\$26,463,000</del> ))
5		<u>\$26,436,000</u>
6	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$27,811,000</del> ))
7		<u>\$27,773,000</u>
8	School Construction and Skill Centers Building	
9	Account--State Appropriation . . . . .	\$477,000
10	Nondebt-Limit Reimbursable Bond Retirement Account--	
11	State Appropriation . . . . .	(( <del>\$141,507,000</del> ))
12		<u>\$140,872,000</u>
13	TOTAL APPROPRIATION . . . . .	(( <del>\$196,258,000</del> ))
14		<u>\$195,558,000</u>

15 The appropriations in this section are subject to the following  
 16 conditions and limitations: The general fund appropriation is for  
 17 expenditure into the nondebt-limit general fund bond retirement  
 18 account. The entire general fund--state appropriation for fiscal year  
 19 2010 shall be expended into the nondebt-limit general fund bond  
 20 retirement account by June 30, 2010.

21 **Sec. 703.** 2009 c 564 s 704 (uncodified) is amended to read as  
 22 follows:

23 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
 24 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

25	General Fund--State Appropriation (FY 2010) . . . . .	\$1,357,000
26	General Fund--State Appropriation (FY 2011) . . . . .	\$1,357,000
27	State Building Construction Account--State	
28	Appropriation . . . . .	\$1,273,000
29	Columbia River Basin Water Supply Development	
30	Account--State Appropriation . . . . .	(( <del>\$6,000</del> ))
31		<u>\$9,000</u>
32	Hood Canal Aquatic Rehabilitation Bond Account--	
33	State Appropriation . . . . .	\$1,000
34	State Taxable Building Construction Account--State	
35	Appropriation . . . . .	\$72,000
36	Gardner-Evans Higher Education Construction	
37	Account--State Appropriation . . . . .	\$18,000

1 School Construction and Skill Centers Building  
 2 Account--State Appropriation . . . . . \$30,000  
 3 TOTAL APPROPRIATION . . . . . (~~(\$4,114,000)~~)  
 4 \$4,117,000

5 **Sec. 704.** 2009 c 564 s 710 (uncodified) is amended to read as  
 6 follows:

7 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**  
 8 **SYSTEMS.**

9 The appropriations in this section are subject to the following  
 10 conditions and limitations: The appropriations for the law enforcement  
 11 officers' and firefighters' retirement system shall be made on a  
 12 monthly basis beginning July 1, 2009, consistent with chapter 41.45  
 13 RCW, and the appropriations for the judges and judicial retirement  
 14 systems shall be made on a quarterly basis consistent with chapters  
 15 2.10 and 2.12 RCW.

16 (1) There is appropriated for state contributions to the law  
 17 enforcement officers' and firefighters' retirement system:

18 General Fund--State Appropriation (FY 2010) . . . . . \$51,500,000  
 19 General Fund--State Appropriation (FY 2011) . . . . . \$54,300,000  
 20 TOTAL APPROPRIATION . . . . . \$105,800,000

21 (2) There is appropriated for contributions to the judicial  
 22 retirement system:

23 General Fund--State Appropriation (FY 2010) . . . . . \$11,570,000  
 24 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$12,860,000)~~)  
 25 \$10,860,000  
 26 TOTAL APPROPRIATION . . . . . (~~(\$24,430,000)~~)  
 27 \$22,430,000

28 **Sec. 705.** 2009 c 564 s 712 (uncodified) is amended to read as  
 29 follows:

30 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--WATER POLLUTION CONTROL**  
 31 **REVOLVING ACCOUNT**

32 General Fund--State Appropriation (FY 2010) . . . . . \$4,600,000  
 33 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$4,600,000)~~)  
 34 \$6,000,000  
 35 TOTAL APPROPRIATION . . . . . (~~(\$9,200,000)~~)  
 36 \$10,600,000

1 The appropriations in this section are subject to the following  
2 conditions and limitations: The appropriations are provided solely for  
3 expenditure into the water pollution control revolving account.

4 **Sec. 706.** 2009 c 564 s 717 (uncodified) is amended to read as  
5 follows:

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**  
7 **ACCOUNT**

8	General Fund--State Appropriation (FY 2010) . . . . .	<del>(\$2,312,000)</del>
9		<u>\$2,612,000</u>
10	General Fund--State Appropriation (FY 2011) . . . . .	\$3,615,000
11	TOTAL APPROPRIATION . . . . .	<del>(\$5,927,000)</del>
12		<u>\$6,227,000</u>

13 The appropriations in this section are subject to the following  
14 conditions and limitations: The appropriations are provided solely for  
15 expenditure into the capitol building construction account.

16 NEW SECTION. **Sec. 707.** A new section is added to 2009 c 564  
17 (uncodified) to read as follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**  
19 **COSTS**

20	General Fund--State Appropriation (FY 2011) . . . . .	\$620,000
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21 The appropriation in this section is subject to the following  
22 conditions and limitations: The director of financial management shall  
23 distribute funds to Franklin county (\$33,000), Skagit county  
24 (\$390,000), and Jefferson county (\$197,000) for extraordinary criminal  
25 justice costs.

26 NEW SECTION. **Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
27 **CONTRIBUTIONS TO RETIREMENT SYSTEMS** 2009 c 564 s 720 (uncodified) is  
28 repealed.

29 NEW SECTION. **Sec. 709.** A new section is added to 2009 c 564  
30 (uncodified) to read as follows:

31 **COMPENSATION--STATE EMPLOYEES--INSURANCE BENEFITS**

32	General Fund--State Appropriation (FY 2011) . . . . .	\$21,898,000
33	General Fund--Federal Appropriation . . . . .	\$2,793,000





1 vouchers approved by the director of financial management, except as  
2 otherwise provided, as follows:

3 (1) Reimbursement of criminal defendants acquitted on the basis of  
4 self-defense, pursuant to RCW 9A.16.110:

- 5 (a) Gerald S. Morrow, claim number 99970006 . . . . . \$20,567
- 6 (b) Darrell R. Baumgart, claim number 99970007 . . . . . \$4,528
- 7 (c) William Davis, claim number 99970008 . . . . . \$8,093
- 8 (d) Gene T. Strader, claim number 99970009 . . . . . \$33,875
- 9 (e) Cecilio Cortez, claim number 99970012 . . . . . \$17,055
- 10 (f) Alexander D. Coble, claim number 99970013 . . . . . \$302,110
- 11 (g) James W. Jolly, claim number 99970017 . . . . . \$28,884
- 12 (h) James Jay Olsen, claim number 99970018 . . . . . \$97,220
- 13 (i) Todd E. Miller, claim number 99970019 . . . . . \$6,957
- 14 (j) Sean S. DeHart, claim number 99970021 . . . . . \$52,062
- 15 (k) Thomas L. Raglin, Jr., claim number 99970022 . . . . . \$4,360
- 16 (l) Ian K. Berghoffer, claim number 99970026 . . . . . \$33,455

17 (2) Payment of death benefit, pursuant to RCW 41.04.017: Estate of  
18 Erik Anderson, claim number 99970014 . . . . . \$150,000

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2009 c 564 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 . . . . .	\$8,268,000
General Fund Appropriation for public utility	
district excise tax distributions . . . . .	\$48,771,000
General Fund Appropriation for prosecuting	
attorney distributions . . . . .	\$6,281,000
General Fund Appropriation for boating	
safety and education distributions . . . . .	\$4,854,000
General Fund Appropriation for other tax	
distributions . . . . .	\$50,000
General Fund Appropriation for habitat conservation	
program distributions . . . . .	\$3,000,000
Death Investigations Account Appropriation for distribution	
to counties for publicly funded autopsies . . . . .	\$2,544,000
Aquatic Lands Enhancement Account Appropriation for	
harbor improvement revenue distribution . . . . .	\$170,000
Timber Tax Distribution Account Appropriation for	
distribution to "timber" counties . . . . .	\$69,288,000
County Criminal Justice Assistance Appropriation . . . . .	\$66,374,000
Municipal Criminal Justice Assistance Appropriation . . . . .	\$25,622,000
City-County Assistance Account Appropriation for local	
government financial assistance distribution . . . . .	\$28,564,000
Liquor Excise Tax Account Appropriation for liquor	
excise tax distribution . . . . .	<del>(\$50,950,000)</del>
	<u>\$50,380,000</u>
Streamline Sales and Use Tax Account Appropriation for	
distribution to local taxing jurisdictions to mitigate	
the unintended revenue redistribution effect of the	
sourcing law changes . . . . .	<del>(\$65,038,000)</del>
	<u>\$55,038,000</u>
Columbia River Water Delivery Account Appropriation for the	

1	Confederated Tribes of the Colville Reservation . . . . .	\$7,308,000
2	Columbia River Water Delivery Account Appropriation for the	
3	Spokane Tribe of Indians . . . . .	\$4,676,000
4	Liquor Revolving Account Appropriation for liquor	
5	profits distribution . . . . .	\$80,435,000
6	Liquor Revolving Account Appropriation for additional	
7	liquor profits distribution to local	
8	governments . . . . .	\$18,677,000
9	TOTAL APPROPRIATION . . . . .	\$490,870,000

10 The total expenditures from the state treasury under the  
11 appropriations in this section shall not exceed the funds available  
12 under statutory distributions for the stated purposes.

13 **Sec. 802.** 2009 c 564 s 805 (uncodified) is amended to read as  
14 follows:

15 **FOR THE STATE TREASURER--TRANSFERS.**

16 State Treasurer's Service Account: For transfer to the  
17 state general fund, (~~(\$10,400,000)~~) \$16,400,000 for  
18 fiscal year 2010 and (~~(\$10,400,000)~~) \$16,400,000 for  
19 fiscal year 2011 . . . . . (~~(\$20,800,000)~~)  
20 \$32,800,000

21 Waste Reduction, Recycling and Litter Control Account: For  
22 transfer to the state general fund, (~~(\$2,000,000)~~)  
23 \$3,000,000 for fiscal year 2010 and (~~(\$2,000,000)~~)  
24 \$3,000,000 for fiscal year 2011 . . . . . (~~(\$4,000,000)~~)  
25 \$6,000,000

26 State Toxics Control Account: For transfer to the state  
27 general fund, (~~(\$15,340,000)~~) \$47,240,000 for fiscal year  
28 2010 and (~~(\$14,400,000)~~) \$33,100,000 for fiscal year  
29 2011 . . . . . (~~(\$29,740,000)~~)  
30 \$80,340,000

31 Local Toxics Control Account: For transfer to the state  
32 general fund, (~~(\$37,060,000)~~) \$59,600,000 for fiscal  
33 year 2010 and (~~(\$36,000,000)~~) \$58,600,000 for fiscal  
34 year 2011 . . . . . (~~(\$73,060,000)~~)  
35 \$118,260,000

36 Education Construction Account: For transfer to the state  
37 general fund, (~~(\$93,362,000)~~) \$105,228,000 for fiscal

1 year 2010 and (~~(\$100,401,000)~~) \$102,951,000 for fiscal  
2 year 2011 . . . . . (~~(\$193,763,000)~~)  
3 \$208,179,000  
4 Aquatics Lands Enhancement Account: For transfer to the  
5 state general fund, (~~(\$5,050,000)~~) \$8,520,000 for  
6 fiscal year 2010 and \$5,050,000 for fiscal year  
7 2011 . . . . . (~~(\$10,100,000)~~)  
8 \$13,570,000  
9 Drinking Water Assistance Account: For transfer to the  
10 drinking water assistance repayment account . . . . . \$28,600,000  
11 Economic Development Strategic Reserve Account: For  
12 transfer to the state general fund, \$2,500,000 for  
13 fiscal year 2010 and \$2,500,000 for fiscal  
14 year 2011 . . . . . \$5,000,000  
15 Tobacco Settlement Account: For transfer to the state  
16 general fund, in an amount not to exceed by more  
17 than \$26,000,000 the actual amount of the annual  
18 payment to the tobacco settlement account . . . . . \$204,098,000  
19 Tobacco Settlement Account: For transfer to the life  
20 sciences discovery fund, in an amount not to exceed  
21 \$26,000,000 less than the actual amount of the strategic  
22 contribution supplemental payment to the tobacco  
23 settlement account . . . . . \$39,170,000  
24 General Fund: For transfer to the streamline sales and  
25 use tax account, (~~(\$31,447,000)~~) \$24,853,000 for  
26 fiscal year 2010 and (~~(\$33,591,000)~~) 28,591,000 for  
27 fiscal year 2011 . . . . . (~~(\$65,038,000)~~)  
28 \$53,444,000  
29 State Convention and Trade Center Account: For transfer  
30 to the state convention and trade center operations  
31 account, \$1,000,000 for fiscal year 2010 and \$3,100,000  
32 for fiscal year 2011 . . . . . \$4,100,000  
33 Tobacco Prevention and Control Account: For transfer  
34 to the state general fund for fiscal year 2010 . . . . . \$1,961,000  
35 Nisqually Earthquake Account: For transfer to the  
36 disaster response account for fiscal year 2010 . . . . . \$500,000  
37 Judicial Information Systems Account: For transfer  
38 to the state general fund, (~~(\$2,500,000)~~) \$3,250,000



