



2012 Supplemental Operating Budget

Proposed Striking Amendment to PSHB 2127

February 21, 2012

Representative Alexander, Ranking Minority Member
House Ways and Means Committee

By Representative Alexander

PSHB 2127 (H-4388/12) - H COMM AMD
By Committee on Ways & Means

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

3 "PART I
4 GENERAL GOVERNMENT

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

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2012)	((\$29,934,000))
9		<u>\$29,736,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$30,465,000))
11		<u>\$28,375,000</u>
12	Motor Vehicle Account--State Appropriation	\$1,316,000
13	TOTAL APPROPRIATION	((\$61,715,000))
14		<u>\$59,427,000</u>

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

17 **FOR THE SENATE**

18	General Fund--State Appropriation (FY 2012)	((\$21,770,000))
19		<u>\$21,458,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$23,864,000))
21		<u>\$21,888,000</u>
22	Motor Vehicle Account--State Appropriation	\$1,400,000
23	TOTAL APPROPRIATION	((\$47,034,000))
24		<u>\$44,746,000</u>

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

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

2	General Fund--State Appropriation (FY 2012)	((\$2,680,000))
3		<u>\$2,592,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$2,741,000))
5		<u>\$2,558,000</u>
6	Medical Aid Account--State Appropriation	\$85,000
7	Accident Account--State Appropriation	\$85,000
8	TOTAL APPROPRIATION	((\$5,591,000))
9		<u>\$5,320,000</u>

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

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

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

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

30 (a) An analysis of marketing expenses and the impact on ticket
31 sales; the impact to sales of tickets from the change in lottery
32 beneficiaries; the competitive contracting processes for marketing
33 services and vendors and comparison to other states; identification of
34 whether there are duplicative or unproductive marketing activities; and
35 identification of whether savings may occur from changing vendors.

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

1 (4) \$85,000 of the medical aid account--state appropriation and
2 \$85,000 of the accident account--state appropriation are provided
3 solely for the purposes of House Bill No. 2123 (workers' compensation).
4 If the bill is not enacted by June 30, 2011, the amounts provided in
5 this subsection shall lapse.

6 (5) Within the amounts appropriated in this section, the committee
7 shall conduct a review of the two adult state psychiatric hospitals.
8 The review shall examine and identify factors associated with
9 variations in length of stay, discharge rates, staffing, and loss of
10 federal revenue from decertified wards. The review shall also examine
11 variations in the per patient bed day costs of medications,
12 maintenance, and janitorial services at the two facilities. The review
13 shall identify best practices for reducing costs, maximizing nonstate
14 revenues, and improving the quality and appropriateness of care
15 provided by the facilities. The committee shall submit the report to
16 the appropriate fiscal committees of the legislature and the office of
17 financial management no later than December 1, 2013.

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

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

21 General Fund--State Appropriation (FY 2012)	(((\$2,027,000))
	<u>\$1,940,000</u>
23 General Fund--State Appropriation (FY 2013)	(((\$2,193,000))
	<u>\$2,106,000</u>
25 TOTAL APPROPRIATION	(((\$4,220,000))
	<u>\$4,046,000</u>

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

29 **FOR THE OFFICE OF THE STATE ACTUARY**

30 ((General Fund--State Appropriation (FY 2012)	\$24,000
31 General Fund--State Appropriation (FY 2013)	\$24,000))
32 Department of Retirement Systems Expense	
33 Account--State Appropriation	\$3,344,000
34 ((TOTAL APPROPRIATION	\$3,392,000))

35 The appropriation((s)) in this section ((are)) is subject to the
36 following conditions and limitations: \$75,000 of the department of

1 retirement services account--state appropriation is for the state
2 actuary to study the issue of merging the law enforcement officers' and
3 fire fighters' retirement system plans 1 and 2 into a single retirement
4 plan. The department of retirement systems shall assist the state
5 actuary by providing such information and advice as the state actuary
6 requests, and the state actuary may contract for services as needed to
7 conduct the study. The results of the study shall be reported to the
8 ways and means committees of the house of representatives and the
9 senate by December 15, 2011.

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

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

16 (b) Changes to the projected contributions that might be required
17 of members, employers, and the state based on a range of possible
18 economic and demographic experience and a variety of funding policies,
19 including both continued application of current funding policy to the
20 benefit obligations of each plan, and application of the law
21 enforcement officers' and fire fighters' retirement system plan 2
22 funding policies to the combined benefits of both plans;

23 (2) The state actuary shall solicit the input of the law
24 enforcement officers' and fire fighters' retirement system plan 2
25 retirement board and organizations representing members and retirees of
26 the law enforcement officers' and fire fighters' retirement system plan
27 1 on the issue of the merger of the two plans, and include
28 representative submissions of the input of the organizations along with
29 the report.

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

32 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

33	General Fund--State Appropriation (FY 2012)	((\$8,016,000))
34		<u>\$7,753,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$7,911,000))
36		<u>\$7,602,000</u>
37	TOTAL APPROPRIATION	((\$15,927,000))

1 \$15,355,000

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

4 **FOR THE STATUTE LAW COMMITTEE**

5 General Fund--State Appropriation (FY 2012)	((\$4,248,000))
	<u>\$4,188,000</u>
7 General Fund--State Appropriation (FY 2013)	((\$4,689,000))
	<u>\$4,491,000</u>
9 TOTAL APPROPRIATION	((\$8,937,000))
10	<u>\$8,679,000</u>

11 NEW SECTION. **Sec. 108.** A new section is added to 2011 1st sp.s.
12 c 50 (uncodified) to read as follows:

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

14 General Fund--State Appropriation (FY 2013)	\$3,016,000
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15 **Sec. 109.** 2011 2nd sp.s. c 9 s 104 (uncodified) is amended to read
16 as follows:

17 **FOR THE SUPREME COURT**

18 General Fund--State Appropriation (FY 2012)	((\$6,724,000))
	<u>\$6,600,000</u>
20 General Fund--State Appropriation (FY 2013)	((\$6,738,000))
	<u>\$6,531,000</u>
22 TOTAL APPROPRIATION	((\$13,462,000))
23	<u>\$13,131,000</u>

24 **Sec. 110.** 2011 2nd sp.s. c 9 s 105 (uncodified) is amended to read
25 as follows:

26 **FOR THE LAW LIBRARY**

27 General Fund--State Appropriation (FY 2012)	((\$1,506,000))
	<u>\$1,469,000</u>
29 General Fund--State Appropriation (FY 2013)	((\$1,466,000))
	<u>\$1,393,000</u>
31 TOTAL APPROPRIATION	((\$2,972,000))
32	<u>\$2,862,000</u>

1 **Sec. 111.** 2011 2nd sp.s. c 9 s 106 (uncodified) is amended to read
2 as follows:

3 **FOR THE COURT OF APPEALS**

4	General Fund--State Appropriation (FY 2012)	((<u>\$15,285,000</u>))
5		<u>\$15,009,000</u>
6	General Fund--State Appropriation (FY 2013)	((<u>\$15,290,000</u>))
7		<u>\$14,736,000</u>
8	TOTAL APPROPRIATION	((<u>\$30,575,000</u>))
9		<u>\$29,745,000</u>

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

12 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

13	General Fund--State Appropriation (FY 2012)	((<u>\$1,057,000</u>))
14		<u>\$1,031,000</u>
15	General Fund--State Appropriation (FY 2013)	((<u>\$991,000</u>))
16		<u>\$941,000</u>
17	TOTAL APPROPRIATION	((<u>\$2,048,000</u>))
18		<u>\$1,972,000</u>

19 **Sec. 113.** 2011 2nd sp.s. c 9 s 107 (uncodified) is amended to read
20 as follows:

21 **FOR THE ADMINISTRATOR FOR THE COURTS**

22	General Fund--State Appropriation (FY 2012)	((<u>\$50,692,000</u>))
23		<u>\$48,199,000</u>
24	General Fund--State Appropriation (FY 2013)	((<u>\$50,235,000</u>))
25		<u>\$41,688,000</u>
26	General Fund--Federal Appropriation	\$2,532,000
27	General Fund--Private/Local Appropriation	\$390,000
28	Judicial Information Systems Account--State	
29	Appropriation	\$42,414,000
30	Judicial Stabilization Trust Account--State	
31	Appropriation	\$5,414,000
32	TOTAL APPROPRIATION	((<u>\$151,677,000</u>))
33		<u>\$140,637,000</u>

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

1 (1) (~~(\$1,800,000)~~) \$1,350,000 of the general fund--state
2 appropriation for fiscal year 2012 (~~(and \$1,800,000 of the general~~
3 ~~fund--state appropriation for fiscal year 2013 are)~~) is provided solely
4 for school districts for petitions to juvenile court for truant
5 students as provided in RCW 28A.225.030 and 28A.225.035. The office of
6 the administrator for the courts shall develop an interagency agreement
7 with the superintendent of public instruction to allocate the funding
8 provided in this subsection. Allocation of this money to school
9 districts shall be based on the number of petitions filed. This
10 funding includes amounts school districts may expend on the cost of
11 serving petitions filed under RCW 28A.225.030 by certified mail or by
12 personal service or for the performance of service of process for any
13 hearing associated with RCW 28A.225.030.

14 (2)(~~(a) \$8,252,000~~) \$6,952,000 of the general fund--state
15 appropriation for fiscal year 2012 (~~(and \$8,253,000 of the general~~
16 ~~fund--state appropriation for fiscal year 2013 are)~~) is provided solely
17 for distribution to county juvenile court administrators to fund the
18 costs of processing truancy, children in need of services, and at-risk
19 youth petitions. The administrator for the courts, in conjunction with
20 the juvenile court administrators, shall develop an equitable funding
21 distribution formula. The formula shall neither reward counties with
22 higher than average per-petition processing costs nor shall it penalize
23 counties with lower than average per-petition processing costs.

24 (~~(b) Each fiscal year during the 2011-2013 fiscal biennium, each~~
25 ~~county shall report the number of petitions processed and the total~~
26 ~~actual costs of processing truancy, children in need of services, and~~
27 ~~at-risk youth petitions. Counties shall submit the reports to the~~
28 ~~administrator for the courts no later than 45 days after the end of the~~
29 ~~fiscal year. The administrator for the courts shall electronically~~
30 ~~transmit this information to the chairs and ranking minority members of~~
31 ~~the house of representatives and senate ways and means committees no~~
32 ~~later than 60 days after a fiscal year ends. These reports are deemed~~
33 ~~informational in nature and are not for the purpose of distributing~~
34 ~~funds.))~~)

35 (3) The distributions made under this subsection and distributions
36 from the county criminal justice assistance account made pursuant to
37 section 801 of this act constitute appropriate reimbursement for costs

1 for any new programs or increased level of service for purposes of RCW
2 43.135.060.

3 (4) \$265,000 of the general fund--state appropriation for fiscal
4 year 2012 is provided solely for the office of public guardianship to
5 provide guardianship services for low-income incapacitated persons.

6 (5) \$1,178,000 of the judicial information systems account--state
7 appropriation is provided solely for replacing computer equipment at
8 state courts and state judicial agencies.

9 (6) No later than September 30, 2011, the judicial information
10 systems committee shall provide a report to the legislature on the
11 recommendations of the case management feasibility study, including
12 plans for a replacement of the superior court management information
13 system (SCOMIS) and plans for completing the data exchange core system
14 component consistent with a complete data exchange standard. No later
15 than December 31, 2011, the judicial information systems committee
16 shall provide a report to the legislature on the status of the data
17 exchange, the procurement process for a SCOMIS replacement, and a case
18 management system that is designed to meet the requirements approved by
19 the superior courts and county clerks of all thirty-nine counties. The
20 legislature shall solicit input on both reports from judicial,
21 legislative, and executive stakeholders.

22 (7) In order to gather better data on juveniles in the criminal
23 justice system, the administrative office of the courts shall modify
24 the judgment and sentence form for juvenile and adult sentences to
25 include one or more check boxes indicating whether (a) the adult
26 superior court had original jurisdiction for a defendant who was
27 younger than eighteen years of age at the time the case was filed; (b)
28 the case was originally filed in juvenile court but transferred to
29 adult superior court jurisdiction; or (c) the case was originally filed
30 in adult superior court or transferred to adult superior court but then
31 returned to the juvenile court.

32 **Sec. 114.** 2011 2nd sp.s. c 9 s 108 (uncodified) is amended to read
33 as follows:

34 **FOR THE OFFICE OF PUBLIC DEFENSE**

35 General Fund--State Appropriation (FY 2012) ((~~\$25,030,000~~))
36 \$24,401,000

37 General Fund--State Appropriation (FY 2013) ((~~\$24,972,000~~))

1		<u>\$26,228,000</u>
2	Judicial Stabilization Trust Account--State	
3	Appropriation	\$2,490,000
4	TOTAL APPROPRIATION	((\$52,492,000))
5		<u>\$53,119,000</u>

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

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

10 (2) By December 1, 2011, the office of public defense shall submit
11 to the appropriate policy and fiscal committees of the legislature a
12 proposal for office of public defense to assume the effective and
13 efficient administration of defense services for indigent persons
14 throughout the state who are involved in proceedings under chapter
15 71.09 RCW. In developing its proposal, the office of public defense
16 should consult with interested stakeholders, including the King county
17 public defender, the Washington defender association, the Washington
18 association of criminal defense lawyers, the administrative office of
19 the courts, the superior court judges association, the office of the
20 attorney general, the King county prosecuting attorney, the Washington
21 association of counties, and the department of social and health
22 services. At a minimum, the proposal should identify:

23 (a) Procedures to control costs and require accountability,
24 consistent with the state's obligation to ensure the right to counsel
25 under both the United States Constitution and the Washington
26 Constitution;

27 (b) Appropriate practice standards for trial-level defense of
28 indigent persons involved in proceedings under chapter 71.09 RCW, an
29 estimated number of attorneys statewide who are qualified to provide
30 such representation, and reasonable compensation for such defense
31 services;

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

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

36 (3) \$6,065,000 of the general fund--state appropriation for fiscal
37 year 2013 is provided solely to administer the representation of

1 indigent respondents qualified for appointed counsel in sexually
2 violent predator civil commitment cases.

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

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

6	General Fund--State Appropriation (FY 2012)	((\$11,038,000))
7		<u>\$10,762,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$11,048,000))
9		<u>\$10,496,000</u>
10	Judicial Stabilization Trust Account--State	
11	Appropriation	\$1,093,000
12	TOTAL APPROPRIATION	((\$23,179,000))
13		<u>\$22,351,000</u>

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

22 **Sec. 116.** 2011 2nd sp.s. c 9 s 109 (uncodified) is amended to read
23 as follows:

24 **FOR THE OFFICE OF THE GOVERNOR**

25	General Fund--State Appropriation (FY 2012)	((\$5,311,000))
26		<u>\$4,781,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$5,292,000))
28		<u>\$5,010,000</u>
29	Economic Development Strategic Reserve Account--State	
30	Appropriation	\$1,500,000
31	TOTAL APPROPRIATION	((\$12,103,000))
32		<u>\$11,291,000</u>

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

35 (1) \$1,500,000 of the economic development strategic reserve
36 account appropriation is provided solely for efforts to assist with

1 currently active industrial recruitment efforts that will bring new
2 jobs to the state or will retain headquarter locations of major
3 companies currently housed in the state.

4 (2) \$547,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$547,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the office of the education
7 ombudsman.

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

10 **FOR THE LIEUTENANT GOVERNOR**

11	General Fund--State Appropriation (FY 2012)	((\$687,000))
12		<u>\$678,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$698,000))
14		<u>\$663,000</u>
15	General Fund--Private/Local Appropriation	\$90,000
16	TOTAL APPROPRIATION	((\$1,475,000))
17		<u>\$1,431,000</u>

18 **Sec. 118.** 2011 2nd sp.s. c 9 s 110 (uncodified) is amended to read
19 as follows:

20 **FOR THE PUBLIC DISCLOSURE COMMISSION**

21	General Fund--State Appropriation (FY 2012)	((\$2,106,000))
22		<u>\$2,080,000</u>
23	General Fund--State Appropriation (FY 2013)	((\$2,129,000))
24		<u>\$2,023,000</u>
25	TOTAL APPROPRIATION	((\$4,235,000))
26		<u>\$4,103,000</u>

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

33 **Sec. 119.** 2011 2nd sp.s. c 9 s 111 (uncodified) is amended to read
34 as follows:

1	FOR THE SECRETARY OF STATE	
2	General Fund--State Appropriation (FY 2012)	((\$16,014,000))
3		<u>\$16,069,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$12,862,000))
5		<u>\$12,442,000</u>
6	General Fund--Federal Appropriation	\$7,338,000
7	Public Records Efficiency, Preservation, and Access	
8	Account--State Appropriation	\$7,950,000
9	Charitable Organization Education Account--State	
10	Appropriation	\$452,000
11	Local Government Archives Account--State	
12	Appropriation	\$10,557,000
13	Election Account--Federal Appropriation	\$17,288,000
14	Washington State Heritage Center Account--State	
15	Appropriation	\$1,028,000
16	<u>Personnel Services Revolving Account--State</u>	
17	<u>Appropriation</u>	<u>\$390,000</u>
18	TOTAL APPROPRIATION	((\$73,489,000))
19		<u>\$73,514,000</u>

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

22 (1) \$3,898,000 of the general fund--state appropriation for fiscal
23 year 2012 is provided solely to reimburse counties for the state's
24 share of primary and general election costs and the costs of conducting
25 mandatory recounts on state measures. Counties shall be reimbursed
26 only for those odd-year election costs that the secretary of state
27 validates as eligible for reimbursement.

28 (2)(a) \$1,847,000 of the general fund--state appropriation for
29 fiscal year 2012 and \$1,926,000 of the general fund--state
30 appropriation for fiscal year 2013 are provided solely for contracting
31 with a nonprofit organization to produce gavel-to-gavel television
32 coverage of state government deliberations and other events of
33 statewide significance during the 2011-2013 biennium. The funding
34 level for each year of the contract shall be based on the amount
35 provided in this subsection. The nonprofit organization shall be
36 required to raise contributions or commitments to make contributions,
37 in cash or in kind, in an amount equal to forty percent of the state

1 contribution. The office of the secretary of state may make full or
2 partial payment once all criteria in this subsection have been
3 satisfactorily documented.

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

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

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

15 (i) Attempting to influence the passage or defeat of any
16 legislation by the legislature of the state of Washington, by any
17 county, city, town, or other political subdivision of the state of
18 Washington, or by the congress, or the adoption or rejection of any
19 rule, standard, rate, or other legislative enactment of any state
20 agency;

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

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

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

27 (4) \$390,000 of the personnel services revolving account--state
28 appropriation for fiscal year 2013 is provided solely for the state
29 productivity board, administered by the office of the secretary of
30 state. The productivity board is reinstated effective July 1, 2012,
31 after being suspended during the 2011-2013 biennium. State agencies
32 will be billed a fee at a rate per budgeted full-time equivalent
33 employee through the personnel services revolving account to support
34 the work of the productivity board.

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

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

2	General Fund--State Appropriation (FY 2012)	(((\$259,000))
3		<u>\$256,000</u>
4	General Fund--State Appropriation (FY 2013)	(((\$267,000))
5		<u>\$254,000</u>
6	TOTAL APPROPRIATION	(((\$526,000))
7		<u>\$510,000</u>

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

19 **Sec. 121.** 2011 2nd sp.s. c 9 s 112 (uncodified) is amended to read
20 as follows:

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

22	General Fund--State Appropriation (FY 2012)	(((\$236,000))
23		<u>\$233,000</u>
24	General Fund--State Appropriation (FY 2013)	(((\$219,000))
25		<u>\$208,000</u>
26	TOTAL APPROPRIATION	(((\$455,000))
27		<u>\$441,000</u>

28 **Sec. 122.** 2011 2nd sp.s. c 9 s 114 (uncodified) is amended to read
29 as follows:

30 **FOR THE STATE AUDITOR**

31	State Auditing Services Revolving Account--State	
32	Appropriation	\$10,293,000
33	Performance Audit of Government Account--State	
34	Appropriation	\$1,461,000
35	TOTAL APPROPRIATION	\$11,754,000

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

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

8 (2) \$1,461,000 of the performance audits of government account
9 appropriation is provided solely for staff and related costs to verify
10 the accuracy of reported school district data submitted for state
11 funding purposes; conduct school district program audits of state
12 funded public school programs; establish the specific amount of state
13 funding adjustments whenever audit exceptions occur and the amount is
14 not firmly established in the course of regular public school audits;
15 and to assist the state special education safety net committee when
16 requested.

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

25 (4) Within amounts appropriated in this section, sufficient funding
26 is provided for implementation of House Bill No. 2679 (review of state
27 programs).

28 **Sec. 123.** 2011 1st sp.s. c 50 s 124 (uncodified) is amended to
29 read as follows:

30 FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS	
31 General Fund--State Appropriation (FY 2012)	(((\$158,000))
	<u>\$156,000</u>
33 General Fund--State Appropriation (FY 2013)	(((\$195,000))
	<u>\$185,000</u>
35 TOTAL APPROPRIATION	(((\$353,000))
	<u>\$341,000</u>

1 **Sec. 124.** 2011 2nd sp.s. c 9 s 115 (uncodified) is amended to read
2 as follows:

3 **FOR THE ATTORNEY GENERAL**

4	General Fund--State Appropriation (FY 2012)	\$4,758,000
5	General Fund--State Appropriation (FY 2013)	(\$2,727,000)
6		<u>\$8,470,000</u>
7	General Fund--Federal Appropriation	\$8,819,000
8	New Motor Vehicle Arbitration Account--State	
9	Appropriation	\$972,000
10	Legal Services Revolving Account--State	
11	Appropriation	(\$206,617,000)
12		<u>\$196,275,000</u>
13	Tobacco Prevention and Control Account--State	
14	Appropriation	\$270,000
15	TOTAL APPROPRIATION	(\$224,163,000)
16		<u>\$219,564,000</u>

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

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

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

34 (3) The attorney general shall annually report to the fiscal
35 committees of the legislature all new *cy pres* awards and settlements
36 and all new accounts, disclosing their intended uses, balances, the
37 nature of the claim or account, proposals, and intended timeframes for

1 the expenditure of each amount. The report shall be distributed
2 electronically and posted on the attorney general's web site. The
3 report shall not be printed on paper or distributed physically.

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

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

13 (6) \$5,924,000 of the legal services revolving account--state
14 appropriation is provided solely to implement House Bill No. 2123
15 (workers' compensation). If the bill is not enacted by June 30, 2011,
16 the amount provided in this subsection shall lapse.

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

21 (8) \$96,000 of the legal services revolving fund--state
22 appropriation is provided solely to implement Senate Bill No. 5076
23 (financial institutions). If the bill is not enacted by June 30, 2011,
24 the amount provided in this subsection shall lapse.

25 (9) \$99,000 of the legal services revolving fund--state
26 appropriation is provided solely to implement Engrossed Second
27 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill
28 is not enacted by June 30, 2011, the amount provided in this subsection
29 shall lapse.

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

34 (11) \$31,000 of the legal services revolving fund--state
35 appropriation is provided solely to implement Engrossed Substitute
36 Senate Bill No. 5021 (election campaign disclosure). If the bill is
37 not enacted by June 30, 2011, the amount provided in this subsection
38 shall lapse.

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

13 (13) \$11,000 of the legal services revolving fund--state
14 appropriation is provided solely to implement House Bill No. 2301
15 (boxing, martial arts, wrestling). If the bill is not enacted by June
16 30, 2012, the amount provided in this subsection shall lapse.

17 (14) \$75,000 of the legal services revolving fund--state
18 appropriation is provided solely to implement House Bill No. 2592
19 (extended foster care). If the bill is not enacted by June 30, 2012,
20 the amount provided in this subsection shall lapse.

21 (15) \$28,000 of the legal services revolving fund--state
22 appropriation is provided solely to implement House Bill No. 2253
23 (state environmental policy act). If the bill is not enacted by June
24 30, 2012, the amount provided in this subsection shall lapse.

25 (16) \$5,743,000 of the general fund--state appropriation for fiscal
26 year 2013 is provided solely for the legal costs associated with the
27 evaluation, filing, prosecution, response to petitions for release, and
28 appeal of sexually violent predator civil commitment cases, as provided
29 in chapter 71.09 RCW. Within the amount provided in this subsection,
30 the attorney general may enter into an interagency agreement with a
31 county prosecutor to perform prosecution services pursuant to chapter
32 71.09 RCW.

33 **Sec. 125.** 2011 2nd sp.s. c 9 s 116 (uncodified) is amended to read
34 as follows:

35 **FOR THE CASELOAD FORECAST COUNCIL**

36 General Fund--State Appropriation (FY 2012)	(\$1,310,000)
37	<u>\$1,292,000</u>

1 General Fund--State Appropriation (FY 2013) ((~~\$1,309,000~~))
2 \$1,241,000
3 TOTAL APPROPRIATION ((~~\$2,619,000~~))
4 \$2,533,000

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

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

16 (2) \$57,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$57,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for the implementation of Senate
19 Bill No. 5304 (college bound scholarship).

20 **Sec. 126.** 2011 2nd sp.s. c 9 s 117 (uncodified) is amended to read
21 as follows:

22 **FOR THE DEPARTMENT OF COMMERCE**

23 General Fund--State Appropriation (FY 2012) ((~~\$57,261,000~~))
24 \$46,220,000
25 General Fund--State Appropriation (FY 2013) ((~~\$72,459,000~~))
26 \$17,482,000
27 General Fund--Federal Appropriation ((~~\$282,185,000~~))
28 \$338,808,000
29 General Fund--Private/Local Appropriation ((~~\$4,989,000~~))
30 \$4,988,000
31 Public Works Assistance Account--State
32 Appropriation \$2,764,000
33 Drinking Water Assistance Administrative
34 Account--State Appropriation \$437,000
35 Lead Paint Account--State Appropriation \$65,000
36 Building Code Council Account--State Appropriation \$13,000
37 Home Security Fund Account--State Appropriation ((~~\$16,652,000~~))

1		<u>\$12,472,000</u>
2	Affordable Housing for All Account--State	
3	Appropriation	(((\$11,902,000))
4		<u>\$8,609,000</u>
5	County Research Services Account--State	
6	Appropriation	(((\$1,081,000))
7		<u>\$596,000</u>
8	Financial Fraud and Identity Theft Crimes Investigation	
9	and Prosecution Account--State Appropriation	\$1,166,000
10	Low-Income Weatherization Assistance Account--State	
11	Appropriation	(((\$5,778,000))
12		<u>\$2,430,000</u>
13	City and Town Research Services Account--State	
14	Appropriation	(((\$5,166,000))
15		<u>\$2,849,000</u>
16	(Manufacturing Innovation and Modernization	
17	Account--State Appropriation	\$61,000))
18	Community and Economic Development Fee Account--State	
19	Appropriation	(((\$6,488,000))
20		<u>\$6,786,000</u>
21	Washington Housing Trust Account--State	
22	Appropriation	\$17,498,000
23	Prostitution Prevention and Intervention Account--	
24	State Appropriation	\$86,000
25	Public Facility Construction Loan Revolving	
26	Account--State Appropriation	\$755,000
27	Washington Community Technology Opportunity Account--	
28	State Appropriation	\$713,000
29	<u>Liquor Revolving Account--State Appropriation</u>	<u>\$2,802,000</u>
30	<u>Crime Victims' Services Account--State Appropriation</u>	<u>\$4,041,000</u>
31	TOTAL APPROPRIATION	(((\$487,519,000))
32		<u>\$471,580,000</u>

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

- 35 (1) Repayments of outstanding mortgage and rental assistance
36 program loans administered by the department under RCW 43.63A.640 shall
37 be remitted to the department, including any current revolving account
38 balances. The department shall collect payments on outstanding loans,

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

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

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

15 ~~((The department shall administer its growth management act
16 technical assistance so that smaller cities receive proportionately
17 more assistance than larger cities or counties.~~

18 ~~(+5))~~ \$1,800,000 of the home security fund--state appropriation is
19 provided for transitional housing assistance or partial payments for
20 rental assistance under the independent youth housing program.