1 Public Works Assistance Account: For transfer to the  
2 drinking water assistance account, \$4,000,000 for  
3 fiscal year 2010 and \$4,000,000 for fiscal year  
4 2011 . . . . . \$8,000,000  
5 Shared Game Lottery Account: For transfer to the state  
6 general fund, \$3,600,000 for fiscal year 2010 and  
7 \$2,400,000 for fiscal year 2011 . . . . . \$6,000,000  
8 State Lottery Account: For transfer to the education  
9 legacy trust account, \$16,000,000 for fiscal year  
10 2010 and \$16,000,000 for fiscal year 2011 . . . . . \$32,000,000  
11 College Faculty Awards Trust Fund: For transfer  
12 to the education legacy trust account for  
13 fiscal year 2010, an amount not to exceed  
14 the actual cash balance of the fund . . . . . \$4,000,000  
15 Washington Distinguished Professorship Trust Fund:  
16 For transfer to the education legacy trust  
17 account for fiscal year 2010, an amount not  
18 to exceed the actual cash balance of the fund . . . . . \$6,000,000  
19 Washington Graduate Fellowship Trust Account:  
20 For transfer to the education legacy trust  
21 account for fiscal year 2010, an amount not  
22 to exceed the actual cash balance of the fund . . . . . \$2,000,000  
23 GET Ready for Math and Science Scholarship Account:  
24 For transfer to the state general fund for  
25 fiscal year 2010, an amount not to exceed  
26 the actual cash balance not comprised of or  
27 needed to match private contributions . . . . . \$1,800,000  
28 Veterans Innovations Program Account: For  
29 transfer to the state general fund,  
30 \$250,000 for fiscal year 2010 . . . . . \$250,000  
31 Financial Services Regulation Account: For  
32 transfer to the state general fund,  
33 \$2,000,000 for fiscal year 2010 and  
34 \$2,000,000 for fiscal year 2011 . . . . . \$4,000,000  
35 Data Processing Revolving Fund: For  
36 transfer to the state general fund,  
37 \$5,632,000 for fiscal year 2010 . . . . . \$5,632,000  
38 Public Service Revolving Account: For

1       transfer to the state general fund,  
2       \$8,000,000 for fiscal year 2010 and  
3       \$7,000,000 for fiscal year 2011 . . . . . \$15,000,000  
4 Water Quality Capital Account: For  
5       transfer to the state general fund,  
6       \$278,000 for fiscal year 2011 . . . . . \$278,000  
7 Performance Audits of Government Account:  
8       For transfer to the state general fund,  
9       \$10,000,000 for fiscal year 2010 and  
10       \$5,000,000 for fiscal year 2011 . . . . . \$15,000,000  
11 Job Development Account: For transfer to the  
12       state general fund, \$20,930,000 for fiscal  
13       year 2010 . . . . . \$20,930,000  
14 Savings Incentive Account: For transfer to the  
15       state general fund, \$10,117,000 for fiscal  
16       year 2010 . . . . . \$10,117,000  
17 Education Savings Account: For transfer to the  
18       education legacy trust account, \$100,767,000  
19       for fiscal year 2010 . . . . . \$100,767,000  
20 Education Legacy Trust Account: For transfer to  
21       the state general fund, \$110,000,000 for fiscal  
22       year 2010 . . . . . \$110,000,000  
23 General Fund: For transfer to the education legacy  
24       trust account, \$110,000,000 for fiscal year 2011 . . . \$110,000,000  
25 Cleanup Settlement Account: For transfer to the  
26       state efficiency and restructuring account for  
27       fiscal year 2011 . . . . . \$18,403,000

(End of part)





1 point-of-service cost sharing, the implementation of managed  
2 competition, or make other changes to benefits consistent with RCW  
3 41.05.065. During the 2009-11 fiscal biennium, the board may only  
4 authorize benefit plans and premium contributions for an employee and  
5 the employee's dependents that are the same, regardless of an  
6 employee's status as represented or nonrepresented under the personnel  
7 system reform act of 2002.

8 (c) The health care authority shall deposit any moneys received on  
9 behalf of the uniform medical plan as a result of rebates on  
10 prescription drugs, audits of hospitals, subrogation payments, or any  
11 other moneys recovered as a result of prior uniform medical plan claims  
12 payments, into the public employees' and retirees' insurance account to  
13 be used for insurance benefits. Such receipts shall not be used for  
14 administrative expenditures.

15 (d) The conditions in this section apply to benefits for  
16 nonrepresented employees, employees represented by the super coalition,  
17 and represented employees outside of the super coalition, including  
18 employees represented under chapter 47.64 RCW.

19 (2) The health care authority, subject to the approval of the  
20 public employees' benefits board, shall provide subsidies for health  
21 benefit premiums to eligible retired or disabled public employees and  
22 school district employees who are eligible for medicare, pursuant to  
23 RCW 41.05.085. From January 1, 2010, through the remainder of the  
24 2009-11 fiscal biennium, the subsidy shall be \$182.89.

25 (3) Technical colleges, school districts, and educational service  
26 districts shall remit to the health care authority for deposit into the  
27 public employees' and retirees' insurance account established in RCW  
28 41.05.120 the following amounts:

29 (a) For each full-time employee, \$59.59 per month beginning  
30 September 1, 2009, and (~~(\$64.90)~~) \$60.00 beginning September 1, 2010;

31 (b) For each part-time employee, who at the time of the remittance  
32 is employed in an eligible position as defined in RCW 41.32.010 or  
33 41.40.010 and is eligible for employer fringe benefit contributions for  
34 basic benefits, \$59.59 each month beginning September 1, 2009, and  
35 (~~(\$64.90)~~) \$60.00 beginning September 1, 2010, prorated by the  
36 proportion of employer fringe benefit contributions for a full-time  
37 employee that the part-time employee receives. The remittance  
38 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 NEW SECTION. **Sec. 904.** A new section is added to 2009 c 564  
5 (uncodified) to read as follows:

6 (1) During the 2009-2011 fiscal biennium, every state agency shall  
7 implement processes to send all renewal notices to customers via  
8 electronic means by July 1, 2012. The appropriations in this act  
9 provide funding for this purpose.

10 (2) Every state agency shall allow customers to opt for a physical  
11 notice in lieu of, or in addition to, an electronic renewal notice.  
12 Every state agency shall charge customers opting for the physical  
13 notice a fee to cover the costs of providing the physical notice, if  
14 the state agency finds it is economically feasible to do so.

15 (3) For purposes of this section:

16 (a) "Renewal notices" includes, but is not limited to, notices for  
17 the renewal of licenses, registrations, and permits; and

18 (b) "State agency" includes every state office, department,  
19 division, bureau, board, and commission of the state.

20 **Sec. 905.** RCW 13.06.050 and 1993 c 415 s 7 are each amended to  
21 read as follows:

22 No county shall be entitled to receive any state funds provided by  
23 this chapter until its application and plan are approved, and unless  
24 and until the minimum standards prescribed by the department of social  
25 and health services are complied with and then only on such terms as  
26 are set forth in this section. In addition, any county making  
27 application for state funds under this chapter that also operates a  
28 juvenile detention facility must have standards of operations in place  
29 that include: Intake and admissions, medical and health care,  
30 communication, correspondence, visiting and telephone use, security and  
31 control, sanitation and hygiene, juvenile rights, rules and discipline,  
32 property, juvenile records, safety and emergency procedures,  
33 programming, release and transfer, training and staff development, and  
34 food service.

35 (1) For the 2009-2011 fiscal biennium, the distribution of funds to  
36 a county or a group of counties (~~shall~~) may be based on criteria

1 including but not limited to the county's per capita income, regional  
2 or county at-risk populations, juvenile crime or arrest rates, rates of  
3 poverty, size of racial minority populations, existing programs, and  
4 the effectiveness and efficiency of consolidating local programs  
5 towards reducing commitments to state correctional facilities for  
6 offenders whose standard range disposition does not include commitment  
7 of the offender to the department and reducing reliance on other  
8 traditional departmental services.

9 (2) The secretary will reimburse a county upon presentation and  
10 approval of a valid claim pursuant to the provisions of this chapter  
11 based on actual performance in meeting the terms and conditions of the  
12 approved plan and contract. Funds received by participating counties  
13 under this chapter shall not be used to replace local funds for  
14 existing programs.

15 (3) The secretary, in conjunction with the human rights commission,  
16 shall evaluate the effectiveness of programs funded under this chapter  
17 in reducing racial disproportionality. The secretary shall investigate  
18 whether implementation of such programs has reduced disproportionality  
19 in counties with initially high levels of disproportionality. The  
20 analysis shall indicate which programs are cost-effective in reducing  
21 disproportionality in such areas as alternatives to detention, intake  
22 and risk assessment standards pursuant to RCW 13.40.038, alternatives  
23 to incarceration, and in the prosecution and adjudication of juveniles.  
24 The secretary shall report his or her findings to the legislature by  
25 December 1, 1994, and December 1 of each year thereafter.

26 **Sec. 906.** RCW 15.76.115 and 2001 2nd sp.s. c 16 s 1 are each  
27 amended to read as follows:

28 The fair fund is created in the custody of the state treasury. All  
29 moneys received by the department of agriculture for the purposes of  
30 this fund and from RCW 67.16.105(4) shall be deposited into the fund.  
31 At the beginning of fiscal year 2002 and each fiscal year thereafter,  
32 the state treasurer shall transfer into the fair fund from the general  
33 fund the sum of two million dollars, except for fiscal year 2011 the  
34 state treasurer shall transfer into the fair fund from the general fund  
35 the sum of one million dollars. Expenditures from the fund may be used  
36 only for assisting fairs in the manner provided in this chapter. Only  
37 the director of agriculture or the director's designee may authorize

1 expenditures from the fund. The fund is subject to allotment  
2 procedures under chapter 43.88 RCW, but no appropriation is required  
3 for expenditures.

4 **Sec. 907.** RCW 28A.300.380 and 2000 c 84 s 2 are each amended to  
5 read as follows:

6 (1) The superintendent of public instruction shall maintain support  
7 for statewide coordination for career and technical student  
8 organizations by providing program staff support that is available to  
9 assist in meeting the needs of career and technical student  
10 organizations and their members and students. (~~The superintendent  
11 shall provide at least one full-time equivalent program staff for  
12 purposes of implementing this section.~~) The superintendent may  
13 provide additional support to the organizations through contracting  
14 with independent coordinators.

15 (2) Career and technical student organizations eligible for  
16 technical assistance and other support services under this section are  
17 organizations recognized as career and technical student organizations  
18 by:

19 (a) The United States department of education; or

20 (b) The superintendent of public instruction, if such recognition  
21 is recommended by the Washington association for career and technical  
22 education.

23 (3) Career and technical student organizations eligible for  
24 technical assistance and other support services under this section  
25 include, but are not limited to: The national FFA organization;  
26 family, career, and community leaders of America; skillsUSA;  
27 distributive education clubs of America; future business leaders of  
28 America; and the technology student association.