21 ~~((+6))~~ (5) \$5,000,000 of the home security fund--state
22 appropriation is for the operation, repair, and staffing of shelters in
23 the homeless family shelter program.

24 ~~((+7)---\$198,000))~~ (6) \$165,000 of the general fund--state
25 appropriation for fiscal year 2012 ~~((and \$198,000 of the general fund--
26 state appropriation for fiscal year 2013 are))~~ is provided solely for
27 the Washington new Americans program.

28 ~~((+8))~~ (7) \$2,949,000 of the general fund--state appropriation for
29 fiscal year 2012 and \$2,949,000 of the general fund--state
30 appropriation for fiscal year 2013 are provided solely for associate
31 development organizations.

32 ~~((+9))~~ (8) \$127,000 of the general fund--federal appropriation is
33 provided solely for implementation of Substitute House Bill No. 1886
34 (Ruckelshaus center process). If the bill is not enacted by June 30,
35 2011, the amount provided in this subsection shall lapse.

36 ~~((+10))~~ (9) Up to \$200,000 of the general fund--private/local
37 appropriation is for a grant to the Washington tourism alliance for the
38 maintenance of the Washington state tourism web site

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

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

17 ~~(12))~~ (10) \$2,000,000 of the community and economic development
18 fee account appropriation is provided solely for the department of
19 commerce for services to homeless families through the Washington
20 families fund.

21 ~~((13) \$260,000))~~ (11) \$217,000 of the general fund--state
22 appropriation for fiscal year 2012 ~~((and \$259,000 of the general fund--~~
23 ~~state appropriation for fiscal year 2013 are))~~ is provided solely for
24 the Washington asset building coalitions.

25 ~~((14) \$1,859,000))~~ (12) \$1,549,000 of the general fund--state
26 appropriation for fiscal year 2012 ~~((and \$1,859,000 of the general~~
27 ~~fund--state appropriation for fiscal year 2013 are))~~ is provided solely
28 for innovative research teams, also known as entrepreneurial STARS, at
29 higher education research institutions, and for entrepreneurs-in-
30 residence programs at higher education research institutions and
31 entrepreneurial assistance organizations. Of these amounts no more
32 than \$50,000 in fiscal year 2012 ~~((and no more than \$50,000 in fiscal~~
33 ~~year 2013))~~ may be provided for the operation of entrepreneurs-in-
34 residence programs at entrepreneurial assistance organizations external
35 to higher education research institutions.

36 ~~((15))~~ (13) Up to \$700,000 of the general fund--private/local
37 appropriation is for pass-through grants to cities in central Puget

1 Sound to plan for transfer of development rights receiving areas under
2 the central Puget Sound regional transfer of development rights
3 program.

4 ~~((16))~~ (14) \$16,000 of the general fund--state appropriation for
5 fiscal year 2012 is provided solely to implement section 503 of
6 Substitute House Bill No. 1277 (licensed settings for vulnerable
7 adults). The long-term care ombudsman shall convene an adult family
8 home quality assurance panel to review problems concerning the quality
9 of care for residents in adult family homes. If Substitute House Bill
10 No. 1277 (licensed settings for vulnerable adults) is not enacted by
11 June 30, 2011, the amount provided in this subsection shall lapse.

12 ~~((17) \$24,605,000)~~ (15) \$15,504,000 of the general fund--state
13 appropriation for fiscal year 2012 ~~((and \$39,527,000 of the general
14 fund--state appropriation for fiscal year 2013 are))~~ is provided solely
15 for establishment of the essential needs and housing support program
16 created in Engrossed Substitute House Bill No. 2082 (essential needs
17 and assistance program). The department of commerce shall contract for
18 these services with counties or community-based organizations involved
19 in providing essential needs and housing supports to low-income persons
20 who meet eligibility pursuant to Engrossed Substitute House Bill No.
21 2082. The department shall limit the funding used for administration
22 of the program to no more than five percent. Counties and community
23 providers shall limit the funding used for administration of the
24 program to no more than seven percent.

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

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

37 ~~(c) Of the amounts provided in this subsection, \$30,000,000 is
38 provided solely as a contingency fund to provide housing support~~

1 ~~services for individuals who may become homeless and are otherwise~~
2 ~~eligible for this program pursuant to Engrossed Substitute House Bill~~
3 ~~No. 2082.)~~

4 (16) \$4,041,000 of the crime victims' services account--state
5 appropriation is provided solely for services to crime victims in
6 accordance with Substitute Senate Bill No. 6389 (crime victims'
7 services account). If the bill is not enacted by June 30, 2012, the
8 amount provided in this subsection shall lapse.

9 (17) \$2,802,000 of the liquor revolving account--state
10 appropriation for fiscal year 2013 is provided solely for the
11 department to contract with the municipal research and services center
12 of Washington.

13 (18) \$42,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$85,000 of the general fund--state appropriation for
15 fiscal year 2013 are provided solely for the developmental disabilities
16 council to contract for a family-to-family mentor program to provide
17 information and support to families and guardians of persons who are
18 transitioning out of residential habilitation centers. To the maximum
19 extent allowable under federal law, these funds shall be matched under
20 medicaid through the department of social and health services and
21 federal funds shall be transferred to the department for the purposes
22 stated in this subsection.

23 **Sec. 127.** 2011 2nd sp.s. c 9 s 118 (uncodified) is amended to read
24 as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

26	General Fund--State Appropriation (FY 2012)	((\$18,627,000))
27		<u>\$18,624,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$18,851,000))
29		<u>\$16,971,000</u>
30	General Fund--Federal Appropriation	\$31,534,000
31	General Fund--Private/Local Appropriation	((\$1,270,000))
32		<u>\$1,370,000</u>
33	Performance Audits of Government Account--State	
34	Appropriation	\$25,000
35	Economic Development Strategic Reserve Account--State	
36	Appropriation	\$280,000
37	Department of Personnel Services--State Appropriation . . .	\$7,827,000

1 Data Processing Revolving Account--State
2 Appropriation (~~(\$5,208,000)~~)
3 \$5,799,000
4 Higher Education Personnel Services Account--State
5 Appropriation \$1,537,000
6 Aquatic Lands Enhancement Account--State Appropriation \$100,000
7 TOTAL APPROPRIATION (~~(\$85,259,000)~~)
8 \$84,067,000

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

11 (1) \$1,210,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$1,210,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for implementation of House Bill
14 No. 1178 (regulatory assistance office). If the bill is not enacted by
15 June 30, 2011, the amounts provided in this subsection shall lapse.

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

26 The office of financial management shall solicit the input of
27 Pierce county, the department of corrections, and the department of
28 social and health services in developing the request for proposal,
29 evaluating applications, and directing the evaluation. The consultant
30 shall report to the governor and legislature by November 15, 2011.

31 (3) \$100,000 of the aquatic lands enhancement account--state
32 appropriation is provided solely for the office of financial management
33 to prepare a report to be used to initiate a comprehensive, long-range
34 planning process for the future of McNeil Island during the 2013-2015
35 fiscal biennium.

36 (a) The report on the initiation of the process must document:
37 (i) Ownership issues, including consultation with the federal

1 government about its current legal requirements associated with the
2 island;

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

5 (iii) Tribal treaty interests;

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

7 (v) Land use and public safety needs;

8 (vi) Recreational opportunities for the general public;

9 (vii) Historic and archaeological resources; and

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

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

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

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

21 (i) Federal agencies with relevant responsibilities;

22 (ii) Tribal governments;

23 (iii) State agencies;

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

26 (v) Interested private organizations and individuals.

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

29 (4) The appropriations in this section include funding for
30 activities transferred from the sentencing guidelines commission to the
31 office of financial management pursuant to Engrossed Substitute Senate
32 Bill No. 5891 (criminal justice cost savings). Prior to the effective
33 date of Engrossed Substitute Senate Bill No. 5891, the appropriations
34 in this section may be expended for the continued operations and
35 expenses of the sentencing guidelines commission pursuant to the
36 expenditure authority schedule produced by the office of financial
37 management in accordance with chapter 43.88 RCW.

Sec. 132. 2011 2nd sp.s. c 9 s 121 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense

Account--State Appropriation	((\$47,049,000))
	<u>\$47,048,000</u>

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

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

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

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

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

Sec. 133. 2011 2nd sp.s. c 9 s 122 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2012)	((\$100,927,000))
	<u>\$100,924,000</u>
General Fund--State Appropriation (FY 2013)	((\$100,801,000))
	<u>\$100,549,000</u>

1 Timber Tax Distribution Account--State Appropriation \$5,940,000
2 Waste Reduction/Recycling/Litter Control--State
3 Appropriation \$129,000
4 Waste Tire Removal Account--State Appropriation \$2,000
5 State Toxics Control Account--State Appropriation \$87,000
6 Oil Spill Prevention Account--State Appropriation \$19,000
7 Master License Fund--State Appropriation \$14,012,000
8 Vehicle License Fraud Account--State Appropriation \$5,000
9 Performance Audits of Government Account--State
10 Appropriation \$3,188,000
11 TOTAL APPROPRIATION ((~~\$225,110,000~~))
12 \$224,855,000

13 **Sec. 134.** 2011 1st sp.s. c 50 s 137 (uncodified) is amended to
14 read as follows:

15 **FOR THE BOARD OF TAX APPEALS**

16 General Fund--State Appropriation (FY 2012) ((~~\$1,241,000~~))
17 \$1,225,000
18 General Fund--State Appropriation (FY 2013) ((~~\$1,219,000~~))
19 \$1,158,000
20 TOTAL APPROPRIATION ((~~\$2,460,000~~))
21 \$2,383,000

22 **Sec. 135.** 2011 2nd sp.s. c 9 s 123 (uncodified) is amended to read
23 as follows:

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

25 OMWBE Enterprises Account--State Appropriation ((~~\$3,264,000~~))
26 \$3,304,000

27 **Sec. 136.** 2011 2nd sp.s. c 9 s 125 (uncodified) is amended to read
28 as follows:

29 **FOR THE INSURANCE COMMISSIONER**

30 General Fund--Federal Appropriation \$4,452,000
31 Insurance Commissioners Regulatory Account--State
32 Appropriation ((~~\$47,514,000~~))
33 \$47,512,000
34 TOTAL APPROPRIATION ((~~\$51,966,000~~))
35 \$51,964,000

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

3 (1) \$75,000 of the insurance commissioner's regulatory
4 account--state appropriation is provided solely for the implementation
5 of Substitute Senate Bill No. 5445 (health benefit exchange).

6 (2) \$42,000 of the insurance commissioner's regulatory
7 account--state appropriation is provided solely for the implementation
8 of Senate Bill No. 5213 (insurance statutes).

9 **Sec. 137.** 2011 2nd sp.s. c 9 s 128 (uncodified) is amended to read
10 as follows:

11 **FOR THE LIQUOR CONTROL BOARD**

12	Liquor Control Board Construction and Maintenance	
13	Account--State Appropriation	((\$10,081,000))
14		<u>\$3,059,000</u>
15	Liquor Revolving Account--State Appropriation	((\$176,238,000))
16		<u>\$173,184,000</u>
17	General Fund--Federal Appropriation	((\$120,000))
18		<u>\$945,000</u>
19	<u>General Fund--Private/Local Appropriation</u>	<u>\$25,000</u>
20	TOTAL APPROPRIATION	((\$186,439,000))
21		<u>\$177,213,000</u>

22

23 **Sec. 138.** 2011 2nd sp.s. c 9 s 129 (uncodified) is amended to read
24 as follows:

25 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

26	General Fund--Federal Appropriation	\$502,000
27	General Fund--Private/Local Appropriation	\$11,175,000
28	Public Service Revolving Account--State	
29	Appropriation	((\$30,992,000))
30		<u>\$31,145,000</u>
31	Pipeline Safety Account--State Appropriation	\$3,201,000
32	Pipeline Safety Account--Federal Appropriation	\$2,848,000
33	TOTAL APPROPRIATION	((\$48,718,000))
34		<u>\$48,871,000</u>

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

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

8 (2) \$15,000 of the pipeline safety account--state appropriation is
9 provided solely for the implementation of Engrossed Second Substitute
10 House Bill No. 1634 (underground utilities).

11 (3) \$182,000 of the public service revolving account--state
12 appropriation is provided solely for the implementation of Engrossed
13 Second Substitute Senate Bill No. 5769 (coal-fired generation).

14 (4) \$169,000 of the public service revolving account--state
15 appropriation is provided solely for the implementation of Second
16 Substitute Senate Bill No. 5034 (private infrastructure).

17 (5) The appropriations in this section include funding to implement
18 House Bill No. 2783 (coal transition).

19 **Sec. 139.** 2011 2nd sp.s. c 9 s 130 (uncodified) is amended to read
20 as follows:

21 **FOR THE MILITARY DEPARTMENT**

22	General Fund--State Appropriation (FY 2012)	(\$7,175,000)
23		<u>\$7,173,000</u>
24	General Fund--State Appropriation (FY 2013)	(\$7,175,000)
25		<u>\$7,171,000</u>
26	General Fund--Federal Appropriation	\$159,181,000
27	Enhanced 911 Account--State Appropriation	(\$46,556,000)
28		<u>\$48,626,000</u>
29	Disaster Response Account--State Appropriation	(\$17,933,000)
30		<u>\$23,129,000</u>
31	Disaster Response Account--Federal Appropriation	(\$66,266,000)
32		<u>\$91,368,000</u>
33	Military Department Rent and Lease Account--State	
34	Appropriation	\$615,000
35	Worker and Community Right-to-Know Account--State	
36	Appropriation	\$2,165,000
37	TOTAL APPROPRIATION	(\$307,066,000)

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

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

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

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

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

Sec. 140. 2011 2nd sp.s. c 9 s 131 (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund--State Appropriation (FY 2012)	.. . . . ((\$2,346,000))
	<u>\$2,047,000</u>
General Fund--State Appropriation (FY 2013)	.. . . . ((\$2,400,000))
	<u>\$2,036,000</u>
Higher Education Personnel Services Account--State	
Appropriation	.. . . . ((\$251,000))
	<u>\$439,000</u>
Department of Personnel Service Account--State	

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

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

15 (4) The building code council account appropriation is provided
16 solely for the operation of the state building code council as required
17 by statute and modified by the standards established by executive order
18 10-06. The council shall not consider any proposed code amendment or
19 take any other action not authorized by statute or in compliance with
20 the standards established in executive order 10-06. No member of the
21 council may receive compensation, per diem, or reimbursement for
22 activities other than physical attendance at those meetings of the
23 state building code council or the council's designated committees, at
24 which the opportunity for public comment is provided generally and on
25 all agenda items upon which the council proposes to take action. The
26 council shall exempt from regulation under RCW 19.27A.027: Unoccupied
27 storage and equipment buildings used in utility substations;
28 refrigerated warehouse heating and cooling systems or equipment used
29 for cold storage spaces; and equipment used for commercial or
30 industrial processing or activities unrelated to the building
31 structure.

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

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

36 **Sec. 142.** 2011 1st sp.s. c 50 s 151 (uncodified) is amended to
37 read as follows:

1	FOR INNOVATE WASHINGTON	
2	General Fund--State Appropriation (FY 2012)	(\$2,999,000)
3		<u>\$2,819,000</u>
4	General Fund--State Appropriation (FY 2013)	(\$3,011,000)
5		<u>\$1,927,000</u>
6	TOTAL APPROPRIATION	(\$6,010,000)
7		<u>\$4,746,000</u>

(End of part)

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

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

32 (5) The department shall to the maximum extent practicable use the
33 same system for delivery of spoken-language interpreter services for
34 social services appointments as the one established for medical
35 appointments in section 213 of this act. When contracting directly
36 with an individual to deliver spoken language interpreter services, the
37 department shall only contract with language access providers who are
38 working at a location in the state and who are state-certified or

1 state-authorized, except that when such a provider is not available,
2 the department may use a language access provider who meets other
3 certifications or standards deemed to meet state standards, including
4 interpreters in other states.

5 (6)(a) The appropriations to the department of social and health
6 services in this act shall be expended for the programs and in the
7 amounts specified in this act. However, after May 1, 2012, unless
8 specifically prohibited by this act, the department may transfer
9 general fund--state appropriations for fiscal year 2012 among programs
10 after approval by the director of financial management. However, the
11 department shall not transfer state moneys that are provided solely for
12 a specified purpose except as expressly provided in (b) of this
13 subsection.

14 (b) To the extent that transfers under (a) of this subsection are
15 insufficient to fund actual expenditures in excess of fiscal year 2012
16 caseload forecasts and utilization assumptions in the long-term care,
17 foster care, adoptions support, medicaid personal care, and child
18 support programs, the department may transfer state moneys that are
19 provided solely for a specified purpose. The department shall not
20 transfer funds, and the director of financial management shall not
21 approve the transfer, unless the transfer is consistent with the
22 objective of conserving, to the maximum extent possible, the
23 expenditure of state funds. The director of financial management shall
24 notify the appropriate fiscal committees of the senate and house of
25 representatives in writing seven days prior to approving any allotment
26 modifications or transfers under this subsection. The written
27 notification shall include a narrative explanation and justification of
28 the changes, along with expenditures and allotments by budget unit and
29 appropriation, both before and after any allotment modifications or
30 transfers.

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

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

35	General Fund--State Appropriation (FY 2012)	((\$295,011,000))
36		\$285,509,000
37	General Fund--State Appropriation (FY 2013)	((\$294,232,000))

1		<u>\$275,767,000</u>
2	General Fund--Federal Appropriation	((\$487,912,000))
3		<u>\$475,973,000</u>
4	General Fund--Private/Local Appropriation	\$1,358,000
5	Home Security Fund--State Appropriation	\$10,741,000
6	Domestic Violence Prevention Account--State	
7	Appropriation	\$1,154,000
8	Education Legacy Trust Account--State Appropriation	\$725,000
9	TOTAL APPROPRIATION	((\$1,091,133,000))
10		<u>\$1,051,227,000</u>

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

13 (1) Within amounts provided for the foster care and adoption
14 support programs, the department shall control reimbursement decisions
15 for foster care and adoption support cases such that the aggregate
16 average cost per case for foster care and for adoption support does not
17 exceed the amounts assumed in the projected caseload expenditures.

18 (2) ((~~\$668,000~~)) \$651,000 of the general fund--state appropriation
19 for fiscal year 2012 and ((~~\$668,000~~)) \$601,000 of the general fund--
20 state appropriation for fiscal year 2013 are provided solely to
21 contract for the operation of one pediatric interim care center. The
22 center shall provide residential care for up to thirteen children
23 through two years of age. Seventy-five percent of the children served
24 by the center must be in need of special care as a result of substance
25 abuse by their mothers. The center shall also provide on-site training
26 to biological, adoptive, or foster parents. The center shall provide
27 at least three months of consultation and support to the parents
28 accepting placement of children from the center. The center may
29 recruit new and current foster and adoptive parents for infants served
30 by the center. The department shall not require case management as a
31 condition of the contract. The department shall collaborate with the
32 pediatric interim care center to determine if and how the center could
33 be appropriately incorporated into the performance-based contract model
34 and report its findings to the legislature by December 1, 2012.

35 (3)(a) ((~~\$85,202,000~~)) \$79,793,000 of the general fund--state
36 appropriation for fiscal year 2012, ((~~\$85,408,000~~)) \$78,407,000 of the
37 general fund--state appropriation for fiscal year 2013, and
38 ((~~\$79,279,000~~)) \$74,116,000 of the general fund--federal appropriation

1 are provided solely for services for children and families subject to
2 RCW 74.13.360 (~~and House Bill No. 2122 (child welfare)~~). Prior to
3 approval of contract services pursuant to RCW 74.13.360 (~~and House~~
4 ~~Bill No. 2122~~)), the amounts provided in this section shall be allotted
5 on a monthly basis and expenditures shall not exceed allotments based
6 on a three month rolling average without approval of the office of
7 financial management following notification to the legislative fiscal
8 committees.

9 (b) The department shall use performance-based contracts to provide
10 services to safely reduce the number of children in out-of-home care,
11 safely reduce the time spent in out-of-home care prior to achieving
12 permanency, and safely reduce the number of children returning to
13 out-of-home care following permanency. The department shall provide an
14 initial report to the legislature and the governor by January 15, 2012,
15 regarding the start-up costs associated with performance-based
16 contracts under RCW 74.13.360 (~~and House Bill No. 2122 (child~~
17 ~~welfare)~~)).

18 (4) \$176,000 of the general fund--state appropriation for fiscal
19 year 2012, \$177,000 of the general fund--state appropriation for fiscal
20 year 2013, \$656,000 of the general fund--private/local appropriation,
21 \$253,000 of the general fund--federal appropriation, and \$725,000 of
22 the education legacy trust account--state appropriation are provided
23 solely for children's administration to contract with an educational
24 advocacy provider with expertise in foster care educational outreach.
25 The amounts in this subsection are provided solely for contracted
26 education coordinators to assist foster children in succeeding in K-12
27 and higher education systems and to assure a focus on education during
28 the transition to performance based contracts. Funding shall be
29 prioritized to regions with high numbers of foster care youth and/or
30 regions where backlogs of youth that have formerly requested
31 educational outreach services exist. The department shall utilize
32 private matching funds to maintain educational advocacy services.

33 (5) \$670,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$670,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for services provided through
36 children's advocacy centers.

37 (6) To ensure expenditures remain within available funds
38 appropriated in this section as required by RCW 74.13A.005 and

1 74.13A.020, the secretary shall not set the amount of any adoption
2 assistance payment or payments, made pursuant to RCW 26.33.320 and
3 74.13A.005 through 74.13A.080, to more than ninety percent of the
4 foster care maintenance payment for that child had he or she remained
5 in a foster family home during the same period. This subsection does
6 not apply to adoption assistance agreements in existence on the
7 effective date of this section.

8 (7) \$10,741,000 of the home security fund--state appropriation is
9 provided solely for the department to contract for services pursuant to
10 RCW 13.32A.030 and 74.15.220. The department shall contract and
11 collaborate with service providers in a manner that maintains the
12 availability and geographic representation of secure and semi-secure
13 crisis residential centers and HOPE centers. To achieve efficiencies
14 and increase utilization, the department shall allow the co-location of
15 these centers, except that a youth may not be placed in a secure
16 facility or the secure portion of a co-located facility except as
17 specifically authorized by chapter 13.32A RCW. The reductions to
18 appropriations in this subsection related to semi-secure crisis
19 residential centers reflect a reduction to the number of beds for semi-
20 secure crisis residential centers and not a reduction in rates. Any
21 secure crisis residential center or semi-secure crisis residential
22 center bed reduction shall not be based solely upon bed utilization.
23 The department is to exercise its discretion in reducing the number of
24 beds but to do so in a manner that maintains availability and
25 geographic representation of semi-secure and secure crisis residential
26 centers.

27 (8) \$47,000 of the general fund--state appropriation for fiscal
28 year 2012, \$14,000 of the general fund--state appropriation for fiscal
29 year 2013, and \$40,000 of the general fund--federal appropriation are
30 provided solely to implement Substitute House Bill No. 1697 (dependency
31 system). If the bill is not enacted by June 30, 2011, the amounts
32 provided in this subsection shall lapse.

33 (9) \$564,000 of the general fund--federal appropriation is provided
34 solely to implement Second Substitute House Bill No. 1128 (extended
35 foster care). If the bill is not enacted by June 30, 2011, the amount
36 provided in this subsection shall lapse.

37 (10) \$178,000 of the general fund--federal appropriation is

1 provided solely for the implementation of Engrossed Second Substitute
2 House Bill No. 2592 (extended foster care). If the bill is not enacted
3 by June 30, 2012, the amount provided in this subsection shall lapse.

4 (11) \$616,000 of the general fund--state appropriation for fiscal
5 year 2013 and \$616,000 of the general fund--federal appropriation are
6 provided solely for the implementation of Second Substitute House Bill
7 No. 2289 (child protective services). If the bill is not enacted by
8 June 30, 2012, the amounts provided in this subsection shall lapse.

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

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**
12 **REHABILITATION PROGRAM**

13	General Fund--State Appropriation (FY 2012)	((\$86,684,000))
14		<u>\$84,808,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$86,505,000))
16		<u>\$83,996,000</u>
17	General Fund--Federal Appropriation	((\$3,758,000))
18		<u>\$3,809,000</u>
19	General Fund--Private/Local Appropriation	\$1,903,000
20	Washington Auto Theft Prevention Authority Account--	
21	State Appropriation	\$196,000
22	Juvenile Accountability Incentive Account--Federal	
23	Appropriation	\$2,801,000
24	TOTAL APPROPRIATION	((\$181,847,000))
25		<u>\$177,513,000</u>

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

28 (1) ((~~\$331,000~~)) \$315,000 of the general fund--state appropriation
29 for fiscal year 2012 and ((~~\$331,000~~)) \$298,000 of the general fund--
30 state appropriation for fiscal year 2013 are provided solely for
31 deposit in the county criminal justice assistance account for costs to
32 the criminal justice system associated with the implementation of
33 chapter 338, Laws of 1997 (juvenile code revisions). The amounts
34 provided in this subsection are intended to provide funding for county
35 adult court costs associated with the implementation of chapter 338,
36 Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

1 (2) (~~(\$2,716,000)~~) \$2,580,000 of the general fund--state
2 appropriation for fiscal year 2012 and (~~(\$2,716,000)~~) \$2,445,000 of the
3 general fund--state appropriation for fiscal year 2013 are provided
4 solely for the implementation of chapter 338, Laws of 1997 (juvenile
5 code revisions). The amounts provided in this subsection are intended
6 to provide funding for county impacts associated with the
7 implementation of chapter 338, Laws of 1997 and shall be distributed to
8 counties as prescribed in the current consolidated juvenile services
9 (CJS) formula.

10 (3) (~~(\$3,482,000)~~) \$3,308,000 of the general fund--state
11 appropriation for fiscal year 2012 and (~~(\$3,482,000)~~) \$3,134,000 of the
12 general fund--state appropriation for fiscal year 2013 are provided
13 solely to implement community juvenile accountability grants pursuant
14 to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided
15 in this subsection may be used solely for community juvenile
16 accountability grants, administration of the grants, and evaluations of
17 programs funded by the grants.

18 (4) (~~(\$1,130,000)~~) \$1,074,000 of the general fund--state
19 appropriation for fiscal year 2012 and (~~(\$1,130,000)~~) \$1,017,000 of the
20 general fund--state appropriation for fiscal year 2013 are provided
21 solely to implement alcohol and substance abuse treatment programs for
22 locally committed offenders. The juvenile rehabilitation
23 administration shall award these moneys on a competitive basis to
24 counties that submitted a plan for the provision of services approved
25 by the division of alcohol and substance abuse. The juvenile
26 rehabilitation administration shall develop criteria for evaluation of
27 plans submitted and a timeline for awarding funding and shall assist
28 counties in creating and submitting plans for evaluation.

29 (5) (~~(\$3,123,000)~~) \$2,942,000 of the general fund--state
30 appropriation for fiscal year 2012 and (~~(\$3,123,000)~~) \$2,773,000 of the
31 general fund--state appropriation for fiscal year 2013 are provided
32 solely for grants to county juvenile courts for the following programs
33 identified by the Washington state institute for public policy
34 (institute) in its October 2006 report: "Evidence-Based Public Policy
35 Options to Reduce Future Prison Construction, Criminal Justice Costs
36 and Crime Rates": Functional family therapy, multi-systemic therapy,
37 aggression replacement training and interagency coordination programs,
38 or other programs with a positive benefit-cost finding in the

1 institute's report. County juvenile courts shall apply to the juvenile
2 rehabilitation administration for funding for program-specific
3 participation and the administration shall provide grants to the courts
4 consistent with the per-participant treatment costs identified by the
5 institute.