29 **Sec. 908.** RCW 28A.510.250 and 1990 c 33 s 426 are each amended to  
30 read as follows:

31 (1) Except for the 2009-10 school year, on or before the last  
32 business day of September 1969 and each month thereafter, the  
33 superintendent of public instruction shall apportion from the state  
34 general fund to the several educational service districts of the state  
35 the proportional share of the total annual amount due and apportionable

1 to such educational service districts for the school districts thereof  
2 as follows:

3	September	.....	9%
4	October	.....	9%
5	November	.....	5.5%
6	December	.....	9%
7	January	.....	9%
8	February	.....	9%
9	March	.....	9%
10	April	.....	9%
11	May	.....	5.5%
12	June	.....	6.0%
13	July	.....	10.0%
14	August	.....	10.0%

15 The annual amount due and apportionable shall be the amount  
16 apportionable for all apportionment credits estimated to accrue to the  
17 schools during the apportionment year beginning September first and  
18 continuing through August thirty-first. Appropriations made for school  
19 districts for each year of a biennium shall be apportioned according to  
20 the schedule set forth in this section for the fiscal year starting  
21 September 1st of the then calendar year and ending August 31st of the  
22 next calendar year. The apportionment from the state general fund for  
23 each month shall be an amount which will equal the amount due and  
24 apportionable to the several educational service districts during such  
25 month: PROVIDED, That any school district may petition the  
26 superintendent of public instruction for an emergency advance of funds  
27 which may become apportionable to it but not to exceed ten percent of  
28 the total amount to become due and apportionable during the school  
29 districts apportionment year. The superintendent of public instruction  
30 shall determine if the emergency warrants such advance and if the funds  
31 are available therefor. If the superintendent determines in the  
32 affirmative, he or she may approve such advance and, at the same time,  
33 add such an amount to the apportionment for the educational service  
34 district in which the school district is located: PROVIDED, That the  
35 emergency advance of funds and the interest earned by school districts

1 on the investment of temporary cash surpluses resulting from obtaining  
2 such advance of state funds shall be deducted by the superintendent of  
3 public instruction from the remaining amount apportionable to said  
4 districts during that apportionment year in which the funds are  
5 advanced.

6 (2) During the 2009-10 school year, the superintendent of public  
7 instruction shall apportion from the state general fund \$320,000,000 on  
8 the first business day of July 2010, rather than by the last business  
9 day of June 2010.

10 **Sec. 909.** RCW 28B.50.837 and 2009 c 564 s 1803 are each amended to  
11 read as follows:

12 (1) The Washington community and technical college exceptional  
13 faculty awards program is established. The program shall be  
14 administered by the college board. The college faculty awards trust  
15 fund hereby created shall be administered by the state treasurer.

16 (2) Funds appropriated by the legislature for the community and  
17 technical college exceptional faculty awards program shall be deposited  
18 in the college faculty awards trust fund. At the request of the  
19 college board, the treasurer shall release the state matching funds to  
20 the local endowment fund of the college or its foundation. No  
21 appropriation is necessary for the expenditure of moneys from the fund.  
22 Expenditures from the fund may be used solely for the exceptional  
23 faculty awards program. During the ((2007-2009)) 2009-2011 fiscal  
24 biennium, the legislature may transfer from the college faculty awards  
25 trust fund to the ((~~state general fund~~)) education legacy trust account  
26 such amounts as reflect the excess fund balance in the account  
27 ((~~fund~~)).

28 **Sec. 910.** RCW 28B.76.565 and 2009 c 564 s 1805 are each amended to  
29 read as follows:

30 Funds appropriated by the legislature for the distinguished  
31 professorship program shall be deposited in the distinguished  
32 professorship trust fund. At the request of the higher education  
33 coordinating board under RCW 28B.76.575, the treasurer shall release  
34 the state matching funds to the designated institution's local  
35 endowment fund. No appropriation is required for expenditures from the  
36 fund. During the ((2007-2009)) 2009-2011 fiscal biennium, the

1 legislature may transfer from the distinguished professorship trust  
2 fund to the (~~state general fund~~) education legacy trust account such  
3 amounts as reflect the excess fund balance in the account (~~{fund}~~).

4 **Sec. 911.** RCW 28B.76.610 and 2009 c 564 s 1806 are each amended to  
5 read as follows:

6 Funds appropriated by the legislature for the graduate fellowship  
7 program shall be deposited in the graduate fellowship trust fund. At  
8 the request of the higher education coordinating board under RCW  
9 28B.76.620, the treasurer shall release the state matching funds to the  
10 designated institution's local endowment fund. No appropriation is  
11 required for expenditures from the fund. During the (~~2007-2009~~)  
12 2009-2011 fiscal biennium, the legislature may transfer from the  
13 graduate fellowship trust fund to the (~~state general fund~~) education  
14 legacy trust account such amounts as reflect the excess fund balance in  
15 the account (~~{fund}~~).

16 **Sec. 912.** RCW 28B.105.110 and 2009 c 564 s 1807 and 2009 c 564 s  
17 920 are each reenacted and amended to read as follows:

18 (1) The GET ready for math and science scholarship account is  
19 created in the custody of the state treasurer.

20 (2) The board shall deposit into the account all money received for  
21 the GET ready for math and science scholarship program from  
22 appropriations and private sources. The account shall be  
23 self-sustaining.

24 (3) Expenditures from the account shall be used for scholarships to  
25 eligible students and for purchases of GET units. Purchased GET units  
26 shall be owned and held in trust by the board. Expenditures from the  
27 account shall be an equal match of state appropriations and private  
28 funds raised by the program administrator. During the 2009-2011 fiscal  
29 biennium, expenditures from the account not to exceed five percent may  
30 be used by the program administrator to carry out the provisions of RCW  
31 28B.105.090.

32 (4) With the exception of the operating costs associated with the  
33 management of the account by the treasurer's office as authorized in  
34 chapter 43.79A RCW, the account shall be credited with all investment  
35 income earned by the account.

1 (5) Disbursements from the account are exempt from appropriations  
2 and the allotment provisions of chapter 43.88 RCW.

3 (6) Disbursements from the account shall be made only on the  
4 authorization of the board.

5 (7) During the 2007-2009 fiscal biennium, the legislature may  
6 transfer state appropriations to the GET ready for math and science  
7 scholarship account that have not been matched by private contributions  
8 to the state general fund.

9 (8) During the 2009-2011 fiscal biennium, the legislature may  
10 transfer from the GET ready for math and science scholarship account to  
11 the state general fund such amounts as have not been donated from or  
12 matched by private contributions.

13 **Sec. 913.** RCW 43.20A.725 and 2004 c 254 s 1 are each amended to  
14 read as follows:

15 (1) The department, through the sole authority of the office or its  
16 successor organization, shall maintain a program whereby an individual  
17 of school age or older who possesses a hearing or speech impairment is  
18 provided with telecommunications equipment, software, and/or peripheral  
19 devices, digital or otherwise, that is determined by the office to be  
20 necessary for such a person to access and use telecommunications  
21 transmission services effectively.

22 (2) The department, through the sole authority of the office or its  
23 successor organization, shall maintain a program where  
24 telecommunications relay services of a human or electronic nature will  
25 be provided to connect hearing impaired, deaf-blind, or speech impaired  
26 persons with persons who do not have a hearing or speech impairment.  
27 Such telecommunications relay services shall provide the ability for an  
28 individual who has a hearing or speech impairment to engage in voice,  
29 tactile, or visual communication by wire or radio with a hearing  
30 individual in a manner that is functionally equivalent to the ability  
31 of an individual who does not have a hearing or speech impairment to  
32 communicate using voice or visual communication services by wire or  
33 radio subject to subsection (4)(b) of this section.

34 (3) The telecommunications relay service and equipment distribution  
35 program may operate in such a manner as to provide communications  
36 transmission opportunities that are capable of incorporating new



1 technologies that have demonstrated benefits consistent with the intent  
2 of this chapter and are in the best interests of the citizens of this  
3 state.

4 (4) The office shall administer and control the award of money to  
5 all parties incurring costs in implementing and maintaining  
6 telecommunications services, programs, equipment, and technical support  
7 services according to this section. The relay service contract shall  
8 be awarded to an individual company registered as a telecommunications  
9 company by the utilities and transportation commission, to a group of  
10 registered telecommunications companies, or to any other company or  
11 organization determined by the office as qualified to provide relay  
12 services, contingent upon that company or organization being approved  
13 as a registered telecommunications company prior to final contract  
14 approval. The relay system providers and telecommunications equipment  
15 vendors shall be selected on the basis of cost-effectiveness and  
16 utility to the greatest extent possible under the program and technical  
17 specifications established by the office.

18 (a) To the extent funds are available under the then-current rate  
19 and not otherwise held in reserve or required for other purposes  
20 authorized by this chapter, the office may award contracts for  
21 communications and related services and equipment for hearing impaired  
22 or speech impaired individuals accessing or receiving services provided  
23 by, or contracted for, the department to meet access obligations under  
24 Title 2 of the federal Americans with disabilities act or related  
25 federal regulations.

26 (b) The office shall perform its duties under this section with the  
27 goal of achieving functional equivalency of access to and use of  
28 telecommunications services similar to the enjoyment of access to and  
29 use of such services experienced by an individual who does not have a  
30 hearing or speech impairment only to the extent that funds are  
31 available under the then-current rate and not otherwise held in reserve  
32 or required for other purposes authorized by this chapter.

33 (5) The program shall be funded by a telecommunications relay  
34 service (TRS) excise tax applied to each switched access line provided  
35 by the local exchange companies. The office shall determine, in  
36 consultation with the office's program advisory committee, the budget  
37 needed to fund the program on an annual basis, including both  
38 operational costs and a reasonable amount for capital improvements such

1 as equipment upgrade and replacement. The budget proposed by the  
2 office, together with documentation and supporting materials, shall be  
3 submitted to the office of financial management for review and  
4 approval. The approved budget shall be given by the department in an  
5 annual budget to the department of revenue no later than March 1st  
6 prior to the beginning of the fiscal year. The department of revenue  
7 shall then determine the amount of telecommunications relay service  
8 excise tax to be placed on each switched access line and shall inform  
9 local exchange companies and the utilities and transportation  
10 commission of this amount no later than May 1st. The department of  
11 revenue shall determine the amount of telecommunications relay service  
12 excise tax to be collected in the following fiscal year by dividing the  
13 total of the program budget, as submitted by the office, by the total  
14 number of switched access lines in the prior calendar year, as reported  
15 to the department of revenue under chapter 82.14B RCW, and shall not  
16 exercise any further oversight of the program under this subsection  
17 other than administering the collection of the telecommunications relay  
18 service excise tax as provided in RCW 82.72.010 through 82.72.090. The  
19 telecommunications relay service excise tax shall not exceed nineteen  
20 cents per month per access line. The telecommunications relay service  
21 excise tax shall be separately identified on each ratepayer's bill with  
22 the following statement: "Funds federal ADA requirement." All  
23 proceeds from the telecommunications relay service excise tax shall be  
24 put into a fund to be administered by the office through the  
25 department. During the 2009-2011 fiscal biennium, the funds may also  
26 be used to provide individualized employment services and employment-  
27 related counseling to people with disabilities, and technical  
28 assistance to employers about the employment of people with  
29 disabilities. "Switched access line" has the meaning provided in RCW  
30 82.14B.020.

31 (6) The telecommunications relay service program and equipment  
32 vendors shall provide services and equipment consistent with the  
33 requirements of federal law for the operation of both interstate and  
34 intrastate telecommunications services for the hearing impaired or  
35 speech impaired. The department and the utilities and transportation  
36 commission shall be responsible for ensuring compliance with federal  
37 requirements and shall provide timely notice to the legislature of any  
38 legislation that may be required to accomplish compliance.

1 (7) The department shall adopt rules establishing eligibility  
2 criteria, ownership obligations, financial contributions, and a program  
3 for distribution to individuals requesting and receiving such  
4 telecommunications devices distributed by the office, and other rules  
5 necessary to administer programs and services consistent with this  
6 chapter.

7 **Sec. 914.** RCW 43.60A.185 and 2006 c 343 s 8 are each amended to  
8 read as follows:

9 The veterans innovations program account is created in the state  
10 treasury. Moneys in the account may be spent only after appropriation.  
11 Expenditures from the account may be used only for purposes of the  
12 veterans innovations program. During the 2009-2011 fiscal biennium,  
13 the legislature may transfer from the veterans innovations program  
14 account to the general fund such amounts as reflect the excess fund  
15 balance of the account.

16 **Sec. 915.** RCW 43.131.406 and 2006 c 343 s 11 are each amended to  
17 read as follows:

18 The following acts or parts of acts, as now existing or hereafter  
19 amended, are each repealed, effective June 30, 2017:

- 20 (1) 2006 c 343 s 1 (uncodified);  
21 (2) RCW 43.60A.160 and 2006 c 343 s 3;  
22 (3) RCW 43.60A.165 and 2006 c 343 s 4;  
23 (4) RCW 43.60A.170 and 2006 c 343 s 5;  
24 (5) RCW 43.60A.175 and 2006 c 343 s 6;  
25 (6) RCW 43.60A.180 and 2006 c 343 s 7; and  
26 (7) RCW 43.60A.185 and section 914 of this act and 2006 c 343 s 8.

27 **Sec. 916.** RCW 43.70.110 and 2009 c 403 s 5 are each amended to  
28 read as follows:

29 (1) The secretary shall charge fees to the licensee for obtaining  
30 a license. Physicians regulated pursuant to chapter 18.71 RCW who  
31 reside and practice in Washington and obtain or renew a retired active  
32 license are exempt from such fees. After June 30, 1995, municipal  
33 corporations providing emergency medical care and transportation  
34 services pursuant to chapter 18.73 RCW shall be exempt from such fees,  
35 provided that such other emergency services shall only be charged for

1 their pro rata share of the cost of licensure and inspection, if  
2 appropriate. The secretary may waive the fees when, in the discretion  
3 of the secretary, the fees would not be in the best interest of public  
4 health and safety, or when the fees would be to the financial  
5 disadvantage of the state.

6 (2) Except as provided in subsection (3) of this section, fees  
7 charged shall be based on, but shall not exceed, the cost to the  
8 department for the licensure of the activity or class of activities and  
9 may include costs of necessary inspection.

10 (3) License fees shall include amounts in addition to the cost of  
11 licensure activities in the following circumstances:

12 (a) For registered nurses and licensed practical nurses licensed  
13 under chapter 18.79 RCW, support of a central nursing resource center  
14 as provided in RCW 18.79.202, until June 30, 2013;

15 (b) For all health care providers licensed under RCW 18.130.040,  
16 the cost of regulatory activities for retired volunteer medical worker  
17 licensees as provided in RCW 18.130.360; and

18 (c) For physicians licensed under chapter 18.71 RCW, physician  
19 assistants licensed under chapter 18.71A RCW, osteopathic physicians  
20 licensed under chapter 18.57 RCW, osteopathic physicians' assistants  
21 licensed under chapter 18.57A RCW, naturopaths licensed under chapter  
22 18.36A RCW, podiatrists licensed under chapter 18.22 RCW, chiropractors  
23 licensed under chapter 18.25 RCW, psychologists licensed under chapter  
24 18.83 RCW, registered nurses licensed under chapter 18.79 RCW,  
25 optometrists licensed under chapter 18.53 RCW, mental health counselors  
26 licensed under chapter 18.225 RCW, massage therapists licensed under  
27 chapter 18.108 RCW, clinical social workers licensed under chapter  
28 18.225 RCW, and acupuncturists licensed under chapter 18.06 RCW, the  
29 license fees shall include up to an additional twenty-five dollars to  
30 be transferred by the department to the University of Washington for  
31 the purposes of RCW 43.70.112. During the 2009-2011 fiscal biennium,  
32 ten dollars of the current twenty dollar fee received from registered  
33 nurses under this subsection may be expended by the department of  
34 health exclusively for the purposes of funding approved treatment  
35 programs for impaired registered nurses, registered nursing license  
36 processing functions, and disciplinary activities related to registered  
37 nurses.

1 (4) Department of health advisory committees may review fees  
2 established by the secretary for licenses and comment upon the  
3 appropriateness of the level of such fees.

4 **Sec. 917.** RCW 43.79.460 and 2009 c 518 s 21 are each amended to  
5 read as follows:

6 (1) The savings incentive account is created in the custody of the  
7 state treasurer. The account shall consist of all moneys appropriated  
8 to the account by the legislature. The account is subject to the  
9 allotment procedures under chapter 43.88 RCW, but no appropriation is  
10 required for expenditures from the account.

11 (2) Within the savings incentive account, the state treasurer may  
12 create subaccounts to be credited with incentive savings attributable  
13 to individual state agencies, as determined by the office of financial  
14 management in consultation with the legislative fiscal committees.  
15 Moneys deposited in the subaccounts may be expended only on the  
16 authorization of the agency's executive head or designee and only for  
17 the purpose of one-time expenditures to improve the quality,  
18 efficiency, and effectiveness of services to customers of the state,  
19 such as one-time expenditures for employee training, employee  
20 incentives, technology improvements, new work processes, or performance  
21 measurement. Funds may not be expended from the account to establish  
22 new programs or services, expand existing programs or services, or  
23 incur ongoing costs that would require future expenditures.

24 (3) For purposes of this section, "incentive savings" means state  
25 general fund appropriations that are unspent as of June 30th of a  
26 fiscal year, excluding any amounts included in across-the-board  
27 reductions under RCW 43.88.110 and excluding unspent appropriations  
28 for:

29 (a) Caseload and enrollment in entitlement programs, except to the  
30 extent that an agency has clearly demonstrated that efficiencies have  
31 been achieved in the administration of the entitlement program.  
32 "Entitlement program," as used in this section, includes programs for  
33 which specific sums of money are appropriated for pass-through to third  
34 parties or other entities;

35 (b) Enrollments in state institutions of higher education;

36 (c) A specific amount contained in a condition or limitation to an

1 appropriation in the biennial appropriations act, if the agency did not  
2 achieve the specific purpose or objective of the condition or  
3 limitation;

4 (d) Debt service on state obligations; and

5 (e) State retirement system obligations.

6 (4) The office of financial management, after consulting with the  
7 legislative fiscal committees, shall report the amount of savings  
8 incentives achieved.

9 (5) For fiscal year 2009, the legislature may transfer from the  
10 savings incentive account to the state general fund such amounts as  
11 reflect the fund balance of the account attributable to unspent state  
12 general fund appropriations for fiscal year 2008. For fiscal year  
13 2010, the legislature may transfer from the savings incentive account  
14 to the state general fund such amounts as reflect the fund balance of  
15 the account attributable to unspent state general fund appropriations  
16 for fiscal year 2009.

17 **Sec. 918.** RCW 43.79.465 and 2009 c 4 s 903 are each amended to  
18 read as follows:

19 The education savings account is created in the state treasury.  
20 The account shall consist of all moneys appropriated to the account by  
21 the legislature.

22 (1) Ten percent of legislative appropriations to the education  
23 savings account shall be distributed as follows: (a) Fifty percent to  
24 the distinguished professorship trust fund under RCW 28B.76.565; (b)  
25 seventeen percent to the graduate fellowship trust fund under RCW  
26 28B.76.610; and (c) thirty-three percent to the college faculty awards  
27 trust fund under RCW 28B.50.837.

28 (2) The remaining moneys in the education savings account may be  
29 appropriated solely for (a) common school construction projects that  
30 are eligible for funding from the common school construction account,  
31 (b) technology improvements in the common schools, (c) during the 2001-  
32 03 fiscal biennium, technology improvements in public higher education  
33 institutions, (~~and~~) (d) during the 2007-2009 fiscal biennium, the  
34 legislature may transfer from the education savings account to the  
35 state general fund such amounts as reflect the excess fund balance of  
36 the account attributable to unspent state general fund appropriations  
37 for fiscal year 2008, and (e) for fiscal year 2010, the legislature may

1 transfer from the education savings account to the education legacy  
2 trust account such amounts as reflect the fund balance of the account  
3 attributable to unspent general fund appropriations for fiscal year  
4 2009.

5 **Sec. 919.** RCW 43.89.010 and 2000 2nd sp.s. c 4 s 7 are each  
6 amended to read as follows:

7 The chief of the Washington state patrol is hereby authorized to  
8 establish a communications network which will inter-connect the law  
9 enforcement agencies of the state and its political subdivisions into  
10 a unified written communications system. The chief of the Washington  
11 state patrol is authorized to lease or purchase such facilities and  
12 equipment as may be necessary to establish and maintain the  
13 communications network.

14 (1) The communications network shall be used exclusively for the  
15 official business of the state, and the official business of any city,  
16 county, city and county, or other public agency.

17 (2) This section does not prohibit the occasional use of the  
18 state's communications network by any other state or public agency  
19 thereof when the messages transmitted relate to the enforcement of the  
20 criminal laws of the state.

21 (3) The chief of the Washington state patrol shall fix the monthly  
22 operational charge to be paid by any department or agency of state  
23 government, or any city, county, city and county, or other public  
24 agency participating in the communications network: PROVIDED, That in  
25 computing charges to be made against a city, county, or city and county  
26 the state shall bear at least fifty percent of the costs of such  
27 service as its share in providing a modern unified communications  
28 network to the law enforcement agencies of the state. Of the fees  
29 collected pursuant to this section, one-half shall be deposited in the  
30 motor vehicle fund and one-half shall be deposited in the state patrol  
31 highway account. However, for the 2009-2011 fiscal biennium the fees  
32 collected pursuant to this section shall be deposited in the state  
33 general fund.

34 (4) The chief of the Washington state patrol is authorized to  
35 arrange for the connection of the communications network with the law  
36 enforcement communications system of any adjacent state, or the  
37 Province of British Columbia, Canada.

1       **Sec. 920.** RCW 43.105.080 and 1999 c 80 s 8 are each amended to  
2 read as follows:

3       There is created a revolving fund to be known as the data  
4 processing revolving fund in the custody of the state treasurer. The  
5 revolving fund shall be used for the acquisition of equipment,  
6 software, supplies, and services and the payment of salaries, wages,  
7 and other costs incidental to the acquisition, development, operation,  
8 and administration of information services, telecommunications,  
9 systems, software, supplies and equipment, including the payment of  
10 principal and interest on bonds issued for capital projects, by the  
11 department, Washington State University's computer services center, the  
12 department of personnel's personnel information systems division, the  
13 office of financial management's financial systems management group,  
14 and other users as jointly determined by the department and the office  
15 of financial management. The revolving fund is subject to the  
16 allotment procedure provided under chapter 43.88 RCW. Disbursements  
17 from the revolving fund for the services component of the department  
18 are not subject to appropriation. Disbursements for the strategic  
19 planning and policy component of the department are subject to  
20 appropriation. All disbursements from the fund are subject to the  
21 allotment procedures provided under chapter 43.88 RCW. The department  
22 shall establish and implement a billing structure to assure all  
23 agencies pay an equitable share of the costs.

24       During the 2009-2011 fiscal biennium, the legislature may transfer  
25 from the data processing revolving account to the state general fund  
26 such amounts as reflect the excess fund balance associated with the  
27 information technology pool.

28       As used in this section, the word "supplies" shall not be  
29 interpreted to delegate or abrogate the division of purchasing's  
30 responsibilities and authority to purchase supplies as described in RCW  
31 43.19.190 and 43.19.200.

32       **Sec. 921.** RCW 43.155.050 and 2009 c 564 s 940 are each amended to  
33 read as follows:

34       (1) The public works assistance account is hereby established in  
35 the state treasury. Money may be placed in the public works assistance  
36 account from the proceeds of bonds when authorized by the legislature  
37 or from any other lawful source. Money in the public works assistance



1 account shall be used to make loans and to give financial guarantees to  
2 local governments for public works projects. Moneys in the account may  
3 also be appropriated to provide for state match requirements under  
4 federal law for projects and activities conducted and financed by the  
5 board under the drinking water assistance account. Not more than  
6 fifteen percent of the biennial capital budget appropriation to the  
7 public works board from this account may be expended or obligated for  
8 preconstruction loans, emergency loans, or loans for capital facility  
9 planning under this chapter; of this amount, not more than ten percent  
10 of the biennial capital budget appropriation may be expended for  
11 emergency loans and not more than one percent of the biennial capital  
12 budget appropriation may be expended for capital facility planning  
13 loans. During the 2009-2011 fiscal biennium, the legislature may  
14 transfer from the public works assistance account to the general fund  
15 and the city-county assistance account such amounts as reflect the  
16 excess fund balance of the account.