6 (6) (~~(\$1,537,000)~~) \$1,370,000 of the general fund--state
7 appropriation for fiscal year 2012 and (~~(\$1,537,000)~~) \$1,307,000 of the
8 general fund--state appropriation for fiscal year 2013 are provided
9 solely for expansion of the following treatments and therapies in
10 juvenile rehabilitation administration programs identified by the
11 Washington state institute for public policy in its October 2006
12 report: "Evidence-Based Public Policy Options to Reduce Future Prison
13 Construction, Criminal Justice Costs and Crime Rates":
14 Multidimensional treatment foster care, family integrated transitions,
15 and aggression replacement training, or other programs with a positive
16 benefit-cost finding in the institute's report. The administration may
17 concentrate delivery of these treatments and therapies at a limited
18 number of programs to deliver the treatments in a cost-effective
19 manner.

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

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

9 (b) The juvenile rehabilitation administration shall phase the
10 implementation of the formula provided in subsection (1) of this
11 section by including a stop-loss formula of five percent in fiscal year
12 2012 and five percent in fiscal year 2013.

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

1 Percentage changes may occur in the evidence-based program or
2 disposition alternative categories of the formula should it be
3 determined the changes will increase evidence-based program or
4 disposition alternative delivery and increase the cost benefit to the
5 state. These outcomes will also be considered in determining when
6 evidence-based expansion or special sex offender disposition
7 alternative funds should be included in the block grant or left
8 separate.

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

18 (8) The juvenile courts and administrative office of the courts
19 shall collect and distribute information related to program outcome and
20 provide access to these data systems to the juvenile rehabilitation
21 administration and Washington state institute for public policy.
22 Consistent with chapter 13.50 RCW, all confidentiality agreements
23 necessary to implement this information-sharing shall be approved
24 within 30 days of the effective date of this section. The agreements
25 between administrative office of the courts, the juvenile courts, and
26 the juvenile rehabilitation administration shall be executed to ensure
27 that the juvenile rehabilitation administration receives the data that
28 the juvenile rehabilitation administration identifies as needed to
29 comply with this subsection. This includes, but is not limited to,
30 information by program at the statewide aggregate level, individual
31 court level, and individual client level for the purpose of the
32 juvenile rehabilitation administration providing quality assurance and
33 oversight for the locally committed youth block grant and associated
34 funds and at times as specified by the juvenile rehabilitation
35 administration as necessary to carry out these functions. The data
36 shall be provided in a manner that reflects the collaborative work the
37 juvenile rehabilitation administration and juvenile courts have

1 developed regarding program outcomes that reinforce the greatest cost
2 benefit to the state in the implementation of evidence-based practices
3 and disposition alternatives.

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

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

8 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

9 General Fund--State Appropriation (FY 2012)	((\$317,392,000))
	<u>\$316,380,000</u>
11 General Fund--State Appropriation (FY 2013)	((\$322,982,000))
	<u>\$320,482,000</u>
13 General Fund--Federal Appropriation	((\$448,732,000))
	<u>\$449,801,000</u>
15 General Fund--Private/Local Appropriation	\$17,864,000
16 Hospital Safety Net Assessment Fund--State	
17 Appropriation	((\$6,802,000))
	<u>\$5,251,000</u>
19 TOTAL APPROPRIATION	((\$1,113,772,000))
	<u>\$1,109,778,000</u>

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

23 (a) ((~~\$109,342,000~~)) \$107,988,000 of the general fund--state
24 appropriation for fiscal year 2012 and ((~~\$109,341,000~~)) \$106,091,000 of
25 the general fund--state appropriation for fiscal year 2013 are provided
26 solely for persons and services not covered by the medicaid program.
27 This is a reduction ((~~of \$4,348,000 each fiscal year~~)) from the
28 nonmedicaid funding that was allocated for expenditure by regional
29 support networks during fiscal year 2011 prior to supplemental budget
30 reductions. This ((~~\$4,348,000~~)) reduction shall be distributed among
31 regional support networks proportional to each network's share of the
32 total state population. To the extent possible, levels of regional
33 support network spending shall be maintained in the following priority
34 order: (i) Crisis and commitment services; (ii) community inpatient
35 services; and (iii) residential care services, including personal care
36 and emergency housing assistance.

1 (b) \$6,590,000 of the general fund--state appropriation for fiscal
2 year 2012, \$6,590,000 of the general fund--state appropriation for
3 fiscal year 2013, and \$7,620,000 of the general fund--federal
4 appropriation are provided solely for the department and regional
5 support networks to continue to contract for implementation of high-
6 intensity programs for assertive community treatment (PACT) teams. In
7 determining the proportion of medicaid and nonmedicaid funding provided
8 to regional support networks with PACT teams, the department shall
9 consider the differences between regional support networks in the
10 percentages of services and other costs associated with the teams that
11 are not reimbursable under medicaid. The department may allow regional
12 support networks which have nonmedicaid reimbursable costs that are
13 higher than the nonmedicaid allocation they receive under this section
14 to supplement these funds with local dollars or funds received under
15 section 204(1)(a) of this act. The department and regional support
16 networks shall maintain consistency with all essential elements of the
17 PACT evidence-based practice model in programs funded under this
18 section.

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

27 (d) The number of nonforensic beds allocated for use by regional
28 support networks at eastern state hospital shall be 192 per day. The
29 number of nonforensic beds allocated for use by regional support
30 networks at western state hospital shall be 557 per day through June
31 2012, 527 per day from July 2012 through September 2012, and 497 per
32 day from October 2012 through the end of fiscal year 2013.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 (2) INSTITUTIONAL SERVICES

32	General Fund--State Appropriation (FY 2012)	((\$115,317,000))
33		<u>\$115,197,000</u>
34	General Fund--State Appropriation (FY 2013)	((\$114,111,000))
35		<u>\$109,280,000</u>
36	General Fund--Federal Appropriation	((\$153,324,000))
37		<u>\$154,047,000</u>
38	General Fund--Private/Local Appropriation	((\$67,325,000))

1 \$67,416,000
 2 TOTAL APPROPRIATION ((~~\$450,077,000~~))
 3 \$445,940,000

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

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

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

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

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

28 (3) SPECIAL PROJECTS
 29 General Fund--State Appropriation (FY 2012) \$1,168,000
 30 General Fund--State Appropriation (FY 2013) ((~~\$1,164,000~~))
 31 \$1,162,000
 32 General Fund--Federal Appropriation \$4,109,000
 33 General Fund--Private/Local Appropriation \$700,000
 34 TOTAL APPROPRIATION ((~~\$7,141,000~~))
 35 \$7,139,000

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

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

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

15 (4) PROGRAM SUPPORT

16	General Fund--State Appropriation (FY 2012)	((<u>\$4,476,000</u>))
17		<u>\$4,486,000</u>
18	General Fund--State Appropriation (FY 2013)	((<u>\$4,261,000</u>))
19		<u>\$4,280,000</u>
20	General Fund--Federal Appropriation	((<u>\$7,227,000</u>))
21		<u>\$7,242,000</u>
22	General Fund--Private/Local Appropriation	\$446,000
23	TOTAL APPROPRIATION	((<u>\$16,410,000</u>))
24		<u>\$16,454,000</u>

25 (a) The appropriations in this subsection are subject to the
 26 following conditions and limitations: In accordance with RCW
 27 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to
 28 increase license and certification fees in fiscal years 2012 and 2013
 29 to support the costs of the regulatory program. The fee schedule
 30 increases must be developed so that the maximum amount of additional
 31 fees paid by providers statewide in the 2011-2013 fiscal biennium is
 32 \$446,000. The department's fee schedule shall have differential rates
 33 for providers with proof of accreditation from organizations that the
 34 department has determined to have substantially equivalent standards to
 35 those of the department, including but not limited to the joint
 36 commission on accreditation of health care organizations, the
 37 commission on accreditation of rehabilitation facilities, and the
 38 council on accreditation. To reflect the reduced costs associated with

1 regulation of accredited programs, the department's fees for
2 organizations with such proof of accreditation must reflect the lower
3 costs of licensing for these programs than for other organizations
4 which are not accredited.

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

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

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

19 (1) COMMUNITY SERVICES

20 General Fund--State Appropriation (FY 2012)	((\$418,815,000))
	<u>\$411,247,000</u>
22 General Fund--State Appropriation (FY 2013)	((\$422,854,000))
	<u>\$419,814,000</u>
24 General Fund--Federal Appropriation	((\$743,532,000))
	<u>\$778,974,000</u>
26 General Fund--Private/Local Appropriation	\$184,000
27 TOTAL APPROPRIATION	((\$1,585,385,000))
	<u>\$1,610,219,000</u>

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

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

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

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

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

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

23 ~~(e) ((\$1,871,000 of the general fund--state appropriation for~~
24 ~~fiscal year 2012, \$1,995,000 of the general fund--state appropriation~~
25 ~~for fiscal year 2013, and \$3,865,000 of the general fund--federal~~
26 ~~appropriation are provided solely for home care agencies to purchase~~
27 ~~health coverage for home care providers. The department shall~~
28 ~~calculate and distribute payments for health care benefits to home care~~
29 ~~agencies at \$558 per month for each worker who cares for publicly~~
30 ~~funded clients at 86 hours or more per month. In order to negotiate~~
31 ~~the most comprehensive health benefits package for its employees, each~~
32 ~~agency may determine benefit levels according to the hours an employee~~
33 ~~works providing state-funded personal care. Health benefits shall be~~
34 ~~offered to all employees who care for publicly funded clients for 86~~
35 ~~hours per month or more. At a minimum, employees who care for publicly~~
36 ~~funded clients at 140 hours a month or greater must receive a~~
37 ~~comprehensive medical benefit. Benefits shall not be provided to~~
38 ~~employees who care for publicly funded clients at 85 hours or less per~~

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

11 ~~(f)~~) \$1,127,000 of the general fund--state appropriation for
12 fiscal year 2012, \$1,199,000 of the general fund--state appropriation
13 for fiscal year 2013, and \$2,322,000 of the general fund--federal
14 appropriation are provided solely for the state's contribution to the
15 training partnership, as provided in RCW 74.39A.360, for instructional
16 costs associated with the training of individual providers. House Bill
17 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
18 make statutory changes to the increased training requirements and
19 therefore the state shall contribute to the partnership \$0.17 per paid
20 hour worked by all home care workers. This amount is pursuant to the
21 collective bargaining agreement negotiated with the exclusive
22 bargaining representative of individual providers established under RCW
23 74.39A.270. Expenditures for the purposes specified in this subsection
24 shall not exceed the amounts provided in this subsection.

25 ~~((g))~~ (f)(i) Within the amounts appropriated in this subsection,
26 the department shall revise the current working age adult policy to
27 allow clients to choose between employment and community access
28 activities. Clients age 21 and older who are receiving services
29 through a home- and community-based medicaid waiver shall be offered
30 the choice to transition to a community access program after nine
31 months of enrollment in an employment program, and the option to
32 transition from a community access program to an employment program at
33 any time. The department shall inform clients and their legal
34 representatives of all available options for employment and day
35 services. Information provided to the client and the client's legal
36 representative shall include the types of activities each service
37 option provides, and the amount, scope, and duration of service for
38 which the client would be eligible under each service option. An

1 individual client may be authorized for only one service option, either
2 employment services or community access services. Clients may not
3 participate in more than one of these services at any given time.

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

9 (iii) The appropriation in this subsection includes funding to
10 provide employment or community access services to 168 medicaid
11 eligible young adults with developmental disabilities living with their
12 families who need employment opportunities and assistance after high
13 school graduation.

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

20 (~~(i)~~) (h) In accordance with Engrossed Substitute House Bill No.
21 1277 (licensed settings for vulnerable adults), adult family home
22 license fees are increased in fiscal years 2012 and 2013 to support the
23 costs of conducting licensure, inspection, and regulatory programs.

24 (i) The current annual renewal license fee for adult family homes
25 shall be increased to \$100 per bed beginning in fiscal year 2012 and
26 \$175 per bed beginning in fiscal year 2013. Adult family homes shall
27 receive a corresponding vendor rate increase per medicaid patient day
28 of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the
29 cost of the license fee increase for publicly funded beds.

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

33 (~~(j)~~) (i) Clients with developmental disabilities have
34 demonstrated a need and a desire for a day services program as verified
35 by over 900 clients currently accessing day programs through a long-
36 term care service model. In addition, every individual, to include
37 those with a developmental disability, should have the opportunity for
38 meaningful employment which allows them to contribute to their

1 communities and to become as self-sufficient as possible. Providing
2 choice empowers recipients of publicly funded services and their
3 families by expanding their degree of control over the services and
4 supports they need.

5 The department shall work with legislators and stakeholders to
6 develop a new approach to employment and day services. The objective
7 of this plan is to ensure that adults with developmental disabilities
8 have optimum choices, and that employment and day offerings are
9 comprehensive enough to meet the needs of all clients currently served
10 on a home and community based waiver. The proposal shall be submitted
11 to the 2012 legislature for consideration and shall be constructed such
12 that a client ultimately receives employment, community access, or the
13 community day option but not more than one service at a time. The
14 proposal shall include options for program efficiencies within the
15 current employment and day structure and shall provide details on the
16 plan to implement a consistent, statewide outcome-based vendor contract
17 for employment and day services as specified in (c) of this subsection.

18 (2) INSTITUTIONAL SERVICES

19	General Fund--State Appropriation (FY 2012)	((\$80,815,000))
20		<u>\$80,937,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$79,939,000))
22		<u>\$80,171,000</u>
23	General Fund--Federal Appropriation	((\$154,388,000))
24		<u>\$154,403,000</u>
25	General Fund--Private/Local Appropriation	\$22,043,000
26	TOTAL APPROPRIATION	((\$337,185,000))
27		<u>\$337,554,000</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) \$721,000 of the general fund--state appropriation for fiscal
35 year 2012 and \$721,000 of the general fund--state appropriation for
36 fiscal year 2013 are for the department to fulfill its contracts with
37 the school districts under chapter 28A.190 RCW to provide

1 transportation, building space, and other support services as are
2 reasonably necessary to support the educational programs of students
3 living in residential habilitation centers.

4 (3) PROGRAM SUPPORT

5	General Fund--State Appropriation (FY 2012)	((\$1,380,000))
6		<u>\$1,382,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$1,371,000))
8		<u>\$1,374,000</u>
9	General Fund--Federal Appropriation	\$1,323,000
10	TOTAL APPROPRIATION	((\$4,074,000))
11		<u>\$4,079,000</u>

12 (4) SPECIAL PROJECTS

13	General Fund--State Appropriation (FY 2012)	((\$4,648,000))
14		<u>\$4,658,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$4,637,000))
16		<u>\$4,657,000</u>
17	General Fund--Federal Appropriation	((\$9,575,000))
18		<u>\$9,588,000</u>
19	General Fund--Private/Local Appropriation	\$998,000
20	TOTAL APPROPRIATION	((\$19,858,000))
21		<u>\$19,901,000</u>

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

24 Amounts appropriated in this subsection are for the purposes of
25 transitioning clients with developmental disabilities into community
26 settings. The department is authorized as needed to use these funds to
27 either pay for clients residing within a residential habilitation
28 center or for placements in the community. Pursuant to Second
29 Substitute Senate Bill No. 5459 (services for people with developmental
30 disabilities), funding in this subsection must be prioritized for the
31 purpose of facilitating the consolidation and closure of Frances Haddon
32 Morgan Center. The department shall use a person-centered approach in
33 developing the discharge plan to assess each resident's needs and
34 identify services the resident requires to successfully transition to
35 the community or another residential habilitation center. The
36 department is authorized to use any savings from this effort for the
37 purpose of developing community resources to address the needs of

1 clients with developmental disabilities who are in crisis or in need of
2 respite. The department shall track the costs and savings of closing
3 Frances Haddon Morgan Center and any investments into community
4 placements and resources. The department shall provide a fiscal
5 progress report to the legislature by December 5, 2011.

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

8 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
9 **SERVICES PROGRAM**

10	General Fund--State Appropriation (FY 2012)	((\$781,995,000))
11		<u>\$791,801,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$804,465,000))
13		<u>\$801,519,000</u>
14	General Fund--Federal Appropriation	((\$1,680,450,000))
15		<u>\$1,734,103,000</u>
16	General Fund--Private/Local Appropriation	\$27,517,000
17	Traumatic Brain Injury Account--State Appropriation	\$3,388,000
18	Nursing Facility Quality Assurance Account--State	
19	Appropriation	((\$88,071,000))
20		<u>\$88,000,000</u>
21	TOTAL APPROPRIATION	((\$3,385,886,000))
22		<u>\$3,446,328,000</u>

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

25 (1) For purposes of implementing chapter 74.46 RCW, the weighted
26 average nursing facility payment rate shall not exceed \$170.37 for
27 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,
28 including the rate add-ons described in (a) and (b) of this subsection.
29 However, if the waiver requested from the federal centers for medicare
30 and medicaid services in relation to the safety net assessment created
31 by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is
32 for any reason not approved and implemented, the weighted average
33 nursing facility payment rate shall not exceed \$159.87 for fiscal year
34 2012 and shall not exceed \$160.93 for fiscal year 2013. There will be
35 no adjustments for economic trends and conditions in fiscal years 2012
36 and 2013. The economic trends and conditions factor or factors defined
37 in the biennial appropriations act shall not be compounded with the

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

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

21 (b) The department shall do a comparative analysis of the facility-
22 based payment rates calculated on July 1, 2011, using the payment
23 methodology defined in Engrossed Substitute Senate Bill No. 5581
24 (nursing home payments), to the facility-based payment rates in effect
25 June 30, 2010. If the facility-based payment rate calculated on July
26 1, 2011, is smaller than the facility-based payment rate on June 30,
27 2010, then the difference shall be provided to the individual nursing
28 facilities as an add-on payment per medicaid resident day.

29 (c) During the comparative analysis performed in subsection (b) of
30 this section, if it is found that the direct care rate for any facility
31 calculated using the payment methodology defined in Engrossed
32 Substitute Senate Bill No. 5581 (nursing home payments) is greater than
33 the direct care rate in effect on June 30, 2010, then the facility
34 shall receive a ten percent direct care rate add-on to compensate that
35 facility for taking on more acute clients than they have in the past.

36 (d) The department shall provide a medicaid rate add-on to
37 reimburse the medicaid share of the skilled nursing facility safety net

1 assessment as a medicaid allowable cost. The nursing facility safety
2 net rate add-on may not be included in the calculation of the annual
3 statewide weighted average nursing facility payment rate.

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

9 (2) After examining actual nursing facility cost information, the
10 legislature finds that the medicaid nursing facility rates calculated
11 pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home
12 payments) provide sufficient reimbursement to efficiently and
13 economically operating nursing facilities and bear a reasonable
14 relationship to costs.

15 (3) In accordance with chapter 74.46 RCW, the department shall
16 issue no additional certificates of capital authorization for fiscal
17 year 2012 and no new certificates of capital authorization for fiscal
18 year 2013 and shall grant no rate add-ons to payment rates for capital
19 improvements not requiring a certificate of need and a certificate of
20 capital authorization for fiscal years 2012 and 2013.

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

27 (5) Amounts appropriated in this section reflect a reduction to
28 funds appropriated for in-home care. The department shall reduce the
29 number of in-home hours authorized. The reduction shall be scaled
30 based on the acuity level of care recipients. The largest hour
31 reductions shall be to lower acuity patients and the smallest hour
32 reductions shall be to higher acuity patients.

33 (6) \$1,883,000 of the general fund--state appropriation for fiscal
34 year 2012, \$1,883,000 of the general fund--state appropriation for
35 fiscal year 2013, and \$3,766,000 of the general fund--federal
36 appropriation are provided solely for state contributions for
37 individual provider health care benefits. Pursuant to the collective
38 bargaining agreement negotiated with the exclusive bargaining

1 representative of individual providers established under RCW
2 74.39A.270, the state shall contribute to the multiemployer health
3 benefits trust fund (~~(\$1.96)~~) \$2.21 per paid hour worked by individual
4 providers.

5 ~~(7) (~~\$16,835,000~~ of the general fund--state appropriation for
6 fiscal year 2012, ~~\$17,952,000~~ of the general fund--state appropriation
7 for fiscal year 2013, and ~~\$34,786,000~~ of the general fund--federal
8 appropriation are provided solely for home care agencies to purchase
9 health coverage for home care providers. The department shall
10 calculate and distribute payments for health care benefits to home care
11 agencies at \$558 per month for each worker who cares for publicly
12 funded clients at 86 hours or more per month. In order to negotiate
13 the most comprehensive health benefits package for its employees, each
14 agency may determine benefit levels according to the hours an employee
15 works providing state-funded personal care. Health benefits shall be
16 offered to all employees who care for publicly funded clients for 86
17 hours per month or more. At a minimum, employees who care for publicly
18 funded clients at 140 hours a month or greater must receive a
19 comprehensive medical benefit. Benefits shall not be provided to
20 employees who care for publicly funded clients at 85 hours or less per
21 month or as interim respite workers. The department shall not pay an
22 agency for benefits provided to an employee who otherwise receives
23 health care coverage through other family members, other
24 employment-based coverage, or military or veteran's coverage. The
25 department shall require annually, each home care agency to review each
26 of its employee's available health coverage and to provide a written
27 declaration to the department verifying that health benefits purchased
28 with public funds are solely for employees that do not have other
29 available coverage. Home care agencies may determine a reasonable
30 employee co-premium not to exceed 20 percent of the total benefit cost.~~

31 ~~(8))~~ \$2,063,000 of the general fund--state appropriation for
32 fiscal year 2012, \$2,195,000 of the general fund--state appropriation
33 for fiscal year 2013, and \$4,260,000 of the general fund--federal
34 appropriation are provided solely for the state's contribution to the
35 training partnership, as provided in RCW 74.39A.360, for instructional
36 costs associated with the training of individual providers. House Bill
37 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
38 make statutory changes to the increased training requirements and

1 therefore the state shall contribute to the partnership \$0.17 per paid
2 hour worked by all home care workers. This amount is pursuant to the
3 collective bargaining agreement negotiated with the exclusive
4 bargaining representative of individual providers established under RCW
5 74.39A.270. Expenditures for the purposes specified in this subsection
6 shall not exceed the amounts provided in this subsection.

7 ~~((+9))~~ (8) Individuals receiving services as supplemental security
8 income (SSI) state supplemental payments shall not become eligible for
9 medical assistance under RCW 74.09.510 due solely to the receipt of SSI
10 state supplemental payments.

11 ~~((+10))~~ (9) The department shall eliminate the adult day health
12 program under the state plan 1915(i) option and shall reestablish it
13 under the long-term care home and community-based waiver.

14 ~~((+11) \$4,588,000)~~ (10) \$4,823,000 of the general fund--state
15 appropriation for fiscal year 2012, ~~((+12) \$4,559,000)~~ \$6,474,000 of the
16 general fund--state appropriation for fiscal year 2013, and
17 ~~((+13) \$9,237,000)~~ \$11,387,000 of the general fund--federal appropriation
18 are provided solely for the continued operation of community
19 residential and support services for persons who are older adults or
20 who have co-occurring medical and behavioral disorders and who have
21 been discharged or diverted from a state psychiatric hospital. These
22 funds shall be used to serve individuals whose treatment needs
23 constitute substantial barriers to community placement, who no longer
24 require active psychiatric treatment at an inpatient hospital level of
25 care, and who no longer meet the criteria for inpatient involuntary
26 commitment. The department shall prioritize services in order to
27 reduce utilization and maintain a reduction of sixty beds at western
28 state hospital that were previously used for long-term placements for
29 clients with dementia, traumatic brain injuries, or other organic brain
30 disorders. The department shall ensure that a sufficient number of
31 individuals have been transitioned and diverted from western state
32 hospital to enable closure of a 30 bed ward on July 1, 2012, and of
33 another 30 bed ward on October 1, 2012. Coordination of these services
34 must be done in partnership between the mental health program and the
35 aging and disability services administration.

36 (12) \$1,840,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$1,877,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for operation of the volunteer

1 services program. Funding shall be prioritized towards serving
2 populations traditionally served by long-term care services to include
3 senior citizens and persons with disabilities.

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

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

15 (b) The current annual renewal license fee for adult family homes
16 shall be increased to \$100 per bed beginning in fiscal year 2012 and
17 assumes \$1,449,000 of the general fund--private/local appropriation;
18 and \$175 per bed beginning in fiscal year 2013 and assumes \$2,463,000
19 of the general fund--private/local appropriation. Adult family homes
20 shall receive a corresponding vendor rate increase per medicaid patient
21 day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover
22 the license fee increase for publicly funded beds.

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

26 (d) \$72,000 of the general fund--state appropriation for fiscal
27 year 2012, \$708,000 of the general fund--private/local appropriation
28 and \$708,000 of the general fund--federal appropriation are provided
29 solely to implement sections 501 through 503 of Engrossed Substitute
30 House Bill No. 1277 (licensed settings for vulnerable adults). The
31 department shall use additional investigative resources to address
32 complaints about provider practices as well as alleged abuse, neglect,
33 abandonment, and exploitation of residents in adult family homes. The
34 department shall develop a statewide internal quality review and
35 accountability program to improve the accountability of staff and the
36 consistent application of investigative activities, and shall convene
37 a quality assurance panel to review problems in the quality of care in
38 adult family homes.

1 (14) \$3,316,000 of the traumatic brain injury account--state
2 appropriation is provided solely to continue services for persons with
3 traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011
4 (traumatic brain injury strategic partnership).

5 (15) The department is authorized to place long-term care clients
6 residing in nursing homes and paid for with state only funds into less
7 restrictive community care settings while continuing to meet the
8 client's care needs.

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

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
12 **PROGRAM**

13	General Fund--State Appropriation (FY 2012)	((\$487,305,000))
14		<u>\$425,737,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$503,362,000))
16		<u>\$349,327,000</u>
17	General Fund--Federal Appropriation	((\$1,167,467,000))
18		<u>\$1,166,816,000</u>
19	General Fund--Private/Local Appropriation	\$30,592,000
20	TOTAL APPROPRIATION	((\$2,188,726,000))
21		<u>\$1,972,472,000</u>

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

24 (1) ((~~\$258,880,000~~)) \$204,631,000 of the general fund--state
25 appropriation for fiscal year 2012, ((~~\$297,296,000~~)) \$158,884,000 of
26 the general fund--state appropriation for fiscal year 2013, and
27 ((~~\$710,173,000~~)) \$694,168,000 of the general fund--federal
28 appropriation are provided solely for all components of the WorkFirst
29 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921
30 (social services programs), the amounts in this subsection assume that
31 any participant in the temporary assistance for needy families where
32 their participation is suspended and does not volunteer to participate
33 in WorkFirst services or unsubsidized employment does not receive child
34 care subsidies or WorkFirst subsidies as a condition of the suspension.
35 Within the amounts provided for the WorkFirst program, the department
36 may provide assistance using state-only funds for families eligible for
37 temporary assistance for needy families.

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

5 (b) The department may establish a career services work transition
6 program.

7 (c) Within the amounts provided in this subsection, (~~(\$1,414,000)~~)
8 \$50,000 of the general fund--state appropriation for fiscal year 2012
9 and (~~(\$5,150,000)~~) \$950,000 of the general fund--state appropriation
10 for fiscal year 2013 are provided solely for the implementation and
11 administration of the electronic benefit transfer system under section
12 of Engrossed Substitute Senate Bill No. 5921 (social services
13 programs). The department shall transfer these amounts to the
14 department of early learning for the implementation and administration
15 of the project.

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

20 (e) The department shall create a temporary assistance for needy
21 families budget structure that allows for more transparent tracking of
22 budget units and subunits of expenditures where these units and
23 subunits are mutually exclusive from other department budget units.
24 The budget structure shall include budget units for the following:
25 Grants, child care, WorkFirst activities, and administration of the
26 program.