17 (2) The job development fund is hereby established in the state  
18 treasury. Moneys in the job development fund may be spent only after  
19 appropriation. During the 2009-2011 fiscal biennium, the legislature  
20 may transfer from the job development fund to the general fund such  
21 amounts as reflect the excess fund balance of the fund.

22 **Sec. 922.** RCW 43.320.110 and 2005 c 518 s 932 are each amended to  
23 read as follows:

24 There is created a local fund known as the "financial services  
25 regulation fund" which shall consist of all moneys received by the  
26 divisions of the department of financial institutions, except for the  
27 division of securities which shall deposit thirteen percent of all  
28 moneys received, except as provided in RCW 43.320.115, and which shall  
29 be used for the purchase of supplies and necessary equipment; the  
30 payment of salaries, wages, and utilities; the establishment of  
31 reserves; and other incidental costs required for the proper regulation  
32 of individuals and entities subject to regulation by the department.  
33 The state treasurer shall be the custodian of the fund. Disbursements  
34 from the fund shall be on authorization of the director of financial  
35 institutions or the director's designee. In order to maintain an  
36 effective expenditure and revenue control, the fund shall be subject in

1 all respects to chapter 43.88 RCW, but no appropriation is required to  
2 permit expenditures and payment of obligations from the fund.

3 During the ((2005-2007)) 2009-2011 fiscal biennium, the legislature  
4 may transfer from the financial services regulation fund to the state  
5 general fund such amounts as reflect the excess fund balance of the  
6 fund.

7 **Sec. 923.** RCW 46.09.170 and 2009 c 564 s 944 and 2009 c 187 s 2  
8 are each reenacted and amended to read as follows:

9 (1) From time to time, but at least once each year, the state  
10 treasurer shall refund from the motor vehicle fund one percent of the  
11 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,  
12 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle  
13 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per  
14 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;  
15 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,  
16 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor  
17 vehicle fuel from July 1, 2009, through June 30, 2011; and (e) twenty-  
18 three cents per gallon of motor vehicle fuel beginning July 1, 2011,  
19 and thereafter, less proper deductions for refunds and costs of  
20 collection as provided in RCW 46.68.090.

21 (2) The treasurer shall place these funds in the general fund as  
22 follows:

23 (a) Thirty-six percent shall be credited to the ORV and nonhighway  
24 vehicle account and administered by the department of natural resources  
25 solely for acquisition, planning, development, maintenance, and  
26 management of ORV, nonmotorized, and nonhighway road recreation  
27 facilities, and information programs and maintenance of nonhighway  
28 roads;

29 (b) Three and one-half percent shall be credited to the ORV and  
30 nonhighway vehicle account and administered by the department of fish  
31 and wildlife solely for the acquisition, planning, development,  
32 maintenance, and management of ORV, nonmotorized, and nonhighway road  
33 recreation facilities and the maintenance of nonhighway roads;

34 (c) Two percent shall be credited to the ORV and nonhighway vehicle  
35 account and administered by the parks and recreation commission solely  
36 for the acquisition, planning, development, maintenance, and management  
37 of ORV, nonmotorized, and nonhighway road recreation facilities; and

1 (d) Fifty-eight and one-half percent shall be credited to the  
2 nonhighway and off-road vehicle activities program account to be  
3 administered by the board for planning, acquisition, development,  
4 maintenance, and management of ORV, nonmotorized, and nonhighway road  
5 recreation facilities and for education, information, and law  
6 enforcement programs. The funds under this subsection shall be  
7 expended in accordance with the following limitations:

8 (i) Not more than thirty percent may be expended for education,  
9 information, and law enforcement programs under this chapter;

10 (ii) Not less than seventy percent may be expended for ORV,  
11 nonmotorized, and nonhighway road recreation facilities. Except as  
12 provided in (d)(iii) of this subsection, of this amount:

13 (A) Not less than thirty percent, together with the funds the board  
14 receives under RCW 46.09.110, may be expended for ORV recreation  
15 facilities;

16 (B) Not less than thirty percent may be expended for nonmotorized  
17 recreation facilities. Funds expended under this subsection  
18 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation  
19 facilities funds; and

20 (C) Not less than thirty percent may be expended for nonhighway  
21 road recreation facilities;

22 (iii) The board may waive the minimum percentage cited in (d)(ii)  
23 of this subsection due to insufficient requests for funds or projects  
24 that score low in the board's project evaluation. Funds remaining  
25 after such a waiver must be allocated in accordance with board policy.

26 (3) On a yearly basis an agency may not, except as provided in RCW  
27 46.09.110, expend more than ten percent of the funds it receives under  
28 this chapter for general administration expenses incurred in carrying  
29 out this chapter.

30 (4) During the 2009-2011 fiscal biennium, the legislature may  
31 appropriate such amounts as reflect the excess fund balance in the NOVA  
32 account to the department of natural resources to install consistent  
33 off-road vehicle signage at department-managed recreation sites, and to  
34 implement the recreation opportunities on department-managed lands in  
35 the Reiter block and Ahtanum state forest, and to the state parks and  
36 recreation commission. The legislature finds that the appropriation of  
37 funds from the NOVA account during the 2009-2011 fiscal biennium for  
38 maintenance and operation of state parks (~~and~~) or to improve

1 accessibility for boaters and off-road vehicle users at state parks  
 2 will benefit boaters and off-road vehicle users and others who use  
 3 nonhighway and nonmotorized recreational facilities. ((This  
 4 ~~appropriation is~~)) The appropriations under this subsection are not  
 5 required to follow the specific distribution specified in subsection  
 6 (2) of this section.

7 **Sec. 924.** RCW 50.29.025 and 2009 c 493 s 2 and 2009 c 3 s 14 are  
 8 each reenacted and amended to read as follows:

9 (1) For contributions assessed for rate years 2005 through 2009,  
 10 the contribution rate for each employer subject to contributions under  
 11 RCW 50.24.010 shall be the sum of the array calculation factor rate and  
 12 the graduated social cost factor rate determined under this subsection,  
 13 and the solvency surcharge determined under RCW 50.29.041, if any.

14 (a) The array calculation factor rate shall be determined as  
 15 follows:

16 (i) An array shall be prepared, listing all qualified employers in  
 17 ascending order of their benefit ratios. The array shall show for each  
 18 qualified employer: (A) Identification number; (B) benefit ratio; and  
 19 (C) taxable payrolls for the four consecutive calendar quarters  
 20 immediately preceding the computation date and reported to the  
 21 employment security department by the cut-off date.

22 (ii) Each employer in the array shall be assigned to one of forty  
 23 rate classes according to his or her benefit ratio as follows, and,  
 24 except as provided in RCW 50.29.026, the array calculation factor rate  
 25 for each employer in the array shall be the rate specified in the rate  
 26 class to which the employer has been assigned:

Benefit Ratio		Rate	Rate
At least	Less than	Class	(percent)
	0.000001	1	0.00
0.000001	0.001250	2	0.13
0.001250	0.002500	3	0.25
0.002500	0.003750	4	0.38
0.003750	0.005000	5	0.50
0.005000	0.006250	6	0.63
0.006250	0.007500	7	0.75

1	0.007500	0.008750	8	0.88
2	0.008750	0.010000	9	1.00
3	0.010000	0.011250	10	1.15
4	0.011250	0.012500	11	1.30
5	0.012500	0.013750	12	1.45
6	0.013750	0.015000	13	1.60
7	0.015000	0.016250	14	1.75
8	0.016250	0.017500	15	1.90
9	0.017500	0.018750	16	2.05
10	0.018750	0.020000	17	2.20
11	0.020000	0.021250	18	2.35
12	0.021250	0.022500	19	2.50
13	0.022500	0.023750	20	2.65
14	0.023750	0.025000	21	2.80
15	0.025000	0.026250	22	2.95
16	0.026250	0.027500	23	3.10
17	0.027500	0.028750	24	3.25
18	0.028750	0.030000	25	3.40
19	0.030000	0.031250	26	3.55
20	0.031250	0.032500	27	3.70
21	0.032500	0.033750	28	3.85
22	0.033750	0.035000	29	4.00
23	0.035000	0.036250	30	4.15
24	0.036250	0.037500	31	4.30
25	0.037500	0.040000	32	4.45
26	0.040000	0.042500	33	4.60
27	0.042500	0.045000	34	4.75
28	0.045000	0.047500	35	4.90
29	0.047500	0.050000	36	5.05
30	0.050000	0.052500	37	5.20
31	0.052500	0.055000	38	5.30
32	0.055000	0.057500	39	5.35
33	0.057500		40	5.40

34 (b) The graduated social cost factor rate shall be determined as  
35 follows:

36 (i)(A) Except as provided in (b)(i)(B) and (C) of this subsection,  
37 the commissioner shall calculate the flat social cost factor for a rate

1 year by dividing the total social cost by the total taxable payroll.  
2 The division shall be carried to the second decimal place with the  
3 remaining fraction disregarded unless it amounts to five hundredths or  
4 more, in which case the second decimal place shall be rounded to the  
5 next higher digit. The flat social cost factor shall be expressed as  
6 a percentage.

7 (B) If, on the cut-off date, the balance in the unemployment  
8 compensation fund is determined by the commissioner to be an amount  
9 that will provide more than ten months of unemployment benefits, the  
10 commissioner shall calculate the flat social cost factor for the rate  
11 year immediately following the cut-off date by reducing the total  
12 social cost by the dollar amount that represents the number of months  
13 for which the balance in the unemployment compensation fund on the cut-  
14 off date will provide benefits above ten months and dividing the result  
15 by the total taxable payroll. However, the calculation under this  
16 subsection (1)(b)(i)(B) for a rate year may not result in a flat social  
17 cost factor that is more than four-tenths lower than the calculation  
18 under (b)(i)(A) of this subsection for that rate year.

19 For the purposes of this subsection, the commissioner shall  
20 determine the number of months of unemployment benefits in the  
21 unemployment compensation fund using the benefit cost rate for the  
22 average of the three highest calendar benefit cost rates in the twenty  
23 consecutive completed calendar years immediately preceding the cut-off  
24 date or a period of consecutive calendar years immediately preceding  
25 the cut-off date that includes three recessions, if longer.

26 (C) The minimum flat social cost factor calculated under this  
27 subsection (1)(b) shall be six-tenths of one percent, except that if  
28 the balance in the unemployment compensation fund is determined by the  
29 commissioner to be an amount that will provide:

30 (I) At least twelve months but less than fourteen months of  
31 unemployment benefits, the minimum shall be five-tenths of one percent;  
32 or

33 (II) At least fourteen months of unemployment benefits, the minimum  
34 shall be five-tenths of one percent, except that, for employers in rate  
35 class 1, the minimum shall be forty-five hundredths of one percent.

36 (ii)(A) Except as provided in (b)(ii)(B) of this subsection, the  
37 graduated social cost factor rate for each employer in the array is the  
38 flat social cost factor multiplied by the percentage specified as

1 follows for the rate class to which the employer has been assigned in  
2 (a)(ii) of this subsection, except that the sum of an employer's array  
3 calculation factor rate and the graduated social cost factor rate may  
4 not exceed six and five-tenths percent or, for employers whose North  
5 American industry classification system code is within "111," "112,"  
6 "1141," "115," "3114," "3117," "42448," or "49312," may not exceed six  
7 percent through rate year 2007 and may not exceed five and seven-tenths  
8 percent for rate years 2008 and 2009:

- 9 (I) Rate class 1 - 78 percent;
- 10 (II) Rate class 2 - 82 percent;
- 11 (III) Rate class 3 - 86 percent;
- 12 (IV) Rate class 4 - 90 percent;
- 13 (V) Rate class 5 - 94 percent;
- 14 (VI) Rate class 6 - 98 percent;
- 15 (VII) Rate class 7 - 102 percent;
- 16 (VIII) Rate class 8 - 106 percent;
- 17 (IX) Rate class 9 - 110 percent;
- 18 (X) Rate class 10 - 114 percent;
- 19 (XI) Rate class 11 - 118 percent; and
- 20 (XII) Rate classes 12 through 40 - 120 percent.

21 (B) For contributions assessed beginning July 1, 2005, through  
22 December 31, 2007, for employers whose North American industry  
23 classification system code is "111," "112," "1141," "115," "3114,"  
24 "3117," "42448," or "49312," the graduated social cost factor rate is  
25 zero.

26 (iii) For the purposes of this section:

27 (A) "Total social cost" means the amount calculated by subtracting  
28 the array calculation factor contributions paid by all employers with  
29 respect to the four consecutive calendar quarters immediately preceding  
30 the computation date and paid to the employment security department by  
31 the cut-off date from the total unemployment benefits paid to claimants  
32 in the same four consecutive calendar quarters. To calculate the flat  
33 social cost factor for rate year 2005, the commissioner shall calculate  
34 the total social cost using the array calculation factor contributions  
35 that would have been required to be paid by all employers in the  
36 calculation period if (a) of this subsection had been in effect for the  
37 relevant period. To calculate the flat social cost factor for rate  
38 years 2010 and 2011, the forty-five dollar increase paid as part of an

1 individual's weekly benefit amount as provided in RCW 50.20.1201 shall  
2 not be considered for purposes of calculating the total unemployment  
3 benefits paid to claimants in the four consecutive calendar quarters  
4 immediately preceding the computation date.

5 (B) "Total taxable payroll" means the total amount of wages subject  
6 to tax, as determined under RCW 50.24.010, for all employers in the  
7 four consecutive calendar quarters immediately preceding the  
8 computation date and reported to the employment security department by  
9 the cut-off date.

10 (c) For employers who do not meet the definition of "qualified  
11 employer" by reason of failure to pay contributions when due:

12 (i) The array calculation factor rate shall be two-tenths higher  
13 than that in rate class 40, except employers who have an approved  
14 agency-deferred payment contract by September 30th of the previous rate  
15 year. If any employer with an approved agency-deferred payment  
16 contract fails to make any one of the succeeding deferred payments or  
17 fails to submit any succeeding tax report and payment in a timely  
18 manner, the employer's tax rate shall immediately revert to an array  
19 calculation factor rate two-tenths higher than that in rate class 40;  
20 and

21 (ii) The social cost factor rate shall be the social cost factor  
22 rate assigned to rate class 40 under (b)(ii) of this subsection.

23 (d) For all other employers not qualified to be in the array:

24 (i) For rate years 2005, 2006, and 2007:

25 (A) The array calculation factor rate shall be a rate equal to the  
26 average industry array calculation factor rate as determined by the  
27 commissioner, plus fifteen percent of that amount; however, the rate  
28 may not be less than one percent or more than the array calculation  
29 factor rate in rate class 40; and

30 (B) The social cost factor rate shall be a rate equal to the  
31 average industry social cost factor rate as determined by the  
32 commissioner, plus fifteen percent of that amount, but not more than  
33 the social cost factor rate assigned to rate class 40 under (b)(ii) of  
34 this subsection.

35 (ii) For contributions assessed for rate years 2008 and 2009:

36 (A) The array calculation factor rate shall be a rate equal to the  
37 average industry array calculation factor rate as determined by the



1 commissioner, multiplied by the history factor, but not less than one  
2 percent or more than the array calculation factor rate in rate class  
3 40;

4 (B) The social cost factor rate shall be a rate equal to the  
5 average industry social cost factor rate as determined by the  
6 commissioner, multiplied by the history factor, but not more than the  
7 social cost factor rate assigned to rate class 40 under (b)(ii) of this  
8 subsection; and

9 (C) The history factor shall be based on the total amounts of  
10 benefits charged and contributions paid in the three fiscal years  
11 ending prior to the computation date by employers not qualified to be  
12 in the array, other than employers in (c) of this subsection, who were  
13 first subject to contributions in the calendar year ending three years  
14 prior to the computation date. The commissioner shall calculate the  
15 history ratio by dividing the total amount of benefits charged by the  
16 total amount of contributions paid in this three-year period by these  
17 employers. The division shall be carried to the second decimal place  
18 with the remaining fraction disregarded unless it amounts to five  
19 one-hundredths or more, in which case the second decimal place shall be  
20 rounded to the next higher digit. The commissioner shall determine the  
21 history factor according to the history ratio as follows:

22

	History		History
	Ratio		Factor
			(percent)
26	At least	Less than	
27	(I)	.95	90
28	(II)	.95	100
29	(III)	1.05	115

30 (2) For contributions assessed in rate year 2010 and thereafter,  
31 the contribution rate for each employer subject to contributions under  
32 RCW 50.24.010 shall be the sum of the array calculation factor rate and  
33 the graduated social cost factor rate determined under this subsection,  
34 and the solvency surcharge determined under RCW 50.29.041, if any.

1 (a) The array calculation factor rate shall be determined as  
2 follows:

3 (i) An array shall be prepared, listing all qualified employers in  
4 ascending order of their benefit ratios. The array shall show for each  
5 qualified employer: (A) Identification number; (B) benefit ratio; and  
6 (C) taxable payrolls for the four consecutive calendar quarters  
7 immediately preceding the computation date and reported to the  
8 employment security department by the cut-off date.

9 (ii) Each employer in the array shall be assigned to one of forty  
10 rate classes according to his or her benefit ratio as follows, and,  
11 except as provided in RCW 50.29.026, the array calculation factor rate  
12 for each employer in the array shall be the rate specified in the rate  
13 class to which the employer has been assigned:

14	Benefit Ratio		Rate	Rate
15	At least	Less than	Class	(percent)
16		0.000001	1	0.00
17	0.000001	0.001250	2	0.11
18	0.001250	0.002500	3	0.22
19	0.002500	0.003750	4	0.33
20	0.003750	0.005000	5	0.43
21	0.005000	0.006250	6	0.54
22	0.006250	0.007500	7	0.65
23	0.007500	0.008750	8	0.76
24	0.008750	0.010000	9	0.88
25	0.010000	0.011250	10	1.01
26	0.011250	0.012500	11	1.14
27	0.012500	0.013750	12	1.28
28	0.013750	0.015000	13	1.41
29	0.015000	0.016250	14	1.54
30	0.016250	0.017500	15	1.67
31	0.017500	0.018750	16	1.80
32	0.018750	0.020000	17	1.94
33	0.020000	0.021250	18	2.07
34	0.021250	0.022500	19	2.20
35	0.022500	0.023750	20	2.38
36	0.023750	0.025000	21	2.50

1	0.025000	0.026250	22	2.63
2	0.026250	0.027500	23	2.75
3	0.027500	0.028750	24	2.88
4	0.028750	0.030000	25	3.00
5	0.030000	0.031250	26	3.13
6	0.031250	0.032500	27	3.25
7	0.032500	0.033750	28	3.38
8	0.033750	0.035000	29	3.50
9	0.035000	0.036250	30	3.63
10	0.036250	0.037500	31	3.75
11	0.037500	0.040000	32	4.00
12	0.040000	0.042500	33	4.25
13	0.042500	0.045000	34	4.50
14	0.045000	0.047500	35	4.75
15	0.047500	0.050000	36	5.00
16	0.050000	0.052500	37	5.15
17	0.052500	0.055000	38	5.25
18	0.055000	0.057500	39	5.30
19	0.057500		40	5.40

20 (b) The graduated social cost factor rate shall be determined as  
21 follows:

22 (i)(A) Except as provided in (b)(i)(B) and (C) of this subsection,  
23 the commissioner shall calculate the flat social cost factor for a rate  
24 year by dividing the total social cost by the total taxable payroll.  
25 The division shall be carried to the second decimal place with the  
26 remaining fraction disregarded unless it amounts to five hundredths or  
27 more, in which case the second decimal place shall be rounded to the  
28 next higher digit. The flat social cost factor shall be expressed as  
29 a percentage.

30 (B) If, on the cut-off date, the balance in the unemployment  
31 compensation fund is determined by the commissioner to be an amount  
32 that will provide more than ten months of unemployment benefits, the  
33 commissioner shall calculate the flat social cost factor for the rate  
34 year immediately following the cut-off date by reducing the total  
35 social cost by the dollar amount that represents the number of months  
36 for which the balance in the unemployment compensation fund on the cut-  
37 off date will provide benefits above ten months and dividing the result

1 by the total taxable payroll. However, the calculation under this  
2 subsection (2)(b)(i)(B) for a rate year may not result in a flat social  
3 cost factor that is more than four-tenths lower than the calculation  
4 under (b)(i)(A) of this subsection for that rate year.

5 For the purposes of this subsection, the commissioner shall  
6 determine the number of months of unemployment benefits in the  
7 unemployment compensation fund using the benefit cost rate for the  
8 average of the three highest calendar benefit cost rates in the twenty  
9 consecutive completed calendar years immediately preceding the cut-off  
10 date or a period of consecutive calendar years immediately preceding  
11 the cut-off date that includes three recessions, if longer.

12 (C) The minimum flat social cost factor calculated under this  
13 subsection (2)(b) shall be six-tenths of one percent, except that if  
14 the balance in the unemployment compensation fund is determined by the  
15 commissioner to be an amount that will provide:

16 (I) At least ten months but less than eleven months of unemployment  
17 benefits, the minimum shall be five-tenths of one percent; or

18 (II) At least eleven months but less than twelve months of  
19 unemployment benefits, the minimum shall be forty-five hundredths of  
20 one percent; or

21 (III) At least twelve months but less than thirteen months of  
22 unemployment benefits, the minimum shall be four-tenths of one percent;  
23 or

24 (IV) At least thirteen months but less than fifteen months of  
25 unemployment benefits, the minimum shall be thirty-five hundredths of  
26 one percent; or

27 (V) At least fifteen months but less than seventeen months of  
28 unemployment benefits, the minimum shall be twenty-five hundredths of  
29 one percent; or

30 (VI) At least seventeen months but less than eighteen months of  
31 unemployment benefits, the minimum shall be fifteen hundredths of one  
32 percent; or

33 (VII) At least eighteen months of unemployment benefits, the  
34 minimum shall be fifteen hundredths of one percent through rate year  
35 2011 and shall be zero thereafter.

36 (ii) Except as provided in (2)(b)(iv) of this section, the  
37 graduated social cost factor rate for each employer in the array is the  
38 flat social cost factor multiplied by the percentage specified as

1 follows for the rate class to which the employer has been assigned in  
2 (a)(ii) of this subsection, except that the sum of an employer's array  
3 calculation factor rate and the graduated social cost factor rate and  
4 the temporary diversion tax rate in RCW 50.24.014(1)(c) may not exceed  
5 six percent or, for employers whose North American industry  
6 classification system code is within "111," "112," "1141," "115,"  
7 "3114," "3117," "42448," or "49312," may not exceed five and four-  
8 tenths percent:

- 9 (A) Rate class 1 - 78 percent;
- 10 (B) Rate class 2 - 82 percent;
- 11 (C) Rate class 3 - 86 percent;
- 12 (D) Rate class 4 - 90 percent;
- 13 (E) Rate class 5 - 94 percent;
- 14 (F) Rate class 6 - 98 percent;
- 15 (G) Rate class 7 - 102 percent;
- 16 (H) Rate class 8 - 106 percent;
- 17 (I) Rate class 9 - 110 percent;
- 18 (J) Rate class 10 - 114 percent;
- 19 (K) Rate class 11 - 118 percent; and
- 20 (L) Rate classes 12 through 40 - 120 percent.

21 (iii) For the purposes of this section:

22 (A) "Total social cost" means the amount calculated by subtracting  
23 the array calculation factor contributions paid by all employers with  
24 respect to the four consecutive calendar quarters immediately preceding  
25 the computation date and paid to the employment security department by  
26 the cut-off date from the total unemployment benefits paid to claimants  
27 in the same four consecutive calendar quarters.