27 (2)(a) (~~(\$11,825,000)~~) \$28,500,000 of the general fund--federal
28 appropriation is provided solely for a contingency reserve in the event
29 the temporary assistance for needy families cash benefit is projected
30 to exceed forecasted amounts by more than one percent. The department
31 shall only expend an amount equal to the forecasted over-expenditure.
32 For purposes of this subsection, the temporary assistance forecast
33 shall be completed every quarter and follow a similar schedule of the
34 caseload forecast council forecasts.

35 (b) If sufficient savings in subsection (1) of this section are
36 achieved, the department of early learning shall increase the number of
37 child care slots available for the working connections child care
38 program.

1 (3) (~~(\$23,494,000)~~) \$23,679,000 of the general fund--state
2 appropriation for fiscal year 2012, in addition to supplemental
3 security income recoveries, is provided solely for financial assistance
4 and other services to recipients in the program established in section
5 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates
6 on October 31, 2011.

7 (4)(a) (~~(\$13,086,000)~~) \$12,457,000 of the general fund--state
8 appropriation for fiscal year 2012 and (~~(\$24,788,000)~~) \$21,595,000 of
9 the general fund--state appropriation for fiscal year 2013, in addition
10 to supplemental security income recoveries, are provided solely for the
11 programs created in Engrossed Substitute House Bill No. 2082 (essential
12 needs and assistance program) beginning November 1, 2011.

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

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

25 (5) \$1,657,000 of the general fund--state appropriation for fiscal
26 year 2012 and \$1,657,000 of the general fund--state appropriation for
27 fiscal year 2013 are provided solely for naturalization services.

28 (6) (~~(\$2,366,000)~~) \$2,070,000 of the general fund--state
29 appropriation for fiscal year 2012 is provided solely for refugee
30 employment services, of which (~~(\$1,774,000)~~) \$1,552,000 is provided
31 solely for the department to pass through to statewide refugee
32 assistance organizations for limited English proficiency pathway
33 services; and (~~(\$2,366,000)~~) \$1,183,000 of the general fund--state
34 appropriation for fiscal year 2013 is provided solely for refugee
35 employment services, of which (~~(\$1,774,000)~~) \$887,000 is provided
36 solely for the department to pass through to statewide refugee
37 assistance organizations for limited English proficiency pathway
38 services.

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

7 (8) To ensure expenditures remain within available funds
8 appropriated in this section, the legislature establishes the benefit
9 under the state food assistance program, pursuant to RCW 74.08A.120, to
10 be fifty percent of the federal supplemental nutrition assistance
11 program benefit amount for fiscal year 2012. The state food assistance
12 program benefit is eliminated in fiscal year 2013.

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

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

17	General Fund--State Appropriation (FY 2012)	((\$74,287,000))
18		<u>\$72,250,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$74,422,000))
20		<u>\$62,549,000</u>
21	General Fund--Federal Appropriation	((\$141,514,000))
22		<u>\$168,898,000</u>
23	General Fund--Private/Local Appropriation	((\$2,086,000))
24		<u>\$13,486,000</u>
25	Criminal Justice Treatment Account--State	
26	Appropriation	\$20,748,000
27	Problem Gambling Account--State Appropriation	\$1,448,000
28	TOTAL APPROPRIATION	((\$314,505,000))
29		<u>\$339,379,000</u>

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

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

1 (2) Within the amounts appropriated in this section, the department
2 shall continue to provide for chemical dependency treatment services
3 for adult medicaid eligible(~~(7)~~) clients and pregnant and parenting
4 women(~~(7, disability lifeline, and alcoholism and drug addiction~~
5 ~~treatment and support act, and medical care services clients)~~)).

6 (3) In accordance with RCW 70.96A.090 and 43.135.055, the
7 department is authorized to increase fees for the review and approval
8 of treatment programs in fiscal years 2012 and 2013 as necessary to
9 support the costs of the regulatory program. The department's fee
10 schedule shall have differential rates for providers with proof of
11 accreditation from organizations that the department has determined to
12 have substantially equivalent standards to those of the department,
13 including but not limited to the joint commission on accreditation of
14 health care organizations, the commission on accreditation of
15 rehabilitation facilities, and the council on accreditation. To
16 reflect the reduced costs associated with regulation of accredited
17 programs, the department's fees for organizations with such proof of
18 accreditation must reflect the lower cost of licensing for these
19 programs than for other organizations which are not accredited.

20 (4) \$3,500,000 of the general fund--federal appropriation (from the
21 substance abuse prevention and treatment federal block grant) is
22 provided solely for the continued funding of existing county drug and
23 alcohol use prevention programs.

24 (5) Within amounts appropriated in this section, the department
25 must increase federal match available for intensive inpatient services.
26 During fiscal year 2013, the department shall shift contracts for a
27 minimum of 64 intensive inpatient beds currently provided in settings
28 that are considered institutions for mental diseases to four or more
29 facilities with fewer than 16 beds that are able to claim federal match
30 for services provided to medicaid clients. The department is
31 authorized to conduct a request for proposal process to fulfill this
32 requirement. By December 1, 2012, the department shall provide a plan
33 to the office of financial management and to the relevant fiscal and
34 policy committees of the legislature which identifies the maximum
35 number of additional beds which can be transitioned into facilities
36 with fewer than 16 beds during the 2013-2015 biennium, a timeline and
37 process for accomplishing this, and a projection of the related general
38 fund-state savings.

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

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

5	General Fund--State Appropriation (FY 2012)	((\$10,874,000))
6		<u>\$10,619,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$10,861,000))
8		<u>\$10,586,000</u>
9	General Fund--Federal Appropriation	((\$105,091,000))
10		<u>\$105,095,000</u>
11	Telecommunications Devices for the Hearing and	
12	Speech Impaired--State Appropriation	\$2,766,000
13	TOTAL APPROPRIATION	((\$129,592,000))
14		<u>\$129,066,000</u>

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

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

23 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**
24 **PROGRAM**

25	General Fund--State Appropriation (FY 2012)	((\$47,719,000))
26		<u>\$48,180,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$46,292,000))
28		<u>\$35,900,000</u>
29	TOTAL APPROPRIATION	((\$94,011,000))
30		<u>\$84,080,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations: The procurement of food is a function of
33 the employer under RCW 41.80.040. Within the amounts appropriated in
34 this section, the legislature expressly mandates the department
35 structure the organization of the department to contract for the
36 procurement of food, and such contracting is not subject to the
37 processes set forth in RCW 41.06.142 (1), (4), and (5).

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

3 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**
4 **SUPPORTING SERVICES PROGRAM**

5	General Fund--State Appropriation (FY 2012)	((\$26,125,000))
6		<u>\$25,436,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$24,586,000))
8		<u>\$23,357,000</u>
9	General Fund--Federal Appropriation	((\$39,223,000))
10		<u>\$39,238,000</u>
11	General Fund--Private/Local Appropriation	\$2,116,000
12	Performance Audits of State Government--State	
13	Appropriation	\$4,812,000
14	TOTAL APPROPRIATION	((\$96,862,000))
15		<u>\$94,959,000</u>

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

18 (1) ((~~\$300,000~~)) \$150,000 of the general fund--state appropriation
19 for fiscal year 2012 ((~~and \$300,000 of the general fund state~~
20 ~~appropriation for fiscal year 2013 are~~)) is provided solely for the
21 Washington state mentors program to continue its public-private
22 partnerships to provide technical assistance and training to mentoring
23 programs that serve at-risk youth.

24 (2) ((~~\$445,000~~)) \$223,000 of the general fund--state appropriation
25 for fiscal year 2012 ((~~and \$445,000 of the general fund state~~
26 ~~appropriation for fiscal year 2013 are~~)) is provided solely for funding
27 of the teamchild project.

28 (3) ((~~\$178,000~~)) \$89,000 of the general fund--state appropriation
29 for fiscal year 2012 ((~~and \$178,000 of the general fund state~~
30 ~~appropriation for fiscal year 2013 are~~)) is provided solely for the
31 juvenile detention alternatives initiative.

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

37 (5) ((~~\$1,400,000~~)) \$1,200,000 of the general fund--state
38 appropriation for fiscal year 2012 is provided solely for the

1 department to distribute as support to community public health and
2 safety networks that have a history of providing training and services
3 related to adverse childhood experiences. Distribution of these funds
4 is contingent upon securing funding from a private entity or entities
5 to provide one dollar in matching funds for each dollar in state funds
6 received by a network so that the funding received by a community
7 public health and safety network will be equal portions of state and
8 private funding.

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

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

13	General Fund--State Appropriation (FY 2012)	\$62,778,000
14	General Fund--State Appropriation (FY 2013)	(\$61,927,000)
15		<u>\$58,978,000</u>
16	General Fund--Federal Appropriation	(\$58,400,000)
17		<u>\$58,438,000</u>
18	TOTAL APPROPRIATION	(\$183,105,000)
19		<u>\$180,194,000</u>

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

22 (1) \$469,000 of the general fund--state appropriation for fiscal
23 year 2011 and \$270,000 of the general fund--state appropriation for
24 fiscal year 2012 are provided solely for implementation of Engrossed
25 Substitute Senate Bill No. 5921 (social services programs). If the
26 bill is not enacted by June 30, 2011, the amounts provided in this
27 subsection shall lapse.

28 (2) \$38,000 of the general fund--state appropriation for fiscal
29 year 2013 and \$38,000 of the general fund--federal appropriation are
30 provided solely for implementation of Engrossed Substitute House Bill
31 No. 2592 (extended foster care). If the bill is not enacted by June
32 30, 2012, the amounts provided in this subsection shall lapse.

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

35 **FOR THE STATE HEALTH CARE AUTHORITY**

36	General Fund--State Appropriation (FY 2012)	(\$2,130,229,000)
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1		<u>\$2,023,666,000</u>
2	General Fund--State Appropriation (FY 2013)	(((\$2,185,617,000))
3		<u>\$1,934,764,000</u>
4	General Fund--Federal Appropriation	(((\$5,389,627,000))
5		<u>\$5,202,612,000</u>
6	General Fund--Private/Local Appropriation	(((\$45,512,000))
7		<u>\$52,155,000</u>
8	Emergency Medical Services and Trauma Care Systems	
9	Trust Account--State Appropriation	\$15,077,000
10	Hospital Safety Net Assessment Fund--State	
11	Appropriation	(((\$394,905,000))
12		<u>\$433,255,000</u>
13	State Health Care Authority Administration Account--	
14	State Appropriation	(((\$34,118,000))
15		<u>\$34,117,000</u>
16	Basic Health Plan Stabilization Account--	
17	State Appropriation	\$44,000,000
18	Medical Aid Account--State Appropriation	\$529,000
19	TOTAL APPROPRIATION	(((\$10,239,614,000))
20		<u>\$9,740,175,000</u>

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

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

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

1 ~~(3))~~ The appropriations to the authority in this act shall be
2 expended for the purposes and in the amounts specified in this act. To
3 the extent that appropriations in this section are insufficient to fund
4 actual expenditures in excess of caseload forecasts and utilization
5 assumptions, the authority, after May 1, 2012, may transfer general
6 fund--state appropriations for fiscal year 2012 that are provided
7 solely for a specified purpose. The authority shall not transfer
8 funds, and the director of financial management shall not approve the
9 transfer, unless the transfer is consistent with the objective of
10 conserving, to the maximum extent possible, the expenditure of state
11 funds. The director of financial management shall notify the
12 appropriate fiscal committees of the senate and house of
13 representatives in writing seven days prior to approving any allotment
14 modifications or transfers under this subsection. The written
15 notification shall include a narrative explanation and justification of
16 the changes, along with expenditures and allotments by budget unit and
17 appropriation, both before and after any allotment modifications or
18 transfers.

19 (2)(a) \$1,200,000 of the general fund--state appropriation for
20 fiscal year 2012 is provided solely to plan the implementation of a
21 system of consolidated public school employee health benefits
22 purchasing.

23 It is the intent of the legislature to improve the administration,
24 transparency, and equity in delivering a K-12 employees' health
25 benefits system. In addition, the legislature intends that any cost
26 savings that result from changes to K-12 health benefits be dedicated
27 to public schools.

28 To further this legislative intent, the state health care authority
29 shall develop a plan to implement a consolidated health benefits'
30 system for K-12 employees for the 2013-14 school year. The health care
31 authority shall deliver a report to the legislature by December 15,
32 2011, that sets forth the implementation plan to the ways and means
33 committees of the house of representatives and the senate.

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

36 (i) The current K-12 health benefits system;

37 (ii) A new K-12 employee benefits pool; and

1 (iii) Enrolling K-12 employees into the health benefits pool for
2 state employees.

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

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

7 (ii) The costs and benefits of providing a new statewide K-12
8 employees' health benefits pool to school districts and school
9 employees;

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

12 (iv) Recommendations of ways to limit administrative duplication
13 and costs, improve transparency to employees, the legislature, and the
14 public and assure equity among beneficiaries of publicly provided
15 employee health benefits;

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

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

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

25 (viii) Recommendations regarding methods to reduce inequities
26 between individual and family coverage;

27 (ix) Consolidation of the purchasing and budget accountability for
28 school employee benefits to maximize administrative efficiency and
29 leverage existing skills and resources; and

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

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

36 (B) The structure of a permanent governing group to provide ongoing
37 oversight to the consolidated pool, in a manner similar to the public

1 employees benefits board functions for employee health benefits,
2 including statutory duties and authorities of the board; and

3 (C) Options for including potential changes to: Eligibility
4 standardization, the public employees benefits risk pools, the movement
5 of school employee retirees into the new K-12 pool or pools, and the
6 movement of educational service district employees into the new K-12
7 pool or pools.

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

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

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

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

18 (e) The office of the superintendent of public instruction and the
19 office of the insurance commissioner shall provide information and
20 technical assistance to the health care authority as requested by the
21 health care authority. The health care authority shall not implement
22 the new school employee benefits pool until authorized to do so by the
23 legislature.

24 ~~((4) The administrator shall take at least the following actions~~
25 ~~to assure that persons participating in the basic health plan are~~
26 ~~eligible for the level of assistance they receive:— (a) Require~~
27 ~~submission of (i) income tax returns, and recent pay history, from all~~
28 ~~applicants, or (ii) other verifiable evidence of earned and unearned~~
29 ~~income from those persons not required to file income tax returns; (b)~~
30 ~~check employment security payroll records at least once every twelve~~
31 ~~months on all enrollees; (c) require enrollees whose income as~~
32 ~~indicated by payroll records exceeds that upon which their subsidy is~~
33 ~~based to document their current income as a condition of continued~~
34 ~~eligibility; (d) require enrollees for whom employment security payroll~~
35 ~~records cannot be obtained to document their current income at least~~
36 ~~once every six months; (e) not reduce gross family income for self-~~
37 ~~employed persons by noncash flow expenses such as, but not limited to,~~
38 ~~depreciation, amortization, and home office deductions, as defined by~~

1 ~~the United States internal revenue service; and (f) pursue repayment~~
2 ~~and civil penalties from persons who have received excessive subsidies,~~
3 ~~as provided in RCW 70.47.060(9).~~

4 ~~(5) Enrollment in the subsidized basic health plan shall be limited~~
5 ~~to only include persons who qualify as subsidized enrollees as defined~~
6 ~~in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid~~
7 ~~demonstration project number 11-W-00254/10; or (b) are foster parents~~
8 ~~licensed under chapter 74.15 RCW.~~

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

16 ~~((7))~~ (4) Based on quarterly expenditure reports and caseload
17 forecasts, if the health care authority estimates that expenditures for
18 the medical assistance program will exceed the appropriations, the
19 health care authority shall take steps including but not limited to
20 reduction of rates or elimination of optional services to reduce
21 expenditures so that total program costs do not exceed the annual
22 appropriation authority.

23 ~~((8))~~ (5) In determining financial eligibility for medicaid-
24 funded services, the health care authority is authorized to disregard
25 recoveries by Holocaust survivors of insurance proceeds or other
26 assets, as defined in RCW 48.104.030.

27 ~~((9))~~ (6) The legislature affirms that it is in the state's
28 interest for Harborview medical center to remain an economically viable
29 component of the state's health care system.

30 ~~((10))~~ (7) When a person is ineligible for medicaid solely by
31 reason of residence in an institution for mental diseases, the health
32 care authority shall provide the person with the same benefits as he or
33 she would receive if eligible for medicaid, using state-only funds to
34 the extent necessary.

35 ~~((11))~~ (8) \$4,261,000 of the general fund--state appropriation
36 for fiscal year 2012, \$4,261,000 of the general fund--state
37 appropriation for fiscal year 2013, and \$8,522,000 of the general

1 fund--federal appropriation are provided solely for low-income
2 disproportionate share hospital payments under RCW 74.09.730(1)(a).

3 ~~((12) \$5,905,000 of the general fund state appropriation for~~
4 ~~fiscal year 2012, \$5,905,000 of the general fund state appropriation~~
5 ~~for fiscal year 2013, and \$11,810,000 of the general fund federal~~
6 ~~appropriation are provided solely for nonrural indigent assistance~~
7 ~~disproportionate share hospital payments in accordance with RCW~~
8 ~~74.09.730(1)).~~

9 ~~(13) \$665,000 of the general fund state appropriation for fiscal~~
10 ~~year 2012, \$665,000 of the general fund state appropriation for fiscal~~
11 ~~year 2013, and \$1,330,000 of the general fund federal appropriation~~
12 ~~are provided solely for small rural indigent assistance~~
13 ~~disproportionate share hospital payments in accordance with RCW~~
14 ~~74.09.730(1)).~~

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

37 ~~((15))~~ (10) The health care authority shall continue the
38 inpatient hospital certified public expenditures program for the 2011-

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

1 Payment of the state grant shall be made in the applicable fiscal year
2 and distributed in monthly payments. The grants will be recalculated
3 and redistributed as the baseline is updated during the fiscal year.
4 The grant payments are subject to an interim settlement within eleven
5 months after the end of the fiscal year. A final settlement shall be
6 performed. To the extent that either settlement determines that a
7 hospital has received funds in excess of what it would have received as
8 described in this subsection, the hospital must repay the excess
9 amounts to the state when requested. (~~(\$24,677,000)~~) \$8,102,000 of the
10 general fund--state appropriation for fiscal year 2012, of which
11 \$6,570,000 is appropriated in section 204(1) of this act, and
12 (~~(\$21,531,000)~~) \$3,162,000 of the general fund--state appropriation for
13 fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1)
14 of this act, are provided solely for state grants for the participating
15 hospitals. CPE hospitals will receive the inpatient and outpatient
16 reimbursement rate restorations in RCW 74.60.080 and rate increases in
17 RCW 74.60.090 funded through the hospital safety net assessment fund
18 rather than through the baseline mechanism specified in this
19 subsection.

20 (~~(+16)~~) (11) The health care authority shall seek public-private
21 partnerships and federal funds that are or may become available to
22 provide on-going support for outreach and education efforts under the
23 federal children's health insurance program reauthorization act of
24 2009.

25 (~~(+17)~~) (12) The health care authority shall target funding for
26 maternity support services towards pregnant women with factors that
27 lead to higher rates of poor birth outcomes, including hypertension, a
28 preterm or low birth weight birth in the most recent previous birth, a
29 cognitive deficit or developmental disability, substance abuse, severe
30 mental illness, unhealthy weight or failure to gain weight, tobacco
31 use, or African American or Native American race. The health care
32 authority shall prioritize evidence-based practices for delivery of
33 maternity support services. To the extent practicable, the health care
34 authority shall develop a mechanism to increase federal funding for
35 maternity support services by leveraging local public funding for those
36 services.

37 (~~(+18)~~) (13) For children with family incomes above (~~(200)~~) 133
38 percent of the federal poverty level in the state-funded children's

1 health program for children who are not eligible for coverage under the
2 federally funded children's health insurance program, premiums shall be
3 set every two years in an amount equal to the average state-only share
4 of the per capita cost of coverage in the state-funded children's
5 health program for children in families with incomes at or less than
6 two hundred percent of the federal poverty level.

7 ~~((19) \$704,000 of the general fund state appropriation for fiscal~~
8 ~~year 2012, \$726,000 of the general fund state appropriation for fiscal~~
9 ~~year 2013, and \$1,431,000 of the general fund federal appropriation~~
10 ~~are provided solely for)) (14) Within the amounts appropriated in this~~
11 ~~section, the health care authority shall provide~~ disproportionate share
12 hospital payments to hospitals that provide services to children in the
13 children's health program who are not eligible for services under Title
14 XIX or XXI of the federal social security act due to their citizenship
15 status.

16 ~~((20) \$998,000)) (15) \$859,000 of the general fund--state~~
17 ~~appropriation for fiscal year 2012, \$979,000 of the general fund--state~~
18 ~~appropriation for fiscal year 2013, and ((\$1,980,000)) \$1,841,000 of~~
19 ~~the general fund--federal appropriation are provided solely to increase~~
20 ~~prior authorization activities for advanced imaging procedures.~~

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

28 ~~((22)) (17) \$300,000 of the general fund--private/local~~
29 ~~appropriation and \$300,000 of the general fund--federal appropriation~~
30 ~~are provided solely for a prescriptive practices improvement~~
31 ~~collaborative focusing upon atypical antipsychotics and other~~
32 ~~medications commonly used in the treatment of severe and persistent~~
33 ~~mental illnesses among adults. The project shall promote collaboration~~
34 ~~among community mental health centers, other major prescribers of~~
35 ~~atypical antipsychotic medications to adults enrolled in state medical~~
36 ~~assistance programs, and psychiatrists, pharmacists, and other~~
37 ~~specialists at the University of Washington department of psychiatry~~
38 ~~and/or other research universities. The collaboration shall include~~

1 patient-specific prescriber consultations by psychiatrists and
2 pharmacists specializing in treatment of severe and persistent mental
3 illnesses among adults; production of profiles to assist prescribers
4 and clinics in tracking their prescriptive practices and their
5 patients' medication use and adherence relative to evidence-based
6 practices guidelines, other prescribers, and patients at other clinics;
7 and in-service seminars at which participants can share and increase
8 their knowledge of evidence-based and other effective prescriptive
9 practices. The health care authority shall enter into an interagency
10 agreement with the office of the attorney general for expenditure of
11 \$300,000 of the state's proceeds of the *cy pres* settlement in *State of*
12 *Washington v. AstraZeneca* (Seroquel) for this purpose.

13 ((+23)) (18) \$570,000 of the general fund--private/local
14 appropriation is provided solely for continued operation of the
15 partnership access line for child mental health consultations. The
16 health care authority shall enter into an interagency agreement with
17 the office of the attorney general for expenditure of \$570,000 of the
18 state's proceeds of the *cy pres* settlement in *State of Washington v.*
19 *AstraZeneca* (Seroquel) for this purpose.

20 ((+24)) (19) \$80,000 of the general fund--state appropriation for
21 fiscal year 2012, \$80,000 of the general fund--state appropriation for
22 fiscal year 2013, and \$160,000 of the general fund--federal
23 appropriation are provided solely to fund the Tacoma-Pierce county
24 health department for access and outreach activities to reduce infant
25 mortality.

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

36 ~~((+26) \$2,400,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2012, \$2,435,000 of the general fund--state appropriation~~
38 ~~for fiscal year 2013, \$7,253,000 of the general fund--private/local~~

1 ~~appropriation, and \$12,455,000 of the general fund federal~~
2 ~~appropriation are provided solely for continued provision of)) (21)~~
3 Within the amounts appropriated in this section, the health care
4 authority shall continue to provide school-based medical services by
5 means of an intergovernmental transfer arrangement. Under the
6 arrangement, the state shall provide forty percent and school districts
7 sixty percent of the nonfederal matching funds required for receipt of
8 federal medicaid funding for the service.

9 ~~((+27))~~ (22) \$263,000 of the general fund--state appropriation for
10 fiscal year 2012, \$88,000 of the general fund--state appropriation for
11 fiscal year 2013, and \$351,000 of the general fund--federal
12 appropriation are provided solely for development and submission to the
13 federal government by October 1, 2011, of a demonstration project
14 proposal as provided in Substitute Senate Bill No. 5596 (medicaid
15 demonstration waiver).

16 ~~((+28) \$5,600,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2012, \$4,094,000 of the general fund--state appropriation~~
18 ~~for fiscal year 2013, and \$11,332,000 of the general fund--federal~~
19 ~~appropriation are provided solely for spoken language interpreter~~
20 ~~services. The authority shall develop and implement a new model for~~
21 ~~delivery of such services no later than January 1, 2012. The model~~
22 ~~shall include:~~

23 ~~(a) Development by the authority in consultation with subject area~~
24 ~~experts of guidelines to assist medical practitioners identify the~~
25 ~~circumstances under which it is appropriate to use telephonic or video-~~
26 ~~remote interpreting;~~

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

36 ~~(c) Provision of a secure, web-based tool that medical~~
37 ~~practitioners will use to schedule appointments for interpreter~~

1 ~~services and to identify the most appropriate, cost-effective method of~~
2 ~~service delivery in accordance with the state guidelines.~~

3 ~~Nothing in this subsection affects the ability of health care~~
4 ~~providers to provide interpretive services through employed staff or~~
5 ~~through telephone and video remote technologies when not reimbursed~~
6 ~~directly by the department. The amounts in this subsection do not~~
7 ~~include federal administrative funds provided to match nonstate~~
8 ~~expenditures by local health jurisdictions and governmental hospitals.~~

9 ~~(+29+))~~ (23) In its procurement of contractors for delivery of
10 medical managed care services for nondisabled, nonelderly persons, the
11 medical assistance program shall (a) place substantial emphasis upon
12 price competition in the selection of successful bidders; and (b) not
13 require delivery of any services that would increase the actuarial cost
14 of service beyond the levels included in current healthy options
15 contracts.

16 ~~((+30+))~~ (24) \$1,430,000 of the general fund--state appropriation
17 for fiscal year 2012, \$1,430,000 of the general fund--state
18 appropriation for fiscal year 2013, and \$2,860,000 of the general
19 fund--federal appropriation are provided solely to pay
20 federally-designated rural health clinics their standard encounter rate
21 for prenatal and well-child visits, whether delivered under a managed
22 care contract or fee-for-service. In reconciling managed care
23 enhancement payments for calendar years 2009 and 2010, the department
24 shall treat well-child and prenatal care visits as encounters subject
25 to the clinic's encounter rate.

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

32 ~~((+32+))~~ (26) \$70,000 of the general fund--state appropriation for
33 fiscal year 2012, \$70,000 of the general fund--state appropriation for
34 fiscal year 2013, and \$140,000 of the general fund--federal
35 appropriation are provided solely to continue operation by a nonprofit
36 organization of a toll-free hotline that assists families to learn
37 about and enroll in the apple health for kids program.

1 ~~((+33+))~~ (27) \$400,000 of the general fund--state appropriation for
2 fiscal year 2012 and \$400,000 of the general fund--state appropriation
3 for fiscal year 2013 is provided solely for the local outreach, case
4 management, and coordination with dental providers needed to execute
5 the access to baby and child dentistry program, which provides dental
6 care to Medicaid eligible children up to age six.

7 ~~((+34) \$1,868,000 of the general fund--state appropriation for
8 fiscal year 2012, \$1,873,000 of the general fund--state appropriation
9 for fiscal year 2013, and \$3,154,000 of the general fund--federal
10 appropriation are provided solely to))~~ (28) Within the amounts
11 appropriated in this section, the health care authority shall continue
12 to provide dental services to pregnant women. Services shall include
13 preventive, routine, and emergent dental care.

14 ~~((+35+))~~ (29) \$395,000 of the general fund--state appropriation for
15 fiscal year 2012, \$395,000 of the general fund--state appropriation for
16 fiscal year 2013, and \$790,000 of the general fund--federal
17 appropriation are provided solely for continued operation of the
18 dental education in care of persons with disabilities (DECOD) program
19 at the University of Washington.