28 (B) "Total taxable payroll" means the total amount of wages subject  
29 to tax, as determined under RCW 50.24.010, for all employers in the  
30 four consecutive calendar quarters immediately preceding the  
31 computation date and reported to the employment security department by  
32 the cut-off date.

33 (iv) For rate year 2010, including contributions covering January  
34 1, 2010, through December 31, 2010, the department shall subtract one-  
35 tenth of one percent from the social cost factor rate for each  
36 employer, but the social cost factor rate shall not be less than zero.

37 (c) For employers who do not meet the definition of "qualified  
38 employer" by reason of failure to pay contributions when due:

1 (i) The array calculation factor rate shall be two-tenths higher  
2 than that in rate class 40, except employers who have an approved  
3 agency-deferred payment contract by September 30th of the previous rate  
4 year. If any employer with an approved agency-deferred payment  
5 contract fails to make any one of the succeeding deferred payments or  
6 fails to submit any succeeding tax report and payment in a timely  
7 manner, the employer's tax rate shall immediately revert to an array  
8 calculation factor rate two-tenths higher than that in rate class 40;  
9 and

10 (ii) The social cost factor rate shall be the social cost factor  
11 rate assigned to rate class 40 under (b)(ii) of this subsection.

12 (d) For all other employers not qualified to be in the array:

13 (i) The array calculation factor rate shall be a rate equal to the  
14 average industry array calculation factor rate as determined by the  
15 commissioner, multiplied by the history factor, but not less than one  
16 percent or more than the array calculation factor rate in rate class  
17 40;

18 (ii) The social cost factor rate shall be a rate equal to the  
19 average industry social cost factor rate as determined by the  
20 commissioner, multiplied by the history factor, but not more than the  
21 social cost factor rate assigned to rate class 40 under (b)(ii) of this  
22 subsection; and

23 (iii) The history factor shall be based on the total amounts of  
24 benefits charged and contributions paid in the three fiscal years  
25 ending prior to the computation date by employers not qualified to be  
26 in the array, other than employers in (c) of this subsection, who were  
27 first subject to contributions in the calendar year ending three years  
28 prior to the computation date. The commissioner shall calculate the  
29 history ratio by dividing the total amount of benefits charged by the  
30 total amount of contributions paid in this three-year period by these  
31 employers. The division shall be carried to the second decimal place  
32 with the remaining fraction disregarded unless it amounts to five  
33 one-hundredths or more, in which case the second decimal place shall be  
34 rounded to the next higher digit. The commissioner shall determine the  
35 history factor according to the history ratio as follows:

	History	History
	Ratio	Factor
		(percent)
	At least	Less than
(A)		.95
(B)	.95	1.05
(C)	1.05	115

(3) Assignment of employers by the commissioner to industrial classification, for purposes of this section, shall be in accordance with established classification practices found in the North American industry classification system code.

**Sec. 925.** RCW 50.29.070 and 2003 2nd sp.s. c 4 s 19 are each amended to read as follows:

(1) Within a reasonable time after the computation date each employer shall be notified of the employer's rate of contribution as determined for the succeeding rate year and factors used in the calculation. Beginning with rate year 2005, the notice must include the amount of the contribution rate that is attributable to each component of the rate under RCW 50.29.025(2). For rate year 2010, the department may send a revised notice during the rate year to include any revised rate under RCW 50.24.014.

(2) Any employer dissatisfied with the benefit charges made to the employer's account for the twelve-month period immediately preceding the computation date or with his or her determined rate may file a request for review and redetermination with the commissioner within thirty days of the mailing of the notice to the employer, showing the reason for such request. Should such request for review and redetermination be denied, the employer may, within thirty days of the mailing of such notice of denial, file with the appeal tribunal a petition for hearing which shall be heard in the same manner as a petition for denial of refund. The appellate procedure prescribed by this title for further appeal shall apply to all denials of review and redetermination under this section.

1       **Sec. 926.** RCW 50.24.014 and 2009 c 566 s 2 are each amended to  
2 read as follows:

3       (1)(a) A separate and identifiable account to provide for the  
4 financing of special programs to assist the unemployed is established  
5 in the administrative contingency fund. All money in this account  
6 shall be expended solely for the purposes of this title and for no  
7 other purposes whatsoever. Contributions to this account shall accrue  
8 and become payable by each employer, except employers as described in  
9 RCW 50.44.010 and 50.44.030 who have properly elected to make payments  
10 in lieu of contributions, taxable local government employers as  
11 described in RCW 50.44.035, and those employers who are required to  
12 make payments in lieu of contributions, at a basic rate of two one-  
13 hundredths of one percent. The amount of wages subject to tax shall be  
14 determined under RCW 50.24.010.

15       (b) A separate and identifiable account is established in the  
16 administrative contingency fund for financing the employment security  
17 department's administrative costs under RCW 50.22.150 and 50.22.155 and  
18 the costs under RCW 50.22.150(11) and 50.22.155(14). All money in this  
19 account shall be expended solely for the purposes of this title and for  
20 no other purposes whatsoever. Contributions to this account shall  
21 accrue and become payable by each employer, except employers as  
22 described in RCW 50.44.010 and 50.44.030 who have properly elected to  
23 make payments in lieu of contributions, taxable local government  
24 employers as described in RCW 50.44.035, those employers who are  
25 required to make payments in lieu of contributions, those employers  
26 described under RCW 50.29.025(1)(f)(ii), and those qualified employers  
27 assigned rate class 20 or rate class 40, as applicable, under RCW  
28 50.29.025, at a basic rate of one one-hundredth of one percent. The  
29 amount of wages subject to tax shall be determined under RCW 50.24.010.  
30 Any amount of contributions payable under this subsection (1)(b) that  
31 exceeds the amount that would have been collected at a rate of four  
32 one-thousandths of one percent must be deposited in the account created  
33 in (a) of this subsection.

34       (c) For rate year 2010, including contributions covering January 1,  
35 2010, through December 31, 2010, a separate and identifiable account  
36 for financing worker retraining is established in the administrative  
37 contingency fund. Contributions to this account from a temporary  
38 diversion tax shall accrue and become payable by each employer, except



1 employers as described in RCW 50.44.010 and 50.44.030 who have properly  
2 elected to make payments in lieu of contributions, taxable local  
3 government employers as described in RCW 50.44.035, and those employers  
4 who are required to make payments in lieu of contributions. The  
5 temporary diversion tax shall be at the rate by which the social cost  
6 factor is reduced in RCW 50.29.025(2)(b)(iv). The temporary diversion  
7 tax rate shall be reduced for employers that have social cost factor  
8 rates lower than the temporary diversion tax so that the combined  
9 temporary diversion tax and social cost factor rate shall not exceed  
10 what the social cost factor rate would have been before the diversion.  
11 The temporary diversion tax shall be collected on a single line  
12 together with other rates in this section so that employers are not  
13 required to make a separate tax calculation. The amount of wages  
14 subject to tax shall be determined under RCW 50.24.010. If the amount  
15 of contributions to this account totals \$27,834,000 (after deduction  
16 for the expenses of administering contributions to the account), any  
17 excess shall be considered surplus and transferred to the unemployment  
18 trust fund for purposes consistent with the requirements of the  
19 unemployment trust fund. The temporary diversion tax under this  
20 subsection shall be offset by an equal reduction in the social cost  
21 factor rate such that no employer shall pay a social tax that exceeds  
22 what the total social tax would have been before the implementation of  
23 the temporary diversion tax. During the 2009-2011 fiscal biennium,  
24 revenues available under this subsection shall be expended as  
25 appropriated by the legislature for worker retraining programs at the  
26 community and technical colleges as provided in section 602 of this  
27 act.

28 (2)(a) Contributions under this section shall become due and be  
29 paid by each employer under rules as the commissioner may prescribe,  
30 and shall not be deducted, in whole or in part, from the remuneration  
31 of individuals in the employ of the employer. Any deduction in  
32 violation of this section is unlawful.

33 (b) In the payment of any contributions under this section, a  
34 fractional part of a cent shall be disregarded unless it amounts to  
35 one-half cent or more, in which case it shall be increased to one cent.

36 (3) If the commissioner determines that federal funding has been  
37 increased to provide financing for the services specified in chapter

1 50.62 RCW, the commissioner shall direct that collection of  
2 contributions under subsection (1)(a) and (b) of this section be  
3 terminated on the following January 1st.

4 **Sec. 927.** RCW 67.70.044 and 2009 c 576 s 1 are each amended to  
5 read as follows:

6 (1) Pursuant to RCW 67.70.040(1)(a), the commission may enter into  
7 the multistate agreement establishing a shared game lottery known as  
8 "The Big Game," that was entered into by party state lotteries in  
9 August 1996 and subsequently amended and a shared game lottery known as  
10 "Powerball."

11 (2) The shared game lottery account is created as a separate  
12 account outside the state treasury. The account is managed,  
13 maintained, and controlled by the commission and consists of all  
14 revenues received from the sale of shared game lottery tickets or  
15 shares, and all other moneys credited or transferred to it from any  
16 other fund or source under law. The account is allotted according to  
17 chapter 43.88 RCW. During the 2009-2011 fiscal biennium, the  
18 legislature may transfer from the shared game lottery account to the  
19 state general fund such amounts as reflect the excess fund balance of  
20 the account.

21 **Sec. 928.** RCW 67.70.230 and 1985 c 375 s 4 are each amended to  
22 read as follows:

23 There is hereby created and established a separate account, to be  
24 known as the state lottery account. Such account shall be managed,  
25 maintained, and controlled by the commission and shall consist of all  
26 revenues received from the sale of lottery tickets or shares, and all  
27 other moneys credited or transferred thereto from any other fund or  
28 source pursuant to law. The account shall be a separate account  
29 outside the state treasury. No appropriation is required to permit  
30 expenditures and payment of obligations from the account. During the  
31 2009-2011 fiscal biennium, the legislature may transfer from the state  
32 lottery account to the education legacy trust account such amounts as  
33 reflect the excess fund balance of the account.

34 **Sec. 929.** RCW 74.31.060 and 2007 c 356 s 7 are each amended to  
35 read as follows:

1       The traumatic brain injury account is created in the state  
2 treasury. Two dollars of the fee imposed under RCW 46.63.110(7)(c)  
3 must be deposited into the account. Moneys in the account may be spent  
4 only after appropriation, and may be used only to provide a public  
5 awareness campaign and services relating to traumatic brain injury  
6 under RCW 74.31.040 and 74.31.050, for information and referral  
7 services, and for costs of required department staff who are providing  
8 support for the council and information and referral services under RCW  
9 74.31.020 and 74.31.030. During the 2009-2011 fiscal biennium, money  
10 in the account may also be spent on long-term care services. The  
11 secretary of the department of social and health services has the  
12 authority to administer the funds.

13       **Sec. 930.** RCW 70.93.180 and 2009 c 564 s 950 are each amended to  
14 read as follows:

15       (1) There is hereby created an account within the state treasury to  
16 be known as the "waste reduction, recycling, and litter control  
17 account". Moneys in the account may be spent only after appropriation.  
18 Expenditures from the waste reduction, recycling, and litter control  
19 account shall be used as follows:

20       (a) Fifty percent to the department of ecology, for use by the  
21 departments of ecology, natural resources, revenue, transportation, and  
22 corrections, and the parks and recreation commission, for use in litter  
23 collection programs, to be distributed under RCW 70.93.220. The amount  
24 to the department of ecology shall also be used for a central  
25 coordination function for litter control efforts statewide, for the  
26 biennial litter survey under RCW 70.93.200(8), and for statewide public  
27 awareness programs under RCW 70.93.200(7). The amount to the  
28 department shall also be used to defray the costs of administering the  
29 funding, coordination, and oversight of local government programs for  
30 waste reduction, litter control, and recycling, so that local  
31 governments can apply one hundred percent of their funding to achieving  
32 program goals. The amount to the department of revenue shall be used  
33 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

34       (b) Twenty percent to the department for local government funding  
35 programs for waste reduction, litter control, and recycling activities  
36 by cities and counties under RCW 70.93.250, to be administered by the  
37 department of ecology; and

1 (c) Thirty percent to the department of ecology for waste reduction  
2 and recycling efforts.

3 (2) All taxes imposed in RCW 82.19.010 and fines and bail  
4 forfeitures collected or received pursuant to this chapter shall be  
5 deposited in the waste reduction, recycling, and litter control account  
6 and used for the programs under subsection (1) of this section.

7 (3) Not less than five percent and no more than ten percent of the  
8 amount appropriated into the waste reduction, recycling, and litter  
9 control account every biennium shall be reserved for capital needs,  
10 including the purchase of vehicles for transporting crews and for  
11 collecting litter and solid waste. Capital funds shall be distributed  
12 among state agencies and local governments according to the same  
13 criteria provided in RCW 70.93.220 for the remainder of the funds, so  
14 that the most effective waste reduction, litter control, and recycling  
15 programs receive the most funding. The intent of this subsection is to  
16 provide funds for the purchase of equipment that will enable the  
17 department to account for the greatest return on investment in terms of  
18 reaching a zero litter goal.

19 (4) During the 2009-2011 fiscal biennium, the legislature may  
20 transfer from the waste reduction, recycling, and litter control  
21 account to the state general fund such amounts as reflect the excess  
22 fund balance of the account. ~~((For purposes of subsection (1) of this  
23 section, this transfer shall be treated as an expenditure for litter  
24 collection.))~~ Additionally, during the 2009-2011 fiscal biennium,  
25 subsection (1)(a), (b), and (c) of this section is suspended.

26 NEW SECTION. Sec. 931. A new section is added to chapter 43.79  
27 RCW to read as follows:

28 The legislature recognizes that efforts to restructure state  
29 operations to achieve greater efficiency are often impeded by the lack  
30 of a financing tool to support the transition and phase-down of state  
31 operations. The state efficiency and restructuring account is  
32 established in the state treasury to finance efforts to restructure  
33 state operations and achieve budget savings. Moneys from the account  
34 may be expended only after appropriation. As directed by the  
35 legislature, the state treasurer must transfer funds from specified  
36 accounts into the state efficiency and restructuring account to support  
37 appropriations from that account. The state treasurer must maintain a

1 record of such transfers and must calculate repayment obligations to  
2 any accounts providing surplus funds for a term of eight years at an  
3 interest rate that is five tenths of a percent higher than the interest  
4 rate that the account would have earned without the transfer. The  
5 state treasurer must submit a report of all such repayment obligations  
6 to the office of financial management by September 1st of each year.  
7 The governor's budget request under RCW 43.88.060 must include  
8 sufficient funds to meet the biennial repayment obligation.

9 **Sec. 932.** RCW 70.105D.130 and 2008 c 106 s 1 are each amended to  
10 read as follows:

11 (1) The cleanup settlement account is created in the state  
12 treasury. The account is not intended to replace the state toxics  
13 control account established under RCW 70.105D.070. All receipts from  
14 the sources identified in subsection (2) of this section must be  
15 deposited into the account. Moneys in the account may be spent only  
16 after appropriation. Expenditures from the account may be used only as  
17 identified in subsection (4) of this section.

18 (2) The following receipts must be deposited into the cleanup  
19 settlement account:

20 (a) Receipts from settlements or court orders that direct payment  
21 to the account and resolve a person's liability or potential liability  
22 under this chapter for either or both of the following:

23 (i) Conducting future remedial action at a specific facility, if it  
24 is not feasible to require the person to conduct the remedial action  
25 based on the person's financial insolvency, limited ability to pay, or  
26 insignificant contribution under RCW 70.105D.040(4)(a);

27 (ii) Assessing or addressing the injury to natural resources caused  
28 by the release of a hazardous substance from a specific facility; and

29 (b) Receipts from investment of the moneys in the account.

30 (3) If a settlement or court order does not direct payment of  
31 receipts described in subsection (2)(a) of this section into the  
32 cleanup settlement account, then the receipts from any payment to the  
33 state must be deposited into the state toxics control account.

34 (4) Expenditures from the cleanup settlement account may only be  
35 used to conduct remedial actions at the specific facility or to assess  
36 or address the injury to natural resources caused by the release of  
37 hazardous substances from that facility for which the moneys were

1 deposited in the account. Conducting remedial actions or assessing or  
2 addressing injury to natural resources includes direct expenditures and  
3 indirect expenditures such as department oversight costs. During the  
4 2009-2011 fiscal biennium, the legislature may transfer excess fund  
5 balances in the account into the state efficiency and restructuring  
6 account. The cleanup settlement account must be repaid with interest  
7 under provisions of the state efficiency and restructuring account.

8 (5) The department shall track moneys received, interest earned,  
9 and moneys expended separately for each facility.

10 (6) After the department determines that all remedial actions at a  
11 specific facility, and all actions assessing or addressing injury to  
12 natural resources caused by the release of hazardous substances from  
13 that facility, are completed, including payment of all related costs,  
14 any moneys remaining for the specific facility must be transferred to  
15 the state toxics control account established under RCW 70.105D.070.

16 (7) The department shall provide the office of financial management  
17 and the fiscal committees of the legislature with a report by October  
18 31st of each year regarding the activity within the cleanup settlement  
19 account during the previous fiscal year.

20 **Sec. 933.** RCW 70.146.100 and 2007 c 233 s 1 are each amended to  
21 read as follows:

22 (1) The water quality capital account is created in the state  
23 treasury. Moneys in the water quality capital account may be spent  
24 only after appropriation.

25 (2) Expenditures from the water quality capital account may only be  
26 used: (a) To make grants or loans to public bodies, including grants  
27 to public bodies as cost-sharing moneys in any case where federal,  
28 local, or other moneys are made available on a cost-sharing basis, for  
29 the capital component of water pollution control facilities and  
30 activities; (b) for purposes of assisting a public body to obtain an  
31 ownership interest in water pollution control facilities; or (c) to  
32 defray any part of the capital component of the payments made by a  
33 public body to a service provider under a service agreement entered  
34 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the  
35 legislature may transfer from the water quality capital account to the  
36 state general fund such amounts as reflect the excess fund balance of  
37 the account.

1           **Sec. 934.** RCW 79.105.150 and 2009 c 564 s 959 are each amended to  
2 read as follows:

3           (1) After deduction for management costs as provided in RCW  
4 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
5 received by the state from the sale or lease of state-owned aquatic  
6 lands and from the sale of valuable material from state-owned aquatic  
7 lands shall be deposited in the aquatic lands enhancement account which  
8 is hereby created in the state treasury. After appropriation, these  
9 funds shall be used solely for aquatic lands enhancement projects; for  
10 the purchase, improvement, or protection of aquatic lands for public  
11 purposes; for providing and improving access to the lands; and for  
12 volunteer cooperative fish and game projects. During the 2009-2011  
13 fiscal biennium, the aquatic lands enhancement account may also be used  
14 for scientific research as part of the adaptive management process.  
15 During the 2009-11 fiscal biennium, the legislature may transfer from  
16 the aquatic lands enhancement account to the state general fund such  
17 amounts as reflect excess fund balance of the account.

18           (2) In providing grants for aquatic lands enhancement projects, the  
19 recreation and conservation funding board shall:

20           (a) Require grant recipients to incorporate the environmental  
21 benefits of the project into their grant applications;

22           (b) Utilize the statement of environmental benefits, consideration,  
23 except as provided in RCW 79.105.610, of whether the applicant is a  
24 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
25 referenced in the action agenda developed by the Puget Sound  
26 partnership under RCW 90.71.310, and except as otherwise provided in  
27 RCW 79.105.630, and effective one calendar year following the  
28 development and statewide availability of model evergreen community  
29 management plans and ordinances under RCW 35.105.050, whether the  
30 applicant is an entity that has been recognized, and what gradation of  
31 recognition was received, in the evergreen community recognition  
32 program created in RCW 35.105.030 in its prioritization and selection  
33 process; and

34           (c) Develop appropriate outcome-focused performance measures to be  
35 used both for management and performance assessment of the grants.

36           (3) To the extent possible, the department should coordinate its  
37 performance measure system with other natural resource-related agencies  
38 as defined in RCW 43.41.270.

1 (4) The department shall consult with affected interest groups in  
2 implementing this section.

3 (5) After January 1, 2010, any project designed to address the  
4 restoration of Puget Sound may be funded under this chapter only if the  
5 project is not in conflict with the action agenda developed by the  
6 Puget Sound partnership under RCW 90.71.310.

7 **Sec. 935.** RCW 80.01.080 and 2006 c 3 s 2 are each amended to read  
8 as follows:

9 There is created in the state treasury a public service revolving  
10 fund. Regulatory fees payable by all types of public service companies  
11 shall be deposited to the credit of the public service revolving fund.  
12 Except for expenses payable out of the pipeline safety account, all  
13 expense of operation of the Washington utilities and transportation  
14 commission shall be payable out of the public service revolving fund.

15 During the ~~((2003-2005))~~ 2009-2011 fiscal biennium, the legislature  
16 may transfer from the public service revolving fund to the state  
17 general fund such amounts as reflect the excess fund balance of the  
18 fund.

19 ~~((Due to the extraordinarily high winter energy costs, during the  
20 2005-2007 fiscal biennium, no more than seven million six hundred  
21 thousand dollars, as appropriated in section 1, chapter 3, Laws of  
22 2006, shall be payable out of the public service revolving fund to  
23 provide energy assistance to customers in accordance with the  
24 low-income energy assistance program.))~~

25 **Sec. 936.** RCW 82.14.495 and 2009 c 4 s 907 are each amended to  
26 read as follows:

27 (1) The streamlined sales and use tax mitigation account is created  
28 in the state treasury. The state treasurer shall transfer into the  
29 account from the general fund amounts as directed in RCW 82.14.500.  
30 Expenditures from the account may be used only for the purpose of  
31 mitigating the negative fiscal impacts to local taxing jurisdictions as  
32 a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to  
33 RCW 82.14.020. During the ~~((2007-2009))~~ 2009-2011 fiscal biennium, the  
34 legislature may transfer from the streamlined sales and use tax  
35 mitigation account to the state general fund such amounts as reflect  
36 the excess fund balance of the account.



1 (2) Beginning July 1, 2008, the state treasurer, as directed by the  
2 department, shall distribute the funds in the streamlined sales and use  
3 tax mitigation account to local taxing jurisdictions in accordance with  
4 RCW 82.14.500.

5 (3) The definitions in this subsection apply throughout this  
6 section and RCW 82.14.390 and 82.14.500.

7 (a) "Agreement" means the same as in RCW 82.32.020.

8 (b) "Local taxing jurisdiction" means counties, cities,  
9 transportation authorities under RCW 82.14.045, public facilities  
10 districts under chapters 36.100 and 35.57 RCW, public transportation  
11 benefit areas under RCW 82.14.440, and regional transit authorities  
12 under chapter 81.112 RCW, that impose a sales and use tax.

13 (c) "Loss" or "losses" means the local sales and use tax revenue  
14 reduction to a local taxing jurisdiction resulting from the sourcing  
15 provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments  
16 to RCW 82.14.020.

17 (d) "Net loss" or "net losses" means a loss offset by any voluntary  
18 compliance revenue.

19 (e) "Voluntary compliance revenue" means the local sales tax  
20 revenue gain to each local taxing jurisdiction reported to the  
21 department from persons registering through the central registration  
22 system authorized under the agreement.

23 (f) "Working day" has the same meaning as in RCW 82.45.180.

24 **Sec. 937.** RCW 83.100.230 and 2008 c 329 s 924 are each amended to  
25 read as follows:

26 The education legacy trust account is created in the state  
27 treasury. Money in the account may be spent only after appropriation.  
28 Expenditures from the account may be used only for deposit into the  
29 student achievement fund and for expanding access to higher education  
30 through funding for new enrollments and financial aid, and other  
31 educational improvement efforts. During the ((2007-2009)) 2009-2011  
32 fiscal biennium, moneys in the account may also be transferred into the  
33 state general fund.

34 NEW SECTION. **Sec. 938.** If any provision of this act or its  
35 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 939.** Section 905 of this act expires June 30,  
4 2011.

5 NEW SECTION. **Sec. 940.** This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and takes effect  
8 immediately.

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