20 ~~((+36) \$112,000))~~ (30) \$282,000 of the general fund--state
21 appropriation for fiscal year 2012, ~~((+36) \$112,000))~~ \$291,000 of the
22 general fund--state appropriation for fiscal year 2013, and
23 ~~((+36) \$1,928,000))~~ \$146,421,000 of the general fund--federal appropriation
24 are provided solely for the provider incentive program and other
25 initiatives related to the health information technology Medicaid plan.

26 ~~((+37+))~~ (31) \$2,926,000 of the general fund--local appropriation
27 and \$2,928,000 of the general fund--federal appropriation are provided
28 solely to support medical airlift services.

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

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

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

8 ~~((40))~~ (34) The department shall purchase a ~~((brand-name))~~ drug
9 when it determines that the cost of the ~~((brand-name))~~ drug after
10 rebates is less than the cost of other generic alternatives and that
11 purchase of the ~~((brand))~~ drug rather than the other generic version
12 can save at least \$250,000. The department may purchase other generic
13 alternatives when changes in market prices make the price of the
14 ~~((brand-name))~~ drug after rebates more expensive than the generic
15 alternatives.

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

22 (35) \$198,000 of the general fund--state appropriation for fiscal
23 year 2012, \$821,000 of the general fund--state appropriation for fiscal
24 year 2013, and \$9,170,000 of the general fund--federal appropriation
25 are provided solely to implement the federally-mandated conversion from
26 the ninth to the tenth version of the world health organization's
27 international classification of diseases.

28 (36) \$1,109,000 of the general fund--state appropriation for fiscal
29 year 2012, \$1,471,000 of the general fund--state appropriation for
30 fiscal year 2013, and \$21,890,000 of the general fund--federal
31 appropriation are provided solely to implement phase two of the project
32 to create a single provider payment system that consolidates medicaid
33 medical and social services payments and replaces the social service
34 payment system.

35 (37) Within the amounts appropriated in this section, the health
36 care authority shall develop a request for proposals to implement a
37 statewide full-risk administrative brokerage model for all medicaid
38 nonemergency transportation services provided under the medical

1 transportation program. The health care authority shall request bids
 2 within forty-five days after July 1, 2012. The model shall include an
 3 in-state call center. The health care authority, upon its
 4 determination of the winning bid, shall immediately apply to the
 5 federal centers for medicare and medicaid services for a state plan
 6 amendment to implement the brokerage model.

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

9 **FOR THE HUMAN RIGHTS COMMISSION**

10	General Fund--State Appropriation (FY 2012)	(\$2,240,000)
11		<u>\$2,015,000</u>
12	General Fund--State Appropriation (FY 2013)	(\$2,242,000)
13		<u>\$2,017,000</u>
14	General Fund--Federal Appropriation	\$1,903,000
15	TOTAL APPROPRIATION	(\$6,385,000)
16		<u>\$5,935,000</u>

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

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

20	Worker and Community Right-to-Know Account--State	
21	Appropriation	\$10,000
22	Accident Account--State Appropriation	(\$19,690,000)
23		<u>\$19,689,000</u>
24	Medical Aid Account--State Appropriation	\$19,689,000
25	TOTAL APPROPRIATION	(\$39,389,000)
26		<u>\$39,388,000</u>

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

29 (1) \$36,000 of the accident account--state appropriation and
 30 \$36,000 of the medical aid account--state appropriation are solely
 31 provided for Engrossed Substitute Senate Bill No. 5068 (industrial
 32 safety and health act). If the bill is not enacted by June 30, 2011,
 33 the amounts provided in this subsection shall lapse.

34 (2) \$16,000 of the accident account--state appropriation and
 35 \$16,000 of the medical aid account--state appropriation are solely

1 provided for Substitute Senate Bill No. 5801 (industrial insurance
2 system). If the bill is not enacted by June 30, 2011, the amounts
3 provided in this subsection shall lapse.

4 (3) \$1,893,000 of the accident account--state appropriation and
5 \$1,893,000 of the medical aid account--state appropriation are provided
6 solely for implementation of House Bill No. 2123 (workers'
7 compensation). If the bill is not enacted by June 30, 2011, the
8 amounts provided in this subsection shall lapse.

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

11 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

12	General Fund--State Appropriation (FY 2012)	((\$14,850,000))
13		<u>\$14,550,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$14,711,000))
15		<u>\$13,511,000</u>
16	General Fund--Federal Appropriation	\$456,000
17	General Fund--Private/Local Appropriation	\$4,048,000
18	Death Investigations Account--State Appropriation	\$148,000
19	Municipal Criminal Justice Assistance Account--	
20	State Appropriation	\$460,000
21	Washington Auto Theft Prevention Authority Account--	
22	State Appropriation	\$8,597,000
23	TOTAL APPROPRIATION	((\$43,270,000))
24		<u>\$41,770,000</u>

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

27 (1) \$5,000,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$5,000,000 of the general fund--state appropriation for
29 fiscal year 2013, are provided to the Washington association of
30 sheriffs and police chiefs solely to verify the address and residency
31 of registered sex offenders and kidnapping offenders under RCW
32 9A.44.130.

33 (2) \$321,000 of the general fund--local appropriation is provided
34 solely to purchase ammunition for the basic law enforcement academy.
35 Jurisdictions shall reimburse to the criminal justice training
36 commission the costs of ammunition, based on the average cost of

1 ammunition per cadet, for cadets that they enroll in the basic law
2 enforcement academy.

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

5 (4) \$100,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$100,000 of the general fund--state appropriation for
7 fiscal year 2013 are provided solely for a school safety program. The
8 commission, in collaboration with the school safety center advisory
9 committee, shall provide the school safety training for all school
10 administrators and school safety personnel hired after the effective
11 date of this section.

12 (5) \$96,000 of the general fund--state appropriation for fiscal
13 year 2012 and (~~(\$90,000)~~) \$96,000 of the general fund--state
14 appropriation for fiscal year 2013 are provided solely for the school
15 safety center within the commission. The safety center shall act as an
16 information dissemination and resource center when an incident occurs
17 in a school district in Washington or in another state, coordinate
18 activities relating to school safety, and review and approve manuals
19 and curricula used for school safety models and training. Through an
20 interagency agreement, the commission shall provide funding for the
21 office of the superintendent of public instruction to continue to
22 develop and maintain a school safety information web site. The school
23 safety center advisory committee shall develop and revise the training
24 program, using the best practices in school safety, for all school
25 safety personnel. The commission shall provide research-related
26 programs in school safety and security issues beneficial to both law
27 enforcement and schools.

28 (6) \$1,000,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,000,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for grants to counties enforcing
31 illegal drug laws and which have been underserved by federally funded
32 state narcotics task forces. The Washington association of sheriffs
33 and police chiefs, the Washington association of prosecuting attorneys,
34 and the Washington association of county officials shall jointly
35 develop funding allocations for the offices of the county sheriff,
36 county prosecutor, and county clerk in qualifying counties. The
37 commission shall not impose an administrative cost on this program.

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

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

4	General Fund--State Appropriation (FY 2012)	\$17,433,000
5	General Fund--State Appropriation (FY 2013)	(\$18,374,000)
6		<u>\$18,049,000</u>
7	General Fund--Federal Appropriation	\$11,636,000
8	Asbestos Account--State Appropriation	(\$395,000)
9		<u>\$379,000</u>
10	Electrical License Account--State Appropriation	(\$37,019,000)
11		<u>\$36,520,000</u>
12	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
13	Worker and Community Right-to-Know Account--	
14	State Appropriation	(\$949,000)
15		<u>\$922,000</u>
16	Public Works Administration Account--State	
17	Appropriation	(\$6,814,000)
18		<u>\$7,007,000</u>
19	Manufactured Home Installation Training Account--	
20	State Appropriation	\$334,000
21	Accident Account--State Appropriation	(\$252,809,000)
22		<u>\$253,453,000</u>
23	Accident Account--Federal Appropriation	\$13,622,000
24	Medical Aid Account--State Appropriation	(\$264,202,000)
25		<u>\$264,478,000</u>
26	Medical Aid Account--Federal Appropriation	\$3,186,000
27	Plumbing Certificate Account--State Appropriation	(\$1,688,000)
28		<u>\$1,684,000</u>
29	Pressure Systems Safety Account--State	
30	Appropriation	(\$4,068,000)
31		<u>\$4,070,000</u>
32	TOTAL APPROPRIATION	(\$632,557,000)
33		<u>\$632,801,000</u>

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

- 36 (1) Pursuant to RCW 43.135.055, the department is authorized to
37 increase fees related to factory assembled structures, contractor
38 registration, electricians, plumbers, asbestos removal, boilers,

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

5 (2) \$50,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$50,000 of the general fund--state appropriation for
7 fiscal year 2013 are provided solely for the crime victims compensation
8 program to pay claims for mental health services for crime victim
9 compensation program clients who have an established relationship with
10 a mental health provider and subsequently obtain coverage under the
11 medicaid program or the medical care services program under chapter
12 74.09 RCW. Prior to making such payment, the program must have
13 determined that payment for the specific treatment or provider is not
14 available under the medicaid or medical care services program. In
15 addition, the program shall make efforts to contact any healthy options
16 or medical care services health plan in which the client may be
17 enrolled to help the client obtain authorization to pay the claim on an
18 out-of-network basis.

19 (3) \$1,281,000 of the accident account--state appropriation and
20 \$1,281,000 of the medical aid account--state appropriation are provided
21 solely for implementation of Engrossed Substitute House Bill No. 1725
22 (workers' compensation). If the bill is not enacted by June 30, 2011,
23 the amounts provided in this subsection shall lapse.

24 (4) \$51,000 of the accident account--state appropriation and
25 \$51,000 of the medical aid account--state appropriation are provided
26 solely for implementation of Engrossed Substitute House Bill No. 1367
27 (for hire vehicles, operators). If the bill is not enacted by June 30,
28 2011, the amounts provided in this subsection shall lapse.

29 (5) \$8,727,000 of the medical aid account--state appropriation is
30 provided solely for implementation of Substitute Senate Bill No. 5801
31 (industrial insurance system). If the bill is not enacted by June 30,
32 2011, the amount provided in this subsection shall lapse.

33 (6) \$625,000 of the general fund--state appropriation for fiscal
34 year 2012, \$625,000 of the general fund--state appropriation for fiscal
35 year 2013, \$1,250,000 of the public works administration account--state
36 appropriation, \$708,000 of the accident account--state appropriation,
37 and \$708,000 of the medical aid account--state appropriation are
38 provided solely for the purposes of expanding the detecting

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

6 (7) \$8,583,000 of the accident account--state appropriation and
7 \$18,278,000 of the medical aid account--state appropriation are
8 provided solely for implementation of House Bill No. 2123 (workers'
9 compensation). If the bill is not enacted by June 30, 2011, the
10 amounts provided in this subsection shall lapse.

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

13 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

14 (1) HEADQUARTERS

15	General Fund--State Appropriation (FY 2012)	\$1,832,000
16	General Fund--State Appropriation (FY 2013)	\$1,826,000
17	Charitable, Educational, Penal, and Reformatory	
18	Institutions Account--State Appropriation	\$10,000
19	TOTAL APPROPRIATION	\$3,668,000

20 (2) FIELD SERVICES

21	General Fund--State Appropriation (FY 2012)	\$5,006,000
22	General Fund--State Appropriation (FY 2013)	\$5,001,000
23	General Fund--Federal Appropriation	\$3,356,000
24	General Fund--Private/Local Appropriation	\$4,737,000
25	Veterans Innovations Program Account--State	
26	Appropriation	\$812,000
27	Veteran Estate Management Account--Private/Local	
28	Appropriation	\$1,083,000
29	TOTAL APPROPRIATION	\$19,995,000

30 The appropriations in this subsection are subject to the following
31 conditions and limitations: \$821,000 of the veterans innovations
32 program account--state appropriation is provided solely for the
33 department to continue support for returning combat veterans through
34 the veterans innovation program, including emergency financial
35 assistance through the defenders' fund and long-term financial
36 assistance through the competitive grant program.

1	(3) INSTITUTIONAL SERVICES	
2	General Fund--State Appropriation (FY 2012)	(((\$899,000))
3		<u>\$1,755,000</u>
4	((General Fund--State Appropriation (FY 2013)	(\$71,000))
5	General Fund--Federal Appropriation	(((\$59,177,000))
6		<u>\$61,734,000</u>
7	General Fund--Private/Local Appropriation	(((\$32,094,000))
8		<u>\$29,724,000</u>
9	TOTAL APPROPRIATION	(((\$92,241,000))
10		<u>\$93,213,000</u>

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

13 **FOR THE DEPARTMENT OF HEALTH**

14	General Fund--State Appropriation (FY 2012)	(((\$79,888,000))
15		<u>\$77,497,000</u>
16	General Fund--State Appropriation (FY 2013)	(((\$79,718,000))
17		<u>\$73,135,000</u>
18	General Fund--Federal Appropriation	(((\$555,563,000))
19		<u>\$553,763,000</u>
20	General Fund--Private/Local Appropriation	(((\$148,362,000))
21		<u>\$148,456,000</u>
22	Hospital Data Collection Account--State Appropriation	\$214,000
23	Health Professions Account--State Appropriation	(((\$94,469,000))
24		<u>\$99,468,000</u>
25	Aquatic Lands Enhancement Account--State Appropriation	\$604,000
26	Emergency Medical Services and Trauma Care Systems	
27	Trust Account--State Appropriation	\$12,302,000
28	Safe Drinking Water Account--State Appropriation	\$4,480,000
29	Drinking Water Assistance Account--Federal	
30	Appropriation	\$22,875,000
31	Waterworks Operator Certification--State	
32	Appropriation	\$1,532,000
33	Drinking Water Assistance Administrative Account--	
34	State Appropriation	\$326,000
35	<u>Site Closure Account--State Appropriation</u>	<u>\$79,000</u>
36	Biotoxin Account--State Appropriation	\$1,167,000
37	State Toxics Control Account--State Appropriation	\$3,649,000

1	Medical Test Site Licensure Account--State	
2	Appropriation	\$2,321,000
3	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
4	Community and Economic Development Fee Account--State	
5	Appropriation	((\$596,000))
6		<u>\$298,000</u>
7	Public Health Supplemental Account--Private/Local	
8	Appropriation	\$3,598,000
9	Accident Account--State Appropriation	\$297,000
10	Medical Aid Account--State Appropriation	\$50,000
11	Tobacco Prevention and Control Account--State	
12	Appropriation	((\$37,000))
13		<u>\$2,982,000</u>
14	TOTAL APPROPRIATION	((\$1,013,560,000))
15		<u>\$1,010,605,000</u>

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

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

1 (2) In accordance with RCW 43.70.250 and 43.135.055, the department
2 is authorized to establish and raise fees in fiscal year 2012 as
3 necessary to meet the actual costs of conducting business and the
4 appropriation levels in this section. This authorization applies to
5 fees required for: The review of health care facility construction;
6 review of health facility requests for certificate of need; the
7 regulation and inspection of farm worker housing, hospital licensing,
8 in-home health service agencies, and producers of radioactive waste;
9 the regulation and inspection of shellfish sanitary control, surgical
10 facility licensing, and; fees associated with the following
11 professions: Dietitians and nutritionists, occupational therapists,
12 pharmacy, veterinarian, orthotics and prosthetics, surgical
13 technicians, nursing home administrators, health care assistants,
14 hearing and speech, psychology, hypnotherapy, chiropractic, social
15 workers, physicians, and physician assistants.

16 (3) \$1,969,000 of the health professions account--state
17 appropriation is provided solely to implement online licensing for
18 health care providers. The department must submit a detailed
19 investment plan for this project to the office of financial management.
20 The office of financial management must review and approve this plan
21 before funding may be expended. The department of health must
22 successfully implement online application and renewal for at least one
23 profession as a pilot project before pursuing additional professions.
24 The department must report to the office of financial management on the
25 outcome of the pilot project.

26 (4) \$16,000 of the health professions account--state appropriation
27 is provided solely for the implementation of House Bill No. 1181 (board
28 of naturopathy). If the bill is not enacted by June 30, 2011, the
29 amount provided in this subsection shall lapse.

30 (5) \$21,000 of the health professions account--state appropriation
31 is provided solely for the implementation of Substitute House Bill No.
32 1304 (health care assistants). If the bill is not enacted by June 30,
33 2011, the amount provided in this subsection shall lapse.

34 (6) \$54,000 of the health professions account--state appropriation
35 is provided solely for the implementation of House Bill No. 1353
36 (pharmacy technicians). If the bill is not enacted by June 30, 2011,
37 the amount provided in this subsection shall lapse.

1 (7) \$142,000 of the health professions account--state appropriation
2 is provided solely for the implementation of Engrossed Substitute
3 Senate Bill No. 5020 (social workers). If the bill is not enacted by
4 June 30, 2011, the amount provided in this subsection shall lapse.

5 (8) \$336,000 of the health professions account--state appropriation
6 is provided solely for the implementation of Senate Bill No. 5480
7 (physicians and physician assistants). If the bill is not enacted by
8 June 30, 2011, the amount provided in this subsection shall lapse.

9 (9) \$46,000 of the health professions account--state appropriation
10 is provided solely for the implementation of Substitute Senate Bill No.
11 5071 (online access for midwives and marriage and family therapists).
12 If the bill is not enacted by June 30, 2011, the amount provided in
13 this subsection shall lapse.

14 (10) \$137,000 of the health professions account--state
15 appropriation is provided solely for implementation of Substitute House
16 Bill No. 1133 (massage practitioner license). If the bill is not
17 enacted by June 30, 2011, the amount provided in this subsection shall
18 lapse.

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

31 (12) \$57,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$58,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for the midwifery licensure and
34 regulatory program to offset a reduction in revenue from fees. There
35 shall be no change to the current annual fees for new or renewed
36 licenses for the midwifery program, except from online access to HEAL-
37 WA. The department shall convene the midwifery advisory committee on
38 a quarterly basis to address issues related to licensed midwifery.

1 (13) (~~(\$118,000)~~) \$59,000 of the general fund--state appropriation
2 for fiscal year 2012 (~~(and \$118,000 of the general fund--state~~
3 ~~appropriation for fiscal year 2013 are))~~) is provided solely for
4 prevention of youth suicides.

5 (14) (~~(\$87,000 of the general fund--state appropriation for fiscal~~
6 ~~year 2012 and \$87,000 of the general fund--state appropriation for~~
7 ~~fiscal year 2013 are provided solely for the senior falls prevention~~
8 ~~program.)~~) \$95,000 of the general fund--private/local appropriation is
9 provided solely for implementation of Second Substitute House Bill No.
10 2211 (adoptee information access). If the bill is not enacted by June
11 30, 2012, the amount provided in this subsection shall lapse.

12 (15) \$1,245,000 of the tobacco prevention and control account--
13 state appropriation is provided solely for implementation of Engrossed
14 Substitute Senate Bill No. 5542 (cigar lounges/tobacconists). If the
15 bill is not enacted by June 30, 2012, the amount provided in this
16 subsection shall lapse.

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

19 **FOR THE DEPARTMENT OF CORRECTIONS**

20 The appropriations to the department of corrections in this act
21 shall be expended for the programs and in the amounts specified in this
22 section. However, after May 1, 2012, after approval by the director of
23 financial management and unless specifically prohibited by this act,
24 the department may transfer general fund--state appropriations for
25 fiscal year 2012 between programs. The department shall not transfer
26 funds, and the director of financial management shall not approve the
27 transfer, unless the transfer is consistent with the objective of
28 conserving, to the maximum extent possible, the expenditure of state
29 funds. The director of financial management shall notify the
30 appropriate fiscal committees of the senate and house of
31 representatives in writing seven days prior to approving any deviations
32 from appropriation levels. The written notification shall include a
33 narrative explanation and justification of the changes, along with
34 expenditures and allotments by budget unit and appropriation, both
35 before and after any allotment modifications or transfers.

36 (1) ADMINISTRATION AND SUPPORT SERVICES
37 General Fund--State Appropriation (FY 2012) (~~(\$54,529,000)~~)

1		<u>\$54,390,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$53,210,000))
3		<u>\$52,872,000</u>
4	TOTAL APPROPRIATION	((\$107,739,000))
5		<u>\$107,262,000</u>

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

19 (2) CORRECTIONAL OPERATIONS

20	General Fund--State Appropriation (FY 2012)	((\$609,105,000))
21		<u>\$605,219,000</u>
22	General Fund--State Appropriation (FY 2013)	((\$602,804,000))
23		<u>\$597,771,000</u>
24	General Fund--Federal Appropriation	\$3,324,000
25	Washington Auto Theft Prevention Authority Account--	
26	State Appropriation	\$14,079,000
27	TOTAL APPROPRIATION	((\$1,229,312,000))
28		<u>\$1,220,393,000</u>

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

- 31 (a) During the 2011-~~(13)~~ 2013 biennium, when contracts are
32 established or renewed for offender pay phone and other telephone
33 services provided to inmates, the department shall select the
34 contractor or contractors primarily based on the following factors:
35 (i) The lowest rate charged to both the inmate and the person paying
36 for the telephone call; and (ii) the lowest commission rates paid to
37 the department, while providing reasonable compensation to cover the

1 costs of the department to provide the telephone services to inmates
2 and provide sufficient revenues for the activities funded from the
3 institutional welfare betterment account.

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

9 (c) \$102,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$102,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely to implement House Bill No. 1290
12 (health care employee overtime). If the bill is not enacted by June
13 30, 2011, the amounts provided in this subsection shall lapse.

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

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

30 (f) Pursuant to RCW 43.135.055, the department is authorized to
31 increase fees related to offender health care copayments. To
32 discourage unwarranted use of health care services caused by
33 unnecessary visits to health care providers, offenders shall
34 participate in the costs of their health care services by paying a
35 nominal amount of no less than four dollars per visit, as determined by
36 the secretary. Under the authority granted in RCW 72.01.050(2), the
37 secretary may authorize the superintendent to collect this amount

1 directly from an offender's institution account. All copayments
2 collected from offenders' institution accounts shall be deposited into
3 the general fund.

4 (g) \$311,000 of the general fund--state appropriation for fiscal
5 year 2013 is provided solely for implementation of House Bill No. 2346
6 (correctional officer uniforms). If the bill is not enacted by June
7 30, 2012, the amount provided in this subsection shall lapse.

8 (3) COMMUNITY SUPERVISION

9	General Fund--State Appropriation (FY 2012)	((\$129,635,000))
10		<u>\$128,834,000</u>
11	General Fund--State Appropriation (FY 2013)	((\$128,049,000))
12		<u>\$123,222,000</u>
13	Federal Narcotics Forfeiture Account--Federal	
14	Appropriation	\$372,000
15	Controlled Substances Account--State	
16	Appropriation	\$32,000
17	TOTAL APPROPRIATION	((\$258,088,000))
18		<u>\$252,460,000</u>

19 The appropriations in this subsection are subject to the following
20 conditions and limitations: \$875,000 of the general fund--state
21 appropriation for fiscal year 2012 is provided solely to implement
22 Engrossed Substitute House Bill No. 5891 (criminal justice cost
23 savings). If the bill is not enacted by June 30, 2011, the amount
24 provided in this subsection shall lapse.

25 (4) CORRECTIONAL INDUSTRIES

26	General Fund--State Appropriation (FY 2012)	\$3,535,000
27	General Fund--State Appropriation (FY 2013)	\$3,458,000
28	TOTAL APPROPRIATION	\$6,993,000

29 The appropriations in this subsection are subject to the following
30 conditions and limitations: \$66,000 of the general fund--state
31 appropriation for fiscal year 2012 is provided solely for transfer to
32 the jail industries board. The board shall use the amounts provided
33 only for administrative expenses, equipment purchases, and technical
34 assistance associated with advising cities and counties in developing,
35 promoting, and implementing consistent, safe, and efficient offender
36 work programs.

37 (5) INTERAGENCY PAYMENTS

1	General Fund--State Appropriation (FY 2012)	\$37,053,000
2	General Fund--State Appropriation (FY 2013)	((\$35,549,000))
3		<u>\$35,550,000</u>
4	TOTAL APPROPRIATION	((\$72,602,000))
5		<u>\$72,603,000</u>

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

8 (a) The state prison institutions may use funds appropriated in
9 this subsection to rent uniforms from correctional industries in
10 accordance with existing legislative mandates. If House Bill No. 2346
11 is enacted by June 30, 2012, this subsection (5)(a) is null and void as
12 of June 30, 2012.

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

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

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

25 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

26	General Fund--State Appropriation (FY 2012)	((\$2,278,000))
27		<u>\$2,164,000</u>
28	General Fund--State Appropriation (FY 2013)	((\$2,264,000))
29		<u>\$2,151,000</u>
30	General Fund--Federal Appropriation	((\$19,082,000))
31		<u>\$19,309,000</u>
32	General Fund--Private/Local Appropriation	\$30,000
33	TOTAL APPROPRIATION	\$23,654,000

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

36 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

1	General Fund--Federal Appropriation	((\$267,301,000))
2		<u>\$267,298,000</u>
3	General Fund--Private/Local Appropriation	\$33,931,000
4	Unemployment Compensation Administration Account--	
5	Federal Appropriation	((\$350,622,000))
6		<u>\$350,618,000</u>
7	Administrative Contingency Account--State	
8	Appropriation	\$20,948,000
9	Employment Service Administrative Account--State	
10	Appropriation	((\$33,721,000))
11		<u>\$33,720,000</u>
12	TOTAL APPROPRIATION	((\$706,523,000))
13		<u>\$706,515,000</u>

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

16 (1) \$39,666,000 of the unemployment compensation administration
17 account--federal appropriation is from amounts made available to the
18 state by section 903 (d), (f), and (g) of the social security act (Reed
19 act). This amount is provided solely for continuing current
20 unemployment insurance functions and department services to employers
21 and job seekers.

22 (2) \$35,584,000 of the unemployment compensation administration
23 account--federal appropriation is from amounts made available to the
24 state by section 903 (d), (f), and (g) of the social security act (Reed
25 act). This amount is provided solely for the replacement of the
26 unemployment insurance tax information system for the employment
27 security department. The employment security department shall support
28 the department of revenue and department of labor and industries to
29 develop a common vision to ensure technological compatibility between
30 the three agencies to facilitate a coordinated business tax system for
31 the future that improves services to business customers. The amounts
32 provided in this subsection are conditioned on the department
33 satisfying the requirements of the project management oversight
34 standards and policies established by the office of the chief
35 information officer created in Engrossed Substitute Senate Bill No.
36 5931 (information technology management).

37 (3) \$25,000 of the unemployment compensation administration
38 account--federal appropriation is from amounts made available to the

1 state by section 903 (d), (f), and (g) of the social security act (Reed
2 act). This amount is provided solely for implementation of system
3 changes to the unemployment insurance tax information system required
4 under chapter 4, Laws of 2011 (unemployment insurance program).

5 (4) \$1,459,000 of the unemployment compensation administration
6 account--federal appropriation is from amounts available to the state
7 by section 903 (d), (f), and (g) of the social security act (Reed act).
8 This amount is provided solely for implementation of chapter 4, Laws of
9 2011 (unemployment insurance program).

10 (5) (~~(\$60,000)~~) \$80,000 of the unemployment compensation
11 administration account--federal appropriation is provided solely for
12 costs associated with the initial review and evaluation of the training
13 benefits program as directed in section 15(2), chapter 4, Laws of 2011
14 (unemployment insurance program). The initial review shall be
15 developed by the joint legislative audit and review committee. This
16 appropriation is provided from funds made available to the state by
17 section 903 (d), (f), and (g) of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

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

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2012)	.. . . . .	(\$402,000)
		<u>\$384,000</u>
General Fund--State Appropriation (FY 2013)	.. . . . .	(\$410,000)
		<u>\$392,000</u>
General Fund--Federal Appropriation	.. . . . .	\$31,000
General Fund--Private/Local Appropriation	.. . . . .	(\$782,000)
		<u>\$746,000</u>
TOTAL APPROPRIATION	.. . . . .	(\$1,625,000)
		<u>\$1,553,000</u>

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

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2012)	.. . . . .	(\$47,630,000)
		<u>\$44,938,000</u>
General Fund--State Appropriation (FY 2013)	.. . . . .	(\$46,226,000)
		<u>\$36,136,000</u>
General Fund--Federal Appropriation	.. . . . .	\$77,452,000
General Fund--Private/Local Appropriation	.. . . . .	\$16,691,000
Special Grass Seed Burning Research Account--State Appropriation	.. . . . .	\$3,000
Reclamation Revolving Account--State Appropriation	.. . . . .	\$3,642,000
Flood Control Assistance Account--State Appropriation	.. . . . .	\$1,940,000
State Emergency Water Projects Revolving Account--State Appropriation	.. . . . .	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation	.. . . . .	\$11,478,000
State Drought Preparedness Account--State Appropriation	.. . . . .	\$118,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	.. . . . .	\$423,000

1 TOTAL APPROPRIATION ((~~\$421,842,000~~))
2 \$404,861,000

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

5 (1) \$170,000 of the oil spill prevention account--state
6 appropriation is provided solely for a contract with the University of
7 Washington's sea grant program to continue an educational program
8 targeted to small spills from commercial fishing vessels, ferries,
9 cruise ships, ports, and marinas.

10 (2) Pursuant to RCW 43.135.055, the department is authorized to
11 increase the following fees as necessary to meet the actual costs of
12 conducting business and the appropriation levels in this section:
13 Wastewater discharge permit, not more than 4.34 percent in fiscal year
14 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
15 more than 10 percent during the biennium; and air contaminate source
16 registration fee, not more than 36 percent during the biennium;
17 agricultural burning acreage and pile burning fees, not more than 25
18 percent and 100 percent respectively; and dam safety and inspection
19 fees, not more than 35 percent in fiscal year 2012 and 4.62 percent in
20 fiscal year 2013.

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

26 (4) \$463,000 of the state toxics control account--state
27 appropriation is provided solely for implementation of Engrossed Second
28 Substitute House Bill No. 1186 (state's oil spill program). If the
29 bill is not enacted by June 30, 2011, the amount provided in this
30 subsection shall lapse.

31 (5) The department may not spend waste reduction, recycling, and
32 litter control account funds to support the following activities: The
33 beyond waste plan, work on national solid waste recycling issues, work
34 on construction and demolition recycling and green building
35 alternatives, education programs including the green schools
36 initiative, and management of the 1-800-recycle hotline and database on
37 school awards. Waste reduction, recycling, and litter account control

1 funds must be prioritized to support litter pickup using correctional
2 crews, regulatory programs, and technical assistance to local
3 governments.

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

13 (7) The department shall review its water rights application review
14 procedures to simplify the procedures, eliminate unnecessary steps, and
15 decrease the time required to issue decisions. The department shall
16 implement changes to improve water rights processing for which it has
17 current administrative authority. The department shall report on
18 reforms implemented and efficiencies achieved as demonstrated through
19 enhanced permit processing to the appropriate committees of the
20 legislature on December 1, 2011, and October 1, 2012. Prior to
21 spending any funds on the final technical support document on fish
22 consumption rates (Publication No. 11-09-050), or filing CR-102 draft
23 rule language that establishes standards or criteria for human health
24 based on fish consumption rates under WAC 173-204, the department of
25 ecology shall present to the appropriate environmental and fiscal
26 standing committees of the legislature, technical support document No.
27 11-09-050 and proposed revised standards or criteria together with the
28 statements, determination, and documentation set forth in RCW 34.05.328
29 including without limitation a cost benefit analysis, a least
30 burdensome alternative analysis, an implementation plan, and
31 substantial evidence that any difference between the proposed criteria
32 and the national toxics rule is necessary to achieve the general and
33 specific objectives of the applicable state statute.

34 (a) The department shall consult with key stakeholders on statutory
35 barriers to efficient water rights processing and effective water
36 management, including identification of obsolete, confusing, or
37 conflicting statutory provisions. The department shall report

1 stakeholder recommendations to appropriate committees of the
2 legislature by December 1, 2011, and October 1, 2012.

3 (b) \$500,000 of the general fund--state appropriation for fiscal
4 year 2013 is provided solely for processing water right permit
5 applications only if the department of ecology issues at least five
6 hundred water right decisions in fiscal year 2012, and if the
7 department of ecology does not issue at least five hundred water right
8 decisions in fiscal year 2012 the amount provided in this subsection
9 shall lapse and remain unexpended. The department of ecology shall
10 submit a report to the office of financial management and the state
11 treasurer by June 30, 2012, that documents whether five hundred water
12 right decisions were issued in fiscal year 2012.

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

16 (8) \$1,075,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$1,075,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for processing the backlog of
19 pending water rights permit applications in the water resources
20 program.

21 (9) \$180,000 of the general fund--state appropriation for fiscal
22 year 2013 is provided solely for implementation of Engrossed Second
23 Substitute House Bill No. 2253 (SEPA). If the bill is not enacted by
24 June 30, 2012, the amount provided in this subsection shall lapse.

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

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

28	General Fund--State Appropriation (FY 2012)	\$8,955,000
29	General Fund--State Appropriation (FY 2013)	\$8,379,000
30	General Fund--Federal Appropriation	\$5,905,000
31	Winter Recreation Program Account--State Appropriation . . .	\$1,761,000
32	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
33	Snowmobile Account--State Appropriation	\$4,848,000
34	Aquatic Lands Enhancement Account--State Appropriation	\$363,000
35	Parks Renewal and Stewardship Account--State	
36	Appropriation	(\$116,087,000)
37		<u>\$106,657,000</u>

1 Parks Renewal and Stewardship Account--Private/Local
 2 Appropriation \$300,000
 3 TOTAL APPROPRIATION (~~(\$146,822,000)~~)
 4 \$137,392,000

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

7 (1) \$8,876,000 of the general fund--state appropriation for fiscal
 8 year 2012 and \$8,300,000 of the general fund--state appropriation for
 9 fiscal year 2013 are provided solely to operate and maintain state
 10 parks as the commission implements a new fee structure. The goal of
 11 this structure is to make the parks system self-supporting. By August
 12 1, 2012, state parks must submit a report to the office of financial
 13 management detailing its progress toward this goal and outlining any
 14 additional statutory changes needed for successful implementation.

15 (2) \$79,000 of the general fund--state appropriation for fiscal
 16 year 2012 and \$79,000 of the general fund--state appropriation for
 17 fiscal year 2013 are provided solely for a grant for the operation of
 18 the Northwest avalanche center.

19 (3) \$53,928,000 of the parks renewal and stewardship account--state
 20 appropriation is provided solely for implementation of Second
 21 Substitute Senate Bill No. 5622 (state land recreation access). If the
 22 bill is not enacted by June 30, 2011, the amount provided in this
 23 subsection shall lapse.

24 (4) Prior to closing any state park, the commission must notify all
 25 affected local governments and relevant nonprofit organizations of the
 26 intended closure and provide an opportunity for the notified local
 27 governments and nonprofit organizations to elect to acquire, or enter
 28 into, a maintenance and operating contract with the commission that
 29 would allow the park to remain open.

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

32 **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**
 33 General Fund--State Appropriation (FY 2012) (~~(\$954,000)~~)
 34 \$761,000
 35 General Fund--State Appropriation (FY 2013) (~~(\$973,000)~~)
 36 \$604,000
 37 General Fund--Federal Appropriation \$3,299,000

1	General Fund--Private/Local Appropriation	(((\$274,000)))
2		<u>\$24,000</u>
3	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
4	Vessel Response Account--State Appropriation	\$100,000
5	Firearms Range Account--State Appropriation	\$37,000
6	Recreation Resources Account--State Appropriation	(((\$2,874,000)))
7		<u>\$2,914,000</u>
8	NOVA Program Account--State Appropriation	\$900,000
9	TOTAL APPROPRIATION	(((\$9,689,000)))
10		<u>\$8,917,000</u>

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

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

21 **FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

22	General Fund--State Appropriation (FY 2012)	(((\$2,308,000)))
23		<u>\$2,187,000</u>
24	General Fund--State Appropriation (FY 2013)	(((\$2,275,000)))
25		<u>\$2,078,000</u>
26	TOTAL APPROPRIATION	(((\$4,583,000)))
27		<u>\$4,265,000</u>

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

30 **FOR THE CONSERVATION COMMISSION**

31	General Fund--State Appropriation (FY 2012)	(((\$6,789,000)))
32		<u>\$6,301,000</u>
33	General Fund--State Appropriation (FY 2013)	(((\$6,792,000)))
34		<u>\$6,322,000</u>
35	General Fund--Federal Appropriation	\$1,301,000
36	TOTAL APPROPRIATION	(((\$14,882,000)))

1 \$13,924,000

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

4 (1) The conservation commission, in cooperation with all
5 conservation districts, will seek to minimize conservation district
6 overhead costs. These efforts may include consolidating conservation
7 districts.

8 (2) \$122,000 of the general fund--federal appropriation is provided
9 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center
10 process). If the bill is not enacted by June 30, 2011, the amount
11 provided in this subsection shall lapse.

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

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

15	General Fund--State Appropriation (FY 2012)	((\$34,695,000))
16		<u>\$30,661,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$32,388,000))
18		<u>\$25,147,000</u>
19	General Fund--Federal Appropriation	\$105,717,000
20	General Fund--Private/Local Appropriation	((\$57,025,000))
21		<u>\$57,511,000</u>
22	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
23	Aquatic Lands Enhancement Account--State	
24	Appropriation	((\$8,230,000))
25		<u>\$16,230,000</u>
26	Recreational Fisheries Enhancement--State Appropriation .	((\$3,550,000))
27		<u>\$2,800,000</u>
28	Warm Water Game Fish Account--State Appropriation . . .	((\$3,051,000))
29		<u>\$2,851,000</u>
30	Eastern Washington Pheasant Enhancement Account--State	
31	Appropriation	\$849,000
32	Aquatic Invasive Species Enforcement Account--State	
33	Appropriation	\$204,000
34	Aquatic Invasive Species Prevention Account--State	
35	Appropriation	\$719,000
36	State Wildlife Account--State Appropriation	((\$100,424,000))
37		<u>\$102,043,000</u>

1	Special Wildlife Account--State Appropriation	\$2,384,000
2	Special Wildlife Account--Federal Appropriation	\$500,000
3	Special Wildlife Account--Private/Local Appropriation	\$3,415,000
4	Wildlife Rehabilitation Account--State Appropriation	\$259,000
5	Regional Fisheries Enhancement Salmonid Recovery	
6	Account--Federal Appropriation	\$5,001,000
7	Oil Spill Prevention Account--State Appropriation	\$887,000
8	Oyster Reserve Land Account--State Appropriation	\$921,000
9	TOTAL APPROPRIATION	(\$360,610,000)
10		<u>\$358,490,000</u>

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

13 (1) \$294,000 of the aquatic lands enhancement account--state
14 appropriation is provided solely for the implementation of hatchery
15 reform recommendations defined by the hatchery scientific review group.

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

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

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

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

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

37 (e) The Colville Tribes have agreed to recognize a fishing license
38 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal

1 member fishing permit requirements of Colville tribal law on the
2 reservation portion of the waters of Lake Rufus Woods and at designated
3 fishing areas on the north shore of Lake Rufus Woods;

4 (3) Prior to submitting its 2013-2015 biennial operating and
5 capital budget request related to state fish hatcheries to the office
6 of financial management, the department shall contract with the
7 hatchery scientific review group (HSRG) to review this request. This
8 review shall: (a) Determine if the proposed requests are consistent
9 with HSRG recommendations; (b) prioritize the components of the
10 requests based on their contributions to protecting wild salmonid
11 stocks and meeting the recommendations of the HSRG; and (c) evaluate
12 whether the proposed requests are being made in the most cost effective
13 manner. The department shall provide a copy of the HSRG review to the
14 office of financial management with their agency budget proposal.

15 (4) \$400,000 of the general fund--state appropriation for fiscal
16 year 2012 and \$400,000 of the general fund--state appropriation for
17 fiscal year 2013 are provided solely for a state match to support the
18 Puget Sound nearshore partnership between the department and the U.S.
19 army corps of engineers.

20 (5) \$50,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$50,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for removal of derelict gear in
23 Washington waters.

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

32 (7) Within the amounts appropriated in this section, the department
33 shall identify additional opportunities for partnerships in order to
34 keep fish hatcheries operational. Such partnerships shall aim to
35 maintain fish production and salmon recovery with less reliance on
36 state operating funds.

37 (8) By September 1, 2011, the department shall update its
38 interagency agreement dated September 30, 2010, with the department of

1 natural resources concerning land management services on the department
2 of fish and wildlife's wildlife conservation and recreation lands. The
3 update shall include rates and terms for services.

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

8 (10) \$18,514,000 of the state wildlife account--state appropriation
9 is provided solely for the implementation of Second Substitute Senate
10 Bill No. 5385 (state wildlife account). If the bill is not enacted by
11 June 30, 2011, the amount provided in this subsection shall lapse.

12 (11) (~~(\$9,418,000)~~) \$8,522,000 of the state wildlife account--state
13 appropriation is provided solely for the implementation of Second
14 Substitute Senate Bill No. 5622 (state land recreation access). If the
15 bill is not enacted by June 30, 2011, the amount provided in this
16 subsection shall lapse.

17 (12) \$50,000 of the state wildlife account--state appropriation is
18 provided solely for mitigation, claims, and assessment costs for injury
19 or loss of livestock caused by wolves, black bears, and cougars
20 pursuant to House Bill No. 2365 (carnivore conflicts). If the bill is
21 not enacted by June 30, 2012, the amount provided in this section shall
22 lapse.

23 (13) \$14,000 of the general fund--state appropriation for fiscal
24 year 2013 is provided solely for implementation of Engrossed Second
25 Substitute House Bill No. 2253 (SEPA). If the bill is not enacted by
26 June 30, 2012, the amount provided in this subsection shall lapse.

27 **Sec. 308.** 2011 2nd sp.s. c 9 s 308 (uncodified) is amended to read
28 as follows:

29 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

30	General Fund--State Appropriation (FY 2012)	((\$31,324,000))
31		<u>\$30,765,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$35,791,000))
33		<u>\$32,622,000</u>
34	General Fund--Federal Appropriation	\$27,919,000
35	General Fund--Private/Local Appropriation	\$2,374,000
36	Forest Development Account--State Appropriation	((\$41,717,000))
37		<u>\$47,063,000</u>

1 ORV and Nonhighway Vehicle Account--State Appropriation . . \$4,387,000
2 Surveys and Maps Account--State Appropriation (~~(\$2,346,000)~~)
3 \$2,124,000
4 Aquatic Lands Enhancement Account--State
5 Appropriation (~~(\$7,224,000)~~)
6 \$2,907,000
7 Resources Management Cost Account--State
8 Appropriation (~~(\$82,097,000)~~)
9 \$88,007,000
10 Surface Mining Reclamation Account--State
11 Appropriation (~~(\$3,484,000)~~)
12 \$3,487,000
13 Disaster Response Account--State Appropriation \$5,000,000
14 Forest and Fish Support Account--State Appropriation . . (~~(\$7,933,000)~~)
15 \$8,420,000
16 Aquatic Land Dredged Material Disposal Site
17 Account--State Appropriation \$838,000
18 Natural Resources Conservation Areas Stewardship
19 Account--State Appropriation \$34,000
20 State Toxics Control Account--State Appropriation \$80,000
21 Air Pollution Control Account--State Appropriation (~~(\$669,000)~~)
22 \$540,000
23 NOVA Program Account--State Appropriation \$639,000
24 Derelict Vessel Removal Account--State Appropriation \$1,761,000
25 Agricultural College Trust Management Account--State
26 Appropriation \$1,854,000
27 TOTAL APPROPRIATION (~~(\$257,471,000)~~)
28 \$260,821,000

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

31 (1) \$710,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$915,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for deposit into the agricultural
34 college trust management account and are provided solely to manage
35 approximately 70,700 acres of Washington State University's
36 agricultural college trust lands.

37 (2) \$8,030,000 of the general fund--state appropriation for fiscal
38 year 2012, (~~(\$10,037,000)~~) \$7,899,000 of the general fund--state

1 appropriation for fiscal year 2013, \$2,138,000 of the forest
2 development account--state appropriation for fiscal year 2013, and
3 \$5,000,000 of the disaster response account--state appropriation are
4 provided solely for emergency fire suppression. None of the general
5 fund and disaster response account amounts provided in this subsection
6 may be used to fund agency indirect and administrative expenses.
7 Agency indirect and administrative costs shall be allocated among the
8 agency's remaining accounts and appropriations. The department of
9 natural resources shall submit a quarterly report to the office of
10 financial management and the legislative fiscal committees detailing
11 information on current and planned expenditures from the disaster
12 response account. This work shall be done in coordination with the
13 military department.

14 (3) \$4,000,000 of the forest and fish support account--state
15 appropriation is provided solely for adaptive management, monitoring,
16 and participation grants to tribes. If federal funding for this
17 purpose is reinstated, the amount provided in this subsection shall
18 lapse.

19 (4) \$333,000 of the forest and fish support account--state
20 appropriation is provided solely for adaptive management, monitoring,
21 and participation grants to nongovernmental organizations.

22 (5) (~~(\$487,000)~~) \$717,000 of the (~~(general fund)~~) forest and fish
23 support account--state appropriation is provided solely to fund
24 interagency agreements with the department of ecology and the
25 department of fish and wildlife as part of the adaptive management
26 process.

27 (6) \$1,000,000 of the general fund--federal appropriation and
28 \$1,000,000 of the forest and fish support account--state appropriation
29 are provided solely for continuing scientific studies already underway
30 as part of the adaptive management process. Funds may not be used to
31 initiate new studies unless the department secures new federal funding
32 for the adaptive management process.

33 (7) The department is authorized to increase the silviculture
34 burning permit fee in the 2011-2013 biennium by up to eighty dollars
35 plus fifty cents per ton for each ton of material burned in excess of
36 one hundred tons.

37 (8) \$440,000 of the state general fund--state appropriation for
38 fiscal year 2012 and \$440,000 of the state general fund--state

1 appropriation for fiscal year 2013 are provided solely for forest work
2 crews that support correctional camps and are contingent upon
3 continuing operations of Naselle youth camp.

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

9 **Sec. 309.** 2011 2nd sp.s. c 9 s 309 (uncodified) is amended to read
10 as follows:

11 **FOR THE DEPARTMENT OF AGRICULTURE**

12	General Fund--State Appropriation (FY 2012)	((\$15,484,000))
13		<u>\$15,434,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$14,875,000))
15		<u>\$16,266,000</u>
16	General Fund--Federal Appropriation	((\$22,940,000))
17		<u>\$22,937,000</u>
18	General Fund--Private/Local Appropriation	\$190,000
19	Aquatic Lands Enhancement Account--State	
20	Appropriation	\$2,553,000
21	State Toxics Control Account--State Appropriation	\$5,118,000
22	Water Quality Permit Account--State Appropriation	\$60,000
23	Freshwater Aquatic Weeds Account--State Appropriation	\$280,000
24	TOTAL APPROPRIATION	((\$61,500,000))
25		<u>\$62,838,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations: \$5,308,445 of the general fund--state
28 appropriation for fiscal year 2012 and ((~~\$5,302,905~~)) \$6,802,905 of the
29 general fund--state appropriation for fiscal year 2013 are provided
30 solely for implementing the food assistance program as defined in RCW
31 43.23.290.

32 **Sec. 310.** 2011 2nd sp.s. c 9 s 310 (uncodified) is amended to read
33 as follows:

34 **FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**

35	Pollution Liability Insurance Program Trust	
36	Account--State Appropriation	\$668,000

1 **Sec. 311.** 2011 2nd sp.s. c 9 s 311 (uncodified) is amended to read
2 as follows:

3 **FOR THE PUGET SOUND PARTNERSHIP**

4	General Fund--State Appropriation (FY 2012)	(\$2,399,000)
5		<u>\$1,858,000</u>
6	(General Fund--State Appropriation (FY 2013)	\$2,424,000)
7	General Fund--Federal Appropriation	(\$9,581,000)
8		<u>\$11,452,000</u>
9	General Fund--Private/Local Appropriation	(\$25,000)
10		<u>\$17,000</u>
11	Aquatic Lands Enhancement Account--State Appropriation . .	(\$493,000)
12		<u>\$408,000</u>
13	State Toxics Control Account--State Appropriation	\$665,000
14	TOTAL APPROPRIATION	(\$15,587,000)
15		<u>\$14,400,000</u>

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

18 (1) \$665,000 of the state toxics control account--state
19 appropriation is provided solely for activities that contribute to
20 Puget Sound protection and recovery, including provision of independent
21 advice and assessment of the state's oil spill prevention,
22 preparedness, and response programs, including review of existing
23 activities and recommendations for any necessary improvements. The
24 partnership may carry out this function through an existing committee,
25 such as the ecosystem coordination board or the leadership council, or
26 may appoint a special advisory council. Because this is a unique
27 statewide program, the partnership may invite participation from
28 outside the Puget Sound region.

29 (2) Within the amounts appropriated in this section, the Puget
30 Sound partnership shall facilitate an ongoing monitoring consortium to
31 integrate monitoring efforts for storm water, water quality, watershed
32 health, and other indicators to enhance monitoring efforts in Puget
33 Sound.

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2011 2nd sp.s. c 9 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2012)	\$1,167,000
General Fund--State Appropriation (FY 2013)	\$1,307,000
Architects' License Account--State Appropriation	\$1,084,000
Professional Engineers' Account--State Appropriation	\$3,518,000
Real Estate Commission Account--State Appropriation	\$9,833,000
Uniform Commercial Code Account--State Appropriation	\$3,120,000
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State Appropriation	\$1,687,000
Business and Professions Account--State Appropriation	((\$15,592,000))
	<u>\$15,742,000</u>
Real Estate Research Account--State Appropriation	\$622,000
Geologists' Account--State Appropriation	\$51,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	((\$38,288,000))
	<u>\$38,438,000</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 collection agencies. This increase is necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$8,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5574 (collection agencies).

(3) \$150,000 of the business and professions account--state appropriation is provided solely for the implementation of Substitute

1 House Bill No. 2301 (boxing, martial arts, and wrestling). If the bill
2 is not enacted by June 30, 2012, the amount provided in this subsection
3 shall lapse.

4 **Sec. 402.** 2011 2nd sp.s. c 9 s 402 (uncodified) is amended to read
5 as follows:

6 **FOR THE STATE PATROL**

7	General Fund--State Appropriation (FY 2012)	((\$37,352,000))
8		<u>\$36,337,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$35,108,000))
10		<u>\$34,048,000</u>
11	General Fund--Federal Appropriation	\$16,081,000
12	General Fund--Private/Local Appropriation	\$3,021,000
13	Death Investigations Account--State Appropriation	\$5,551,000
14	County Criminal Justice Assistance Account--State	
15	Appropriation	\$3,215,000
16	Municipal Criminal Justice Assistance Account--State	
17	Appropriation	\$1,290,000
18	Fire Service Trust Account--State Appropriation	\$131,000
19	Disaster Response Account--State Appropriation	\$8,002,000
20	Fire Service Training Account--State Appropriation	\$9,394,000
21	Aquatic Invasive Species Enforcement Account--State	
22	Appropriation	\$54,000
23	State Toxics Control Account--State Appropriation	\$505,000
24	Fingerprint Identification Account--State	
25	Appropriation	((\$10,090,000))
26		<u>\$10,091,000</u>
27	Vehicle License Fraud Account--State Appropriation	((\$339,000))
28		<u>\$439,000</u>
29	TOTAL APPROPRIATION	((\$130,133,000))
30		<u>\$128,159,000</u>

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

- 33 (1) \$200,000 of the fire service training account--state
34 appropriation is provided solely for two FTEs in the office of the
35 state director of fire protection to exclusively review K-12
36 construction documents for fire and life safety in accordance with the

1 state building code. It is the intent of this appropriation to provide
2 these services only to those districts that are located in counties
3 without qualified review capabilities.

4 (2) \$8,000,000 of the disaster response account--state
5 appropriation is provided solely for Washington state fire service
6 resource mobilization costs incurred in response to an emergency or
7 disaster authorized under RCW 43.43.960 and 43.43.964. The state
8 patrol shall submit a report quarterly to the office of financial
9 management and the legislative fiscal committees detailing information
10 on current and planned expenditures from this account. This work shall
11 be done in coordination with the military department.

12 (3) \$400,000 of the fire service training account--state
13 appropriation is provided solely for the firefighter apprenticeship
14 training program.

15 (4) In accordance with RCW 43.43.742 the state patrol is authorized
16 to increase the following fees in fiscal year 2012 as necessary to meet
17 the actual costs of conducting business and the appropriation levels in
18 this section: Notary service fee.

19 (5) \$59,000 of the fingerprint identification account--state
20 appropriation is provided solely for implementation of Engrossed Second
21 Substitute House Bill No. 1776 (child care center licensing). If the
22 bill is not enacted by June 30, 2011, the amount provided in this
23 subsection shall lapse.

24 (6) \$6,000 of the fingerprint identification account--state
25 appropriation is provided solely for implementation of Engrossed
26 Substitute House Bill No. 1494 (vulnerable adult referrals). If the
27 bill is not enacted by June 30, 2011, the amount provided in this
28 subsection shall lapse.

29 (7) \$1,000 of the fingerprint identification account--state
30 appropriation is provided solely for implementation of Engrossed Senate
31 Bill No. 6269 (background checks). If the bill is not enacted by June
32 30, 2012, the amount provided in this subsection shall lapse.

(End of part)

PART V
EDUCATION

Sec. 501. 2011 2nd sp.s. c 9 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	((\$25,406,000))
	<u>\$25,137,000</u>
General Fund--State Appropriation (FY 2013)	((\$22,502,000))
	<u>\$15,673,000</u>
General Fund--Federal Appropriation	\$77,065,000
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	((\$128,973,000))
	<u>\$121,875,000</u>

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

(1) A maximum of ((~~\$16,139,000~~)) \$15,878,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,335,000~~)) \$11,916,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$9,775,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$8,532,000~~)) \$8,448,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

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

1 (iii) Within the amounts provided, and in consultation with the
2 public school employees of Washington and the Washington school
3 counselors' association, the office of the superintendent of public
4 instruction shall develop a model policy that further defines the
5 recommended roles and responsibilities of graduation coaches and
6 identifies best practices for how graduation coaches work in
7 coordination with school counselors and in the context of a
8 comprehensive school guidance and counseling program.

9 (iv) The office of the superintendent of public instruction shall,
10 no later than August 1, 2011, establish a standard statewide definition
11 of unexcused absence. The definition shall be reported to the ways and
12 means committees of the senate and house of representatives for
13 legislative review in the 2012 legislative session. Beginning no later
14 than January 1, 2012, districts shall report to the office of the
15 superintendent of public instruction, daily student unexcused absence
16 data by school.

17 (b) \$1,964,000 of the general fund--state appropriation for fiscal
18 year 2012 (~~((and \$1,017,000 of the general fund--state appropriation for~~
19 ~~fiscal year 2013 are))~~) is provided solely for activities associated
20 with the implementation of new school finance systems required by
21 chapter 236, Laws of 2010 (K-12 education funding) and chapter 548,
22 Laws of 2009 (state's education system), including technical staff,
23 systems reprogramming, and workgroup deliberations, including the
24 quality education council and the data governance working group.

25 (c) (~~(\$851,000)~~) \$808,000 of the general fund--state appropriation
26 for fiscal year 2012 and (~~(\$851,000)~~) \$766,000 of the general fund--
27 state appropriation for fiscal year 2013 are provided solely for the
28 operation and expenses of the state board of education, including basic
29 education assistance activities.

30 (d) (~~(\$1,744,000)~~) \$1,526,000 of the general fund--state
31 appropriation for fiscal year 2012 and (~~(\$1,362,000)~~) \$1,225,000 of the
32 general fund--state appropriation for fiscal year 2013 are provided
33 solely to the professional educator standards board for the following:

34 (i) (~~(\$1,050,000)~~) \$1,005,000 in fiscal year 2012 and
35 (~~(\$1,050,000)~~) \$1,005,000 in fiscal year 2013 are for the operation and
36 expenses of the Washington professional educator standards board; and

37 (ii) (~~(\$694,000)~~) \$521,000 of the general fund--state appropriation
38 for fiscal year 2012 and (~~(\$312,000)~~) \$220,000 of the general

1 fund--state appropriation for fiscal year 2013 are for conditional
2 scholarship loans and mentor stipends provided through the alternative
3 routes to certification program administered by the professional
4 educator standards board, including the pipeline for paraeducators
5 program and the retooling to teach conditional loan programs. Funding
6 within this subsection (1)(d)(ii) is also provided for the recruiting
7 Washington teachers program. Funding reductions in this subsection
8 (1)(d)(ii) in the 2011-2013 fiscal biennium are intended to be one-
9 time.

10 (e) \$133,000 of the general fund--state appropriation for fiscal
11 year 2012 (~~(and \$133,000 of the general fund--state appropriation for~~
12 ~~fiscal year 2013 are))~~ is provided solely for the implementation of
13 chapter 240, Laws of 2010, including staffing the office of equity and
14 civil rights.

15 (f) \$50,000 of the general fund--state appropriation for fiscal
16 year 2012 (~~(and \$50,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2013 are))~~ is provided solely for the ongoing work of the
18 education opportunity gap oversight and accountability committee.

19 (g) \$45,000 of the general fund--state appropriation for fiscal
20 year 2012 and \$45,000 of the general fund--state appropriation for
21 fiscal year 2013 are provided solely for the implementation of chapter
22 380, Laws of 2009 (enacting the interstate compact on educational
23 opportunity for military children).

24 (h) \$159,000 of the general fund--state appropriation for fiscal
25 year 2012 (~~(and \$93,000 of the general fund--state appropriation for~~
26 ~~fiscal year 2013 are))~~ is provided solely for the implementation of
27 chapter 185, Laws of 2011 (bullying prevention), which requires the
28 office of the superintendent of public instruction to convene an
29 ongoing workgroup on school bullying and harassment prevention. Within
30 the amounts provided, \$140,000 is for youth suicide prevention
31 activities.

32 (i) \$1,227,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$1,227,000 of the general fund--state appropriation for
34 fiscal year 2013 are provided solely for implementing a comprehensive
35 data system to include financial, student, and educator data, including
36 development and maintenance of the comprehensive education data and
37 research system (CEDARS).

1 (j) \$25,000 of the general fund--state appropriation for fiscal
2 year 2012 (~~((and \$25,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2013 are))~~) is provided solely for project citizen, a
4 program sponsored by the national conference of state legislatures and
5 the center for civic education to promote participation in government
6 by middle school students.

7 (k) \$166,000 of the general fund--state appropriation for fiscal
8 year 2012 is provided solely for the implementation of chapter 192,
9 Laws of 2011 (school district insolvency). Funding is provided to
10 develop a clear legal framework and process for dissolution of a school
11 district.

12 (l) \$205,000 of the general fund--state appropriation for fiscal
13 year 2013 is provided solely for implementation of House Bill No. 2170
14 (career pathways). If the bill is not enacted by June 30, 2012, the
15 amount provided in this subsection shall lapse.

16 (2) \$9,267,000 of the general fund--state appropriation for fiscal
17 year 2012 and (~~(\$9,167,000)~~) \$3,640,000 of the general fund--state
18 appropriation for fiscal year 2013 are for statewide programs.

19 (a) HEALTH AND SAFETY

20 (i) \$2,541,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$2,541,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for a corps of nurses located at
23 educational service districts, as determined by the superintendent of
24 public instruction, to be dispatched to the most needy schools to
25 provide direct care to students, health education, and training for
26 school staff.

27 (ii) \$50,000 of the general fund--state appropriation for fiscal
28 year 2012 (~~((and \$50,000 of the general fund--state appropriation for~~
29 ~~fiscal year 2013 are))~~) is provided solely for a nonviolence and
30 leadership training program provided by the institute for community
31 leadership.

32 (b) TECHNOLOGY

33 \$1,221,000 of the general fund--state appropriation for fiscal year
34 2012 and (~~(\$1,221,000)~~) \$1,099,000 of the general fund--state
35 appropriation for fiscal year 2013 are provided solely for K-20
36 telecommunications network technical support in the K-12 sector to
37 prevent system failures and avoid interruptions in school utilization

1 of the data processing and video-conferencing capabilities of the
2 network. These funds may be used to purchase engineering and advanced
3 technical support for the network.

4 (c) GRANTS AND ALLOCATIONS

5 (i) \$675,000 of the general fund--state appropriation for fiscal
6 year 2012 (~~and \$675,000 of the general fund--state appropriation for~~
7 ~~fiscal year 2013 are~~) is provided solely for the Washington state
8 achievers scholarship program. The funds shall be used to support
9 community involvement officers that recruit, train, and match community
10 volunteer mentors with students selected as achievers scholars.

11 (ii) \$1,000,000 of the general fund--state appropriation for fiscal
12 year 2012 (~~and \$1,000,000 of the general fund--state appropriation for~~
13 ~~fiscal year 2013 are~~) is provided solely for contracting with a
14 college scholarship organization with expertise in conducting outreach
15 to students concerning eligibility for the Washington college bound
16 scholarship consistent with chapter 405, Laws of 2007.

17 (iii) \$2,808,000 of the general fund--state appropriation for
18 fiscal year 2012 (~~and \$2,808,000 of the general fund--state~~
19 ~~appropriation for fiscal year 2013 are~~) is provided solely for the
20 dissemination of the navigation 101 curriculum to all districts. The
21 funding shall support electronic student planning tools and software
22 for analyzing the impact of navigation 101 on student performance, as
23 well as grants to a maximum of one hundred school districts each year,
24 based on progress and need for the implementation of the navigation 101
25 program. The implementation grants shall be awarded to a cross-section
26 of school districts reflecting a balance of geographic and demographic
27 characteristics. Within the amounts provided, the office of the
28 superintendent of public instruction will create a navigation 101
29 accountability model to analyze the impact of the program.

30 (iv) \$337,000 of the general fund--state appropriation for fiscal
31 year 2012 (~~and \$337,000 of the general fund--state appropriation for~~
32 ~~fiscal year 2013 are~~) is provided solely for implementation of the
33 building bridges statewide program for comprehensive dropout
34 prevention, intervention, and reengagement strategies.

35 (v) \$135,000 of the general fund--state appropriation for fiscal
36 year 2012 (~~and \$135,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2013 are~~) is provided solely for dropout prevention

1 programs at the office of the superintendent of public instruction,
2 including the jobs for America's graduates (JAG) program.

3 (vi) \$500,000 of the general fund--state appropriation for fiscal
4 year 2012 (~~and \$400,000 of the general fund--state appropriation for~~
5 ~~fiscal year 2013 are~~) is provided solely for the implementation of
6 chapter 340, Laws of 2011 (assessment of students in state-funded full-
7 day kindergarten classrooms), including the development and
8 implementation of the Washington kindergarten inventory of developing
9 skills (WaKIDS).

10 (3) Within the amounts provided in this section, the superintendent
11 shall implement House Bill No. 1414 (waivers for school districts).

12 (4) Within the amounts provided in this section, the superintendent
13 shall implement House Bill No. 2506 (categorical school programs).

14 (5) \$205,000 of the general fund--state appropriation for fiscal
15 year 2013 is provided solely for implementation of House Bill No. 2170
16 (career pathways). If the bill is not enacted by June 30, 2012, the
17 amount provided in this subsection shall lapse.

18 **Sec. 502.** 2011 2nd sp.s. c 9 s 502 (uncodified) is amended to read
19 as follows:

20 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
21 **APPORTIONMENT**

22	General Fund--State Appropriation (FY 2012)	((\$5,253,769,000))
23		<u>\$5,240,761,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$5,205,868,000))
25		<u>\$5,145,213,000</u>
26	General Fund--Federal Appropriation	\$22,078,000
27	TOTAL APPROPRIATION	((\$10,481,715,000))
28		<u>\$10,408,052,000</u>

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

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

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

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

5 (d) The appropriations in this section include federal funds
6 provided through section 101 of P.L. No. 111-226 (education jobs fund),
7 which shall be used to support general apportionment program funding.
8 In distributing general apportionment allocations under this section
9 for the 2011-12 school year, the superintendent shall include the
10 additional amount of \$3,078,000 allocated by the United States
11 department of education on September 16, 2011, provided through 101 of
12 P.L. No. 111-226 (education jobs fund) as part of each district's
13 general apportionment allocation.

14 (e) The enrollment of any district shall be the annual average
15 number of full-time equivalent students and part-time students as
16 provided in RCW 28A.150.350, enrolled on the fourth day of school in
17 September and on the first school day of each month October through
18 June, including students who are in attendance pursuant to RCW
19 28A.335.160 and 28A.225.250 who do not reside within the servicing
20 school district. Any school district concluding its basic education
21 program in May must report the enrollment of the last school day held
22 in May in lieu of a June enrollment.

23 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

24 Allocations for certificated instructional staff salaries for the
25 2011-12 and 2012-13 school years are determined using formula-generated
26 staff units calculated pursuant to this subsection.

27 (a) Certificated instructional staff units, as defined in RCW
28 28A.150.410, shall be allocated to reflect the minimum class size
29 allocations, requirements, and school prototypes assumptions as
30 provided in RCW 28A.150.260. The superintendent shall make allocations
31 to school districts based on the district's annual average full-time
32 equivalent student enrollment in each grade.

33 (b) Additional certificated instructional staff units provided in
34 this subsection (2) that exceed the minimum requirements in RCW
35 28A.150.260 are enhancements outside the program of basic education,
36 except as otherwise provided in this section.

37 (c)(i) The superintendent shall base allocations for each level of

1 prototypical school on the following regular education average class
2 size of full-time equivalent students per teacher, except as provided
3 in (c)(ii) of this subsection:

4

5 General education class size:

6 Grade		RCW 28A.150.260
7 Grades K-3	.....	25.23
8 Grade 4	.....	27.00
9 Grades 5-6	.....	27.00
10 Grades 7-8	.....	28.53
11 Grades 9-12	.....	28.74

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

15 (ii) For each level of prototypical school at which more than fifty
16 percent of the students were eligible for free and reduced-price meals
17 in the prior school year, the superintendent shall allocate funding
18 based on the following average class size of full-time equivalent
19 students per teacher:

20

21 General education class size in high poverty
22 school:

23 Grades K-3	.....	24.10
24 Grade 4	.....	27.00
25 Grades 5-6	.....	27.00
26 Grades 7-8	.....	28.53
27 Grades 9-12	.....	28.74

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

31 (iv) Laboratory science, advanced placement, and international

1 baccalaureate courses are funded at the same class size assumptions as
2 general education schools in the same grade; and

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

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

13 Career and Technical Education

14	students	2.02 per 1000 student FTE's
15	Skill Center students	2.36 per 1000 student FTE's

16 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

27	Career and Technical Education students	2.5 percent
28	Skill Center students	19.75 percent

29 (4) CLASSIFIED STAFF ALLOCATIONS

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

35 (5) CENTRAL OFFICE ALLOCATIONS

36 In addition to classified and administrative staff units allocated
37 in subsections (3) and (4) of this section, classified and
38

1 administrative staff units are provided for the 2011-12 and 2012-13
2 school year for the central office administrative costs of operating a
3 school district, at the following rates:

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

9 (b) Of the central office staff units calculated in (a) of this
10 subsection, 74.53 percent are allocated as classified staff units, as
11 generated in subsection (4) of this section, and ((25.47)) 25.48
12 percent shall be allocated as administrative staff units, as generated
13 in subsection (3) of this section.

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

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

28 (6) FRINGE BENEFIT ALLOCATIONS

29 Fringe benefit allocations shall be calculated at a rate of 16.33
30 percent in the 2011-12 school year and ((16.33)) 16.34 percent in the
31 2012-13 school year for certificated salary allocations provided under
32 subsections (2), (3), and (5) of this section, and a rate of 18.73
33 percent in the 2011-12 school year and 18.73 percent in the 2012-13
34 school year for classified salary allocations provided under
35 subsections (4) and (5) of this section.

36 (7) INSURANCE BENEFIT ALLOCATIONS
37

38 Insurance benefit allocations shall be calculated at the

1 maintenance rate specified in section 504 of this act, based on the
 2 number of benefit units determined as follows:

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

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

12 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS
 13 Funding is allocated per annual average full-time equivalent
 14 student for the materials, supplies, and operating costs (MSOC)
 15 incurred by school districts, consistent with the requirements of RCW
 16 28A.150.260.

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

19 MSOC RATES/STUDENT FTE

21 MSOC Component	2011-12	2012-13
	SCHOOL YEAR	SCHOOL YEAR
24 Technology	((<u>\$57.42</u>)) <u>\$57.37</u>	((<u>\$58.17</u>)) <u>\$58.29</u>
25 Utilities and Insurance	((<u>\$156.03</u>)) <u>\$155.88</u>	((<u>\$158.05</u>)) <u>\$158.37</u>
26 Curriculum and Textbooks	((<u>\$61.65</u>)) <u>\$61.59</u>	((<u>\$62.45</u>)) <u>\$62.58</u>
27 Other Supplies and Library Materials	((<u>\$130.89</u>)) <u>\$130.76</u>	((<u>\$132.59</u>)) <u>\$132.85</u>
28 Instructional Professional Development for Certificated and 29 Classified Staff	\$9.53	((<u>\$9.66</u>)) <u>\$9.68</u>
30 Facilities Maintenance	((<u>\$77.30</u>)) <u>\$77.22</u>	((<u>\$78.30</u>)) <u>\$78.46</u>
31 Security and Central Office	((<u>\$53.55</u>)) <u>\$53.50</u>	((<u>\$54.25</u>)) <u>\$54.35</u>
32 TOTAL BASIC EDUCATION MSOC/STUDENT FTE	((<u>\$546.37</u>)) <u>\$545.85</u>	((<u>\$553.47</u>)) <u>\$554.58</u>

33 (b) Students in approved skill center programs generate per student

1 FTE MSOC allocations which equal the rate for general education
2 students calculated in (a) of this subsection, multiplied by a factor
3 of 2.171.

4 (c) Students in approved exploratory and preparatory career and
5 technical education programs generate a per student MSOC allocation
6 that is equal to the rate for general education students calculated in
7 (a) of this subsection, multiplied by a factor of 2.442.

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

11 (9) SUBSTITUTE TEACHER ALLOCATIONS

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

16 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

17 (a) Amounts provided in this section are adjusted to reflect
18 provisions of House Bill No. 2065 (allocation of funding for funding
19 for students enrolled in alternative learning experiences). Amounts
20 provided in this section are adjusted to reflect provisions of House
21 Bill No. 2209 (alternative learning experiences).

22 (b) The superintendent of public instruction shall require all
23 districts receiving general apportionment funding for alternative
24 learning experience (ALE) programs as defined in WAC 392-121-182 to
25 provide separate financial accounting of expenditures for the ALE
26 programs offered in district or with a provider, including but not
27 limited to private companies and multidistrict cooperatives, as well as
28 accurate, monthly headcount and FTE enrollment claimed for basic
29 education, including separate counts of resident and nonresident
30 students.

31 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

32 Funding in this section is sufficient to fund voluntary full day
33 kindergarten programs in qualifying high poverty schools, pursuant to
34 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls
35 for the voluntary full-day program in a qualifying school shall count
36 as one-half of one full-time equivalent student for purpose of making
37 allocations under this section. Funding in this section provides full-

1 day kindergarten programs for 21 percent of kindergarten enrollment in
2 the 2011-12 school year, and 22 percent in the 2012-13 school year.
3 Funding priority shall be given to schools with the highest poverty
4 levels, as measured by prior year free and reduced price lunch
5 eligibility rates in each school. Funding in this section is
6 sufficient to fund voluntary full day kindergarten programs for July
7 and August of the 2010-11 school year.

8 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
9 NECESSARY PLANTS

10 For small school districts and remote and necessary school plants
11 within any district which have been judged to be remote and necessary
12 by the superintendent of public instruction, additional staff units are
13 provided to ensure a minimum level of staffing support. Additional
14 administrative and certificated instructional staff units provided to
15 districts in this subsection shall be reduced by the general education
16 staff units, excluding career and technical education and skills center
17 enhancement units, otherwise provided in subsections (2) through (5) of
18 this section on a per district basis.

19 (a) For districts enrolling not more than twenty-five average
20 annual full-time equivalent students in grades K-8, and for small
21 school plants within any school district which have been judged to be
22 remote and necessary by the superintendent of public instruction and
23 enroll not more than twenty-five average annual full-time equivalent
24 students in grades K-8:

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

30 (ii) For those enrolling students in grades 7 or 8, 1.68
31 certificated instructional staff units and 0.32 certificated
32 administrative staff units for enrollment of not more than five
33 students, plus one-tenth of a certificated instructional staff unit for
34 each additional student enrolled;

35 (b) For specified enrollments in districts enrolling more than
36 twenty-five but not more than one hundred average annual full-time
37 equivalent students in grades K-8, and for small school plants within

1 any school district which enroll more than twenty-five average annual
2 full-time equivalent students in grades K-8 and have been judged to be
3 remote and necessary by the superintendent of public instruction:

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

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

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

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

19 (ii) For all other small high schools under this subsection, nine
20 certificated instructional staff units and one-half of a certificated
21 administrative staff unit for the first sixty average annual full-time
22 equivalent students, and additional staff units based on a ratio of
23 0.8732 certificated instructional staff units and 0.1268 certificated
24 administrative staff units per each additional forty-three and one-half
25 average annual full-time equivalent students;

26 (d) For each nonhigh school district having an enrollment of more
27 than seventy annual average full-time equivalent students and less than
28 one hundred eighty students, operating a grades K-8 program or a grades
29 1-8 program, an additional one-half of a certificated instructional
30 staff unit;

31 (e) For each nonhigh school district having an enrollment of more
32 than fifty annual average full-time equivalent students and less than
33 one hundred eighty students, operating a grades K-6 program or a grades
34 1-6 program, an additional one-half of a certificated instructional
35 staff unit;

36 (f)(i) For enrollments generating certificated staff unit
37 allocations under (a) through (e) of this subsection, one classified

1 staff unit for each 2.94 certificated staff units allocated under such
2 subsections;

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

7 (g) School districts receiving additional staff units to support
8 small student enrollments and remote and necessary plants under
9 subsection (12) of this section shall generate additional MSOC
10 allocations consistent with the nonemployee related costs (NERC)
11 allocation formula in place for the 2010-11 school year as provided
12 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
13 budget), adjusted annually for inflation.

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

23 (14) The superintendent may distribute funding for the following
24 programs outside the basic education formula during fiscal years 2012
25 and 2013 as follows:

26 (a) \$589,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$597,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely for fire protection for school
29 districts located in a fire protection district as now or hereafter
30 established pursuant to chapter 52.04 RCW.

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

1 (c) Funding in this section is sufficient to fund adjustments to
2 school districts' allocations resulting from the implementation of the
3 prototypical school funding formula, pursuant to chapter 236, Laws of
4 2010 (K-12 education funding). The funding in this section is intended
5 to hold school districts harmless in total for funding changes
6 resulting from conversion to the prototypical school formula in the
7 general apportionment program, the learning assistance program, the
8 transitional bilingual program, and the highly capable program, after
9 adjustment for changes in enrollment and other caseload adjustments.

10 (15) \$208,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$211,000 of the general fund--state appropriation for
12 fiscal year 2013 are provided solely for school district emergencies as
13 certified by the superintendent of public instruction. At the close of
14 the fiscal year the superintendent of public instruction shall report
15 to the office of financial management and the appropriate fiscal
16 committees of the legislature on the allocations provided to districts
17 and the nature of the emergency.

18 (16) Funding in this section is sufficient to fund a maximum of
19 1.6 FTE enrollment for skills center students pursuant to chapter 463,
20 Laws of 2007.

21 (17) Beginning in the 2011-12 school year, students participating
22 in running start programs may be funded up to a combined maximum
23 enrollment of 1.2 FTE including school district and institution of
24 higher education enrollment. Beginning in the 2012-13 school year,
25 students participating in running start programs may be funded up to a
26 combined maximum enrollment of 1.0 FTE including school district and
27 institution of higher education enrollment. In calculating the
28 combined ((1.2)) FTE, the office of the superintendent of public
29 instruction may average the participating student's September through
30 June enrollment to account for differences in the start and end dates
31 for courses provided by the high school and higher education
32 institution. Additionally, the office of the superintendent of public
33 instruction, in consultation with the state board for community and
34 technical colleges, the higher education coordinating board, and the
35 education data center, shall annually track and report to the fiscal
36 committees of the legislature on the combined FTE experience of
37 students participating in the running start program, including course

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

3 (18) If two or more school districts consolidate and each district
4 was receiving additional basic education formula staff units pursuant
5 to subsection (12) of this section, the following apply:

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

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

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

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

29 **Sec. 503.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read
30 as follows:

31 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**
32 **COMPENSATION**

33 (1) The following calculations determine the salaries used in the
34 state allocations for certificated instructional, certificated
35 administrative, and classified staff units as provided in RCW
36 28A.150.280 and under section 503 of this act:

1 (a) Salary allocations for certificated instructional staff units
 2 are determined for each district by multiplying the district's
 3 certificated instructional total base salary shown on LEAP Document 2
 4 by the district's average staff mix factor for certificated
 5 instructional staff in that school year, computed using LEAP document
 6 1; and

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

11 (2) For the purposes of this section:

12 (a) "LEAP Document 1" means the staff mix factors for certificated
 13 instructional staff according to education and years of experience, as
 14 developed by the legislative evaluation and accountability program
 15 committee on May 23, 2011, at 16:10 hours; and

16 (b) "LEAP Document 2" means the school year salary allocations for
 17 certificated administrative staff and classified staff and derived and
 18 total base salaries for certificated instructional staff as developed
 19 by the legislative evaluation and accountability program committee on
 20 May 23, 2011, at 16:10 hours.

21 (3) Incremental fringe benefit factors are applied to salary
 22 adjustments at a rate of 15.69 percent for school year 2011-12 and
 23 (~~(15.69)~~) 15.70 percent for school year 2012-13 for certificated
 24 instructional and certificated administrative staff and 15.23 percent
 25 for school year 2011-12 and 15.23 percent for the 2012-13 school year
 26 for classified staff.

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

30 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

31 ***Education Experience***

33	Years										MA+90
34	of										OR
35	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
36	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	

1	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11	11				45,883	49,169	51,558	49,295	52,581	54,969
12	12				47,332	50,777	53,238	50,850	54,188	56,650
13	13					52,425	54,959	52,460	55,836	58,370
14	14					54,081	56,745	54,117	57,600	60,157
15	15					55,488	58,221	55,523	59,098	61,721
16	16 or more					56,597	59,385	56,634	60,279	62,955

17

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

Education Experience

18

21	Years										MA+90
22	of										OR
23	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
24	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
25	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
26	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	
27	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377	
28	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857	
29	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339	
30	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797	
31	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768	
32	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254	
33	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785	
34	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356	
35	11				45,883	49,169	51,558	49,295	52,581	54,969	

1	12	47,332	50,777	53,238	50,850	54,188	56,650
2	13		52,425	54,959	52,460	55,836	58,370
3	14		54,081	56,745	54,117	57,600	60,157
4	15		55,488	58,221	55,523	59,098	61,721
5	16 or more		56,597	59,385	56,634	60,279	62,955

6 (b) During the 2012-13 school year, the salary allocations for
7 certificated instructional staff shall exclude the following:

8 (i) Any years of service earned after August 31, 2011;

9 (ii) Any educational credits earned after October 1, 2011,
10 excluding certificated instructional staff meeting the criteria in
11 (b)(iii) of this subsection;

12 (iii) For certificated instructional staff with zero years of
13 experience, districts shall recognize credits earned as of October 1,
14 2011;

15 (iv) For certificated instructional staff receiving initial
16 certification after October 1, 2011, districts shall recognize credits
17 earned as of the date of approval of their Washington state
18 instructional certificate.

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

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

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

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

29 (5) For the purposes of this section:

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

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

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

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

35 (e) "Credits" means college quarter hour credits and equivalent
36 in-service credits computed in accordance with RCW 28A.415.020 and
37 28A.415.023.

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

- 6 (a) The employee has a masters degree; or
- 7 (b) The credits were used in generating state salary allocations
8 before January 1, 1992.

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

11 **Sec. 504.** 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read
12 as follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
14 **COMPENSATION ADJUSTMENTS**

15 General Fund--Federal Appropriation \$2,000

16 The appropriation in this section is subject to the following
17 conditions and limitations:

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

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

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

35 (d) The appropriations in this subsection (1) include associated
36 incremental fringe benefit allocations at 15.69 percent for the 2011-12
37 school year and (~~15.69~~) 15.70 percent for the 2012-13 school year for

1 certificated instructional and certificated administrative staff and
2 15.23 percent for the 2011-12 school year and 15.23 percent for the
3 2012-13 school year for classified staff.

4 (e) The appropriations in this section include the increased or
5 decreased portion of salaries and incremental fringe benefits for all
6 relevant state-funded school programs in part V of this act. Changes
7 for general apportionment (basic education) are based on the salary
8 allocation schedules and methodology in sections 503 and 504 of this
9 act. Changes for special education result from changes in each
10 district's basic education allocation per student. Changes for
11 educational service districts and institutional education programs are
12 determined by the superintendent of public instruction using the
13 methodology for general apportionment salaries and benefits in sections
14 503 and 504 of this act.

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

17 (2) The maintenance rate for insurance benefit allocations is
18 \$768.00 per month for the 2011-12 and 2012-13 school years. The
19 appropriations in this section reflect the incremental change in cost
20 of allocating rates of \$768.00 per month for the 2011-12 school year
21 and \$768.00 per month for the 2012-13 school year.

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

24 **Sec. 505.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read
25 as follows:

26 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

27 General Fund--State Appropriation (FY 2012)	((\$322,033,000))
	<u>\$322,243,000</u>
29 General Fund--State Appropriation (FY 2013)	((\$273,380,000))
	<u>\$272,750,000</u>
31 TOTAL APPROPRIATION	((\$595,413,000))
	<u>\$594,993,000</u>

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

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

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

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

8 (3) Any amounts appropriated for maintenance level funding for
9 pupil transportation that exceed actual maintenance level expenditures
10 as calculated under the funding formula that takes effect September 1,
11 2011, shall be distributed to districts according to RCW
12 28A.160.192(2)(b).

13 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation
14 (~~(and a maximum of \$892,000 of the fiscal year 2013 appropriation)~~) may
15 be expended for regional transportation coordinators and related
16 activities. The transportation coordinators shall ensure that data
17 submitted by school districts for state transportation funding shall,
18 to the greatest extent practical, reflect the actual transportation
19 activity of each district.

20 (5) The office of the superintendent of public instruction shall
21 provide reimbursement funding to a school district for school bus
22 purchases only after the superintendent of public instruction
23 determines that the school bus was purchased from the list established
24 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process
25 based on the lowest price quote based on similar bus categories to
26 those used to establish the list pursuant to RCW 28A.160.195.

27 (6) The superintendent of public instruction shall base
28 depreciation payments for school district buses on the pre-sales tax
29 five-year average of lowest bids in the appropriate category of bus.
30 In the final year on the depreciation schedule, the depreciation
31 payment shall be based on the lowest bid in the appropriate bus
32 category for that school year.

33 (7) Funding levels in this section reflect waivers granted by the
34 state board of education for four-day school weeks as allowed under RCW
35 28A.305.141.

36 (8) Starting with the 2012-13 school year, the office of the
37 superintendent of public instruction shall disburse payments for bus
38 depreciation in August.

1 **Sec. 506.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
4 **PROGRAMS**

5	General Fund--State Appropriation (FY 2012)	((\$653,904,000))
6		<u>\$648,314,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$694,237,000))
8		<u>\$678,293,000</u>
9	General Fund--Federal Appropriation	\$486,936,000
10	Education Legacy Trust Account--State Appropriation	\$756,000
11	TOTAL APPROPRIATION	((\$1,835,833,000))
12		<u>\$1,814,299,000</u>

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

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

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

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

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

1 net awards shall be based on analysis of actual expenditure data from
2 the current school year.

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

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

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

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

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

27 (7) \$8,914,000 of the general fund--state appropriation for fiscal
28 year 2012, \$34,200,000 of the general fund--state appropriation for
29 fiscal year 2013, and \$29,574,000 of the general fund--federal
30 appropriation are provided solely for safety net awards for districts
31 with demonstrated needs for special education funding beyond the
32 amounts provided in subsection (4) of this section. If the federal
33 safety net awards based on the federal eligibility threshold exceed the
34 federal appropriation in this subsection (7) in any fiscal year, the
35 superintendent shall expend all available federal discretionary funds
36 necessary to meet this need. At the conclusion of each school year,
37 the superintendent shall recover safety net funds that were distributed
38 prospectively but for which districts were not subsequently eligible.

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

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

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

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

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

23 (11) \$251,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$251,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for two additional full-time
26 equivalent staff to support the work of the safety net committee and to
27 provide training and support to districts applying for safety net
28 awards.

29 (12) \$50,000 of the general fund--state appropriation for fiscal
30 year 2012, \$50,000 of the general fund--state appropriation for fiscal
31 year 2013, and \$100,000 of the general fund--federal appropriation
32 shall be expended to support a special education ombudsman program
33 within the office of superintendent of public instruction.

34 **Sec. 507.** 2011 2nd sp.s. c 9 s 508 (uncodified) is amended to read
35 as follows:

36 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**

1 **DISTRICTS**

2	General Fund--State Appropriation (FY 2012)	(\$7,889,000)
3		<u>\$7,894,000</u>
4	General Fund--State Appropriation (FY 2013)	(\$7,904,000)
5		<u>\$7,397,000</u>
6	TOTAL APPROPRIATION	(\$15,793,000)
7		<u>\$15,291,000</u>

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

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

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

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

31 (4) The general fund--state appropriation for fiscal year 2013
32 reflects a total reduction of \$500,000 for general administrative
33 activities of educational service districts. This amount reflects the
34 following percentage reductions:

35 (a) For educational service district number 101, number 105, number
36 123, and number 171: Three and one-half percent;

37 (b) For educational service district number 112, number 113, number
38 114, and number 189: Ten percent;

1 (c) For educational service district number 121: Fifty percent.

2 **Sec. 508.** 2011 2nd sp.s. c 9 s 509 (uncodified) is amended to read
3 as follows:

4 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
5 **ASSISTANCE**

6	General Fund--State Appropriation (FY 2012)	((\$300,761,000))
7		<u>\$300,768,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$299,276,000))
9		<u>\$298,166,000</u>
10	<u>General Fund--Federal Appropriation</u>	<u>\$4,400,000</u>
11	TOTAL APPROPRIATION	((\$600,037,000))
12		<u>\$603,334,000</u>

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

19 **Sec. 509.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read
20 as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
22 **EDUCATION PROGRAMS**

23	General Fund--State Appropriation (FY 2012)	((\$17,507,000))
24		<u>\$16,694,000</u>
25	General Fund--State Appropriation (FY 2013)	((\$16,969,000))
26		<u>\$15,705,000</u>
27	TOTAL APPROPRIATION	((\$34,476,000))
28		<u>\$32,399,000</u>

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

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

34 (2) State funding provided under this section is based on salaries
35 and other expenditures for a 220-day school year. The superintendent
36 of public instruction shall monitor school district expenditure plans

1 for institutional education programs to ensure that districts plan for
2 a full-time summer program.

3 (a) Any years of service earned after August 31, 2011;

4 (b) Any educational credits earned after October 1, 2011, excluding
5 certificated instructional staff meeting the criteria in (c) of this
6 subsection;

7 (c) For certificated instructional staff with zero years of
8 experience, districts shall recognize credits earned as of October 1,
9 2011; and

10 (d) For certificated instructional staff receiving initial
11 certification after October 1, 2011, districts shall recognize credits
12 earned as of the date of approval of their Washington state
13 instructional certificate.

14 (3) State funding for each institutional education program shall be
15 based on the institution's annual average full-time equivalent student
16 enrollment. Staffing ratios for each category of institution shall
17 remain the same as those funded in the 1995-97 biennium.

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

21 (5) (~~(\$669,000)~~) \$586,000 of the general fund--state appropriation
22 for fiscal year 2012 and (~~(\$669,000)~~) \$549,000 of the general fund--
23 state appropriation for fiscal year 2013 are provided solely to
24 maintain at least one certificated instructional staff and related
25 support services at an institution whenever the K-12 enrollment is not
26 sufficient to support one full-time equivalent certificated
27 instructional staff to furnish the educational program. The following
28 types of institutions are included: Residential programs under the
29 department of social and health services for developmentally disabled
30 juveniles, programs for juveniles under the department of corrections,
31 programs for juveniles under the juvenile rehabilitation
32 administration, and programs for juveniles operated by city and county
33 jails.

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

36 **Sec. 510.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read
37 as follows:

1 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

2	General Fund--State Appropriation (FY 2012) . . . . .	..((\$8,759,000))
3		<u>\$8,745,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	..((\$8,842,000))
5		<u>\$8,741,000</u>
6	TOTAL APPROPRIATION . . . . .	..((\$17,601,000))
7		<u>\$17,486,000</u>

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

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

13 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
14 shall allocate funding to school district programs for highly capable
15 students as provided in RCW 28A.150.260(10)(c). In calculating the
16 allocations, the superintendent shall assume the following: (i)
17 Additional instruction of 2.1590 hours per week per funded highly
18 capable program student; (ii) fifteen highly capable program students
19 per teacher; (iii) 36 instructional weeks per year; (iv) 900
20 instructional hours per teacher; and (v) the district's average staff
21 mix and compensation rates as provided in sections 503 and 504 of this
22 act.

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

27 (3) \$85,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$85,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for the centrum program at Fort
30 Worden state park.

31 **Sec. 511.** 2011 2nd sp.s. c 9 s 512 (uncodified) is amended to read
32 as follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO**
34 **CHILD LEFT BEHIND ACT**

35	General Fund--Federal Appropriation	\$6,152,000
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1 **Sec. 512.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
4 **PROGRAMS**

5	General Fund--State Appropriation (FY 2012)	\$58,078,000
6	General Fund--State Appropriation (FY 2013)	(\$98,309,000)
7		<u>\$82,622,000</u>
8	General Fund--Federal Appropriation	\$219,161,000
9	General Fund--Private/Local Appropriation	\$4,000,000
10	Education Legacy Trust Account--State Appropriation	\$1,598,000
11	TOTAL APPROPRIATION	(\$381,146,000)
12		<u>\$365,459,000</u>

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

15 (1) \$40,822,000 of the general fund--state appropriation for fiscal
16 year 2012, ~~(\$41,613,000)~~ \$41,614,000 of the general fund--state
17 appropriation for fiscal year 2013, \$1,350,000 of the education legacy
18 trust account--state appropriation, and \$15,868,000 of the general
19 fund--federal appropriation are provided solely for development and
20 implementation of the Washington state assessment system, including:
21 (a) Development and implementation of retake assessments for high
22 school students who are not successful in one or more content areas and
23 (b) development and implementation of alternative assessments or
24 appeals procedures to implement the certificate of academic
25 achievement. The superintendent of public instruction shall report
26 quarterly on the progress on development and implementation of
27 alternative assessments or appeals procedures. Within these amounts,
28 the superintendent of public instruction shall contract for the early
29 return of 10th grade student assessment results, on or around June 10th
30 of each year. State funding shall be limited to one collection of
31 evidence payment per student, per content-area assessment.

32 (2) \$356,000 of the general fund--state appropriation for fiscal
33 year 2012 ~~((and \$356,000 of the general fund--state appropriation for~~
34 ~~fiscal year 2013 are))~~ is provided solely for the Washington state
35 leadership and assistance for science education reform (LASER) regional
36 partnership activities coordinated at the Pacific science center,
37 including instructional material purchases, teacher and principal
38 professional development, and school and community engagement events.

1 (3) \$980,000 of the general fund--state appropriation for fiscal
2 year 2012 (~~and \$980,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2013 are~~) is provided solely for improving technology
4 infrastructure, monitoring and reporting on school district technology
5 development, promoting standards for school district technology,
6 promoting statewide coordination and planning for technology
7 development, and providing regional educational technology support
8 centers, including state support activities, under chapter 28A.650 RCW.

9 (4) \$3,852,000 of the general fund--state appropriation for fiscal
10 year 2012 and \$2,624,000 of the general fund--state appropriation for
11 fiscal year 2013 are provided solely for continued implementation of
12 chapter 235, Laws of 2010 (education reform) including development of
13 new performance-based evaluation systems for certificated educators.

14 (5) \$5,767,000 of the general fund--state appropriation for fiscal
15 year 2013 is provided solely for implementation of Senate Bill No. 5895
16 (certificated employee evaluations). If the bill is not enacted by
17 June 30, 2012, the amount provided in this subsection shall lapse.

18 (6)(a) (~~(\$40,681,000)~~) \$30,997,000 of the general fund--state
19 appropriation for fiscal year 2013 is provided solely for the following
20 bonuses for teachers who hold valid, unexpired certification from the
21 national board for professional teaching standards and who are teaching
22 in a Washington public school, subject to the following conditions and
23 limitations:

24 (i) For national board certified teachers, a bonus of (~~(\$5,090)~~)
25 \$4,000 per teacher in the 2011-12 and 2012-13 school years, adjusted
26 for inflation in each school year in which Initiative 732 cost of
27 living adjustments are provided;

28 (ii) An additional (~~(\$5,000)~~) \$4,000 annual bonus shall be paid to
29 national board certified teachers who teach in either: (A) High
30 schools where at least 50 percent of student headcount enrollment is
31 eligible for federal free or reduced price lunch, (B) middle schools
32 where at least 60 percent of student headcount enrollment is eligible
33 for federal free or reduced price lunch, or (C) elementary schools
34 where at least 70 percent of student headcount enrollment is eligible
35 for federal free or reduced price lunch;

36 (iii) The superintendent of public instruction shall adopt rules to
37 ensure that national board certified teachers meet the qualifications
38 for bonuses under (a)(ii) of this subsection for less than one full

1 school year receive bonuses in a pro-rated manner. Beginning in the
2 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection
3 will be paid in July of each school year. Bonuses in (a)(i) and (ii)
4 of this subsection shall be reduced by a factor of 40 percent for first
5 year NBPTS certified teachers, to reflect the portion of the
6 instructional school year they are certified; and

7 (iv) During the 2011-12 and 2012-13 school years, and within
8 available funds, certificated instructional staff who have met the
9 eligibility requirements and have applied for certification from the
10 national board for professional teaching standards may receive a
11 conditional loan of two thousand dollars or the amount set by the
12 office of the superintendent of public instruction to contribute toward
13 the current assessment fee, not including the initial up-front
14 candidacy payment. The fee shall be an advance on the first annual
15 bonus under RCW 28A.405.415. The conditional loan is provided in
16 addition to compensation received under a district's salary schedule
17 and shall not be included in calculations of a district's average
18 salary and associated salary limitation under RCW 28A.400.200.
19 Recipients who fail to receive certification after three years are
20 required to repay the conditional loan. The office of the
21 superintendent of public instruction shall adopt rules to define the
22 terms for initial grant of the assessment fee and repayment, including
23 applicable fees. To the extent necessary, the superintendent may use
24 revenues from the repayment of conditional loan scholarships to ensure
25 payment of all national board bonus payments required by this section
26 in each school year.

27 ~~((+6))~~ (7) \$477,000 of the general fund--state appropriation for
28 fiscal year 2012 ~~((and \$477,000 of the general fund state~~
29 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
30 leadership internship program for superintendents, principals, and
31 program administrators.

32 ~~((+7))~~ (8) \$950,000 of the general fund--state appropriation for
33 fiscal year 2012 ~~((and \$950,000 of the general fund state~~
34 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
35 Washington reading corps. The superintendent shall allocate reading
36 corps members to low- performing schools and school districts that are
37 implementing comprehensive, proven, research-based reading programs.

1 Two or more schools may combine their Washington reading corps
2 programs.

3 ~~((+8))~~ (9) \$810,000 of the general fund--state appropriation for
4 fiscal year 2012 ~~((and \$810,000 of the general fund state~~
5 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
6 development of a leadership academy for school principals and
7 administrators. The superintendent of public instruction shall
8 contract with an independent organization to design, field test, and
9 implement a state-of-the-art education leadership academy that will be
10 accessible throughout the state. Initial development of the content of
11 the academy activities shall be supported by private funds.
12 Semiannually the independent organization shall report on amounts
13 committed by foundations and others to support the development and
14 implementation of this program. Leadership academy partners shall
15 include the state level organizations for school administrators and
16 principals, the superintendent of public instruction, the professional
17 educator standards board, and others as the independent organization
18 shall identify.

19 ~~((+9))~~ (10) \$3,234,000 of the general fund--state appropriation
20 for fiscal year 2012 ~~((and \$3,234,000 of the general fund state~~
21 ~~appropriation for fiscal year 2013 are))~~ is provided solely for grants
22 to school districts to provide a continuum of care for children and
23 families to help children become ready to learn. Grant proposals from
24 school districts shall contain local plans designed collaboratively
25 with community service providers. If a continuum of care program
26 exists in the area in which the school district is located, the local
27 plan shall provide for coordination with existing programs to the
28 greatest extent possible.

29 ~~((+10))~~ (11) \$1,500,000 of the general fund--state appropriation
30 for fiscal year 2012 ~~((and \$1,500,000 of the general fund state~~
31 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
32 implementation of chapter 288, Laws of 2011 (actual student success
33 program), including allocations to the opportunity internship program,
34 the jobs for America's graduates program, the building bridges program,
35 services provided by a college scholarship organization. Funding shall
36 not be used in the 2011-2013 fiscal biennium to provide awards for
37 schools and school districts.

1 ~~((+11))~~ (12) \$859,000 of the general fund--state appropriation for
2 fiscal year 2012, ~~((+\$846,000))~~ \$821,000 of the general fund--state
3 appropriation for fiscal year 2013, and \$248,000 of the education
4 legacy trust account--state appropriation are for administrative
5 support of education reform programs.

6 ~~((+12))~~ (13) \$2,000,000 of the general fund--state appropriation
7 for fiscal year 2012 ~~((and \$2,000,000 of the general fund--state~~
8 ~~appropriation for fiscal year 2013 are))~~ is provided solely for a
9 statewide information technology (IT) academy program. This public-
10 private partnership will provide educational software, as well as IT
11 certification and software training opportunities for students and
12 staff in public schools.

13 ~~((+13))~~ (14) \$977,000 of the general fund--state appropriation for
14 fiscal year 2012 ~~((and \$977,000 of the general fund--state~~
15 ~~appropriation for fiscal year 2013 are))~~ is provided solely for
16 secondary career and technical education grants pursuant to chapter
17 170, Laws of 2008. If equally matched by private donations, \$300,000
18 of the 2012 appropriation and \$300,000 of the 2013 appropriation shall
19 be used to support FIRST robotics programs.

20 ~~((+14))~~ (15) \$125,000 of the general fund--state appropriation for
21 fiscal year 2012 and ~~((+\$125,000))~~ \$100,000 of the general fund--state
22 appropriation for fiscal year 2013 are provided solely for (a) staff at
23 the office of the superintendent of public instruction to coordinate
24 and promote efforts to develop integrated math, science, technology,
25 and engineering programs in schools and districts across the state; and
26 (b) grants of \$2,500 to provide twenty middle and high school teachers
27 each year with professional development training for implementing
28 integrated math, science, technology, and engineering programs in their
29 schools.

30 ~~((+15))~~ (16) \$135,000 of the general fund--state appropriation for
31 fiscal year 2012 ~~((and \$135,000 of the general fund--state~~
32 ~~appropriation for fiscal year 2013 are))~~ is provided solely for
33 science, technology, engineering and mathematics lighthouse projects,
34 consistent with chapter 238, Laws of 2010.

35 ~~((+16))~~ (17) \$1,000,000 of the general fund--state appropriation
36 for fiscal year 2012 ~~((and \$1,000,000 of the general fund--state~~
37 ~~appropriation for fiscal year 2013 are))~~ is provided solely for a
38 beginning educator support program. School districts and/or regional

1 consortia may apply for grant funding. The superintendent shall
2 implement this program in 5 to 15 school districts and/or regional
3 consortia. The program provided by a district and/or regional
4 consortia shall include: A paid orientation; assignment of a qualified
5 mentor; development of a professional growth plan for each beginning
6 teacher aligned with professional certification; release time for
7 mentors and new teachers to work together; and teacher observation time
8 with accomplished peers. \$250,000 may be used to provide statewide
9 professional development opportunities for mentors and beginning
10 educators.

11 (18) \$250,000 of the general fund--state appropriation for fiscal
12 year 2013 is provided solely for advanced project lead the way courses
13 at ten high schools. To be eligible for funding, a high school must
14 have offered a foundational project lead the way course during the
15 2011-12 school year. The funding must be used for one-time start-up
16 course costs for an advanced project lead the way course, to be offered
17 to students beginning in the 2012-13 school year. The office of the
18 superintendent of public instruction and the education research and
19 data center at the office of financial management shall track student
20 participation and long-term outcome data.

21 (19) \$150,000 of the general fund--state appropriation for fiscal
22 year 2013 is provided solely for aerospace and manufacturing technical
23 programs housed at two skill centers. The one-time funding is provided
24 for start-up equipment and curriculum purchases. To be eligible for
25 funding, the skill center must agree to provide regional high schools
26 with access to a technology laboratory, expand manufacturing
27 certificate and course offerings at the skill center, and provide a
28 laboratory space for local high school teachers to engage in
29 professional development in the instruction of courses leading to
30 student employment certification in the aerospace and manufacturing
31 industries. The office of the superintendent of public instruction
32 shall administer the grants in consultation with the center for
33 excellence for aerospace and advanced materials manufacturing.

34 (20) \$300,000 of the general fund--state appropriation for fiscal
35 year 2013 is provided solely for start-up grants to twelve high schools
36 to implement the aerospace assembler program. Participating high
37 schools must agree to offer the aerospace assembler training program to
38 students by spring semester of school year 2012-13. The office of the

1 superintendent of public instruction and the education research and
2 data center at the office of financial management shall track student
3 participation and long-term outcome data.

4 **Sec. 513.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read
5 as follows:

6 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
7 **BILINGUAL PROGRAMS**

8	General Fund--State Appropriation (FY 2012)	((\$79,496,000))
9		<u>\$79,575,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$82,856,000))
11		<u>\$80,376,000</u>
12	General Fund--Federal Appropriation	\$71,001,000
13	TOTAL APPROPRIATION	((\$233,353,000))
14		<u>\$230,952,000</u>

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

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

20 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
21 shall allocate funding to school districts for transitional bilingual
22 programs as provided in RCW 28A.150.260(10)(b). In calculating the
23 allocations, the superintendent shall assume the following averages:
24 (i) Additional instruction of 4.7780 hours per week per transitional
25 bilingual program student; (ii) fifteen transitional bilingual program
26 students per teacher; (iii) 36 instructional weeks per year; (iv) 900
27 instructional hours per teacher; and (v) the district's average staff
28 mix and compensation rates as provided in sections 503 and 504 of this
29 act.

30 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
31 allocate funding to school districts for transitional bilingual
32 instruction programs as provided in section 514, chapter 564, Laws of
33 2009, as amended through section 1411 of this act.

34 (c) The allocations in this section reflect the implementation of
35 a new funding formula for the transitional bilingual instructional
36 program, effective September 1, 2011, as specified in RCW
37 28A.150.260(10)(b).

1 (3) The superintendent may withhold allocations to school districts
2 in subsection (2) of this section solely for the central provision of
3 assessments as provided in RCW 28A.180.090 (1) and (2) up to the
4 following amounts: 2.79 percent for school year 2011-12 and (~~2.09~~)
5 2.11 percent for school year 2012-13.

6 (4) The general fund--federal appropriation in this section is for
7 migrant education under Title I Part C and English language
8 acquisition, and language enhancement grants under Title III of the
9 elementary and secondary education act.

10 (5)(a) The office of the superintendent of public instruction shall
11 implement a funding model for the transitional bilingual program,
12 beginning in school year 2012-13, that is scaled to provide more
13 support to students requiring most intensive intervention, (students
14 with beginning levels of English language proficiency) and less support
15 to students requiring less intervention. The funding model shall also
16 provide up to two years of bonus funding upon successful exit from the
17 bilingual program to facilitate successful transition to a standard
18 program of education.

19 (b) It is expected that per-pupil funding for level 2 proficiency
20 will be set at the same level as would have been provided statewide
21 prior to establishing differential per-pupil amounts; level 1 will be
22 125 percent of level 2; level 3 through the level prior to exit will be
23 75 percent of level 2; and two bonus years upon successful
24 demonstration of proficiency will be 100 percent of level 2. Prior to
25 implementing in school year 2012-13, the office of the superintendent
26 of public instruction shall provide to the senate and house of
27 representatives ways and means committees recommended rates based on
28 the results of proficiency test procurement, expressed as both per-
29 pupil rates and hours of instruction as provided in RCW
30 28A.150.260(10)(b).

31 (c) Each bilingual student shall be tested for proficiency level
32 and, therefore, eligibility for the transitional bilingual program each
33 year. The bonus payments for up to two school years following
34 successful exit from the transitional bilingual program shall be
35 allocated to the exiting school district. If the student graduates or
36 transfers to another district prior to the district receiving both
37 years' bonuses, the district shall receive the bonus for only the
38 length of time the student remains enrolled in the exiting district.

1 (d) The quality education council shall examine the revised
2 funding model developed under this subsection and provide a report to
3 the education and fiscal committees of the legislature by December 1,
4 2011, that includes recommendations for:

5 (i) Changing the prototypical school funding formula for the
6 transitional bilingual program to align with the revised model in an
7 accurate and transparent manner;

8 (ii) Reconciling the revised model with statutory requirements for
9 categorical funding of the transitional bilingual instructional program
10 that is restricted to students eligible for and enrolled in that
11 program;

12 (iii) Clarifying the elements of the transitional bilingual
13 instructional program that fall under the definition of basic education
14 and the impact of the revised model on them; and

15 (iv) The extent that the disparate financial impact of the revised
16 model on different school districts should be addressed and options for
17 addressing it.

18 (e) The office of the superintendent of public instruction shall
19 report to the senate and house of representatives ways and means
20 committees and education committees annually by December 31st of each
21 year, through 2018, regarding any measurable changes in proficiency,
22 time-in-program, and transition experience.

23 (6) \$35,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$35,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely to track current and former
26 transitional bilingual program students.

27 **Sec. 514.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read
28 as follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
30 **ASSISTANCE PROGRAM**

31	General Fund--State Appropriation (FY 2012)	((\$102,470,000))
32		<u>\$102,619,000</u>
33	General Fund--State Appropriation (FY 2013)	((\$103,666,000))
34		<u>\$128,317,000</u>
35	General Fund--Federal Appropriation	\$492,207,000
36	Education Legacy Trust Account--State	
37	Appropriation	((\$47,980,000))

1 \$23,990,000
2 TOTAL APPROPRIATION ((~~\$746,323,000~~))
3 \$747,133,000

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

6 (1) The general fund--state appropriations in this section are
7 subject to the following conditions and limitations:

8 (a) The appropriations include such funds as are necessary to
9 complete the school year ending in the fiscal year and for prior fiscal
10 year adjustments.

11 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
12 shall allocate funding to school districts for learning assistance
13 programs as provided in RCW 28A.150.260(10)(a). In calculating the
14 allocations, the superintendent shall assume the following averages:

15 (A) Additional instruction of 1.51560 hours per week per funded
16 learning assistance program student; (B) fifteen learning assistance
17 program students per teacher; (C) 36 instructional weeks per year; (D)
18 900 instructional hours per teacher; and (E) the district's average
19 staff mix and compensation rates as provided in sections 503 and 504 of
20 this act.

21 (ii) From July 1, 2011, to August 31, 2011, the superintendent
22 shall allocate funding to school districts for learning assistance
23 programs as provided in section 515, chapter 564, Laws of 2009, as
24 amended through section 1412 of this act.

25 (c) A school district's funded students for the learning assistance
26 program shall be the sum of the district's full-time equivalent
27 enrollment in grades K-12 for the prior school year multiplied by the
28 district's percentage of October headcount enrollment in grades K-12
29 eligible for free or reduced price lunch in the prior school year.

30 (2) Allocations made pursuant to subsection (1) of this section
31 shall be adjusted to reflect ineligible applications identified through
32 the annual income verification process required by the national school
33 lunch program, as recommended in the report of the state auditor on the
34 learning assistance program dated February, 2010.

35 (3) The general fund--federal appropriation in this section is
36 provided for Title I Part A allocations of the no child left behind act
37 of 2001.

1 (4) A school district may carry over from one year to the next up
2 to 10 percent of the general fund-state or education legacy trust funds
3 allocated under this program; however, carryover funds shall be
4 expended for the learning assistance program.

5 (5) The office of the superintendent of public instruction shall
6 research and recommend options for an adjustment factor for middle
7 school and high school free and reduced price lunch eligibility
8 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report
9 to the fiscal committees of the legislature by June 1, 2012. For the
10 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

11 **Sec. 515.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to
12 read as follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

14 (1) Amounts distributed to districts by the superintendent through
15 part V of this act are for allocations purposes only and do not entitle
16 a particular district, district employee, or student to a specific
17 service, beyond what has been expressly provided in statute. Part V of
18 this act restates the requirements of various sections of Title 28A
19 RCW. If any conflict exists, the provisions of Title 28A RCW control
20 unless this act explicitly states that it is providing an enhancement.

21 Any amounts provided in part V of this act in excess of the amounts
22 required by Title 28A RCW provided in statute, are not within the
23 program of basic education.

24 (2) To the maximum extent practicable, when adopting new or revised
25 rules or policies relating to the administration of allocations in part
26 V of this act that result in fiscal impact, the office of the
27 superintendent of public instruction shall attempt to seek legislative
28 approval through the budget request process.

29 (3) Appropriations made in this act to the office of the
30 superintendent of public instruction shall initially be allotted as
31 required by this act. Subsequent allotment modifications shall not
32 include transfers of moneys between sections of this act except as
33 expressly provided in subsection (4) of this section.

34 (4) The appropriations to the office of the superintendent of
35 public instruction in this act shall be expended for the programs and
36 amounts specified in this act. However, after May 1, 2012, unless
37 specifically prohibited by this act and after approval by the director

1 of financial management, the superintendent of public instruction may
2 transfer state general fund appropriations for fiscal year 2012 among
3 the following programs to meet the apportionment schedule for a
4 specified formula in another of these programs: General apportionment;
5 employee compensation adjustments; pupil transportation; special
6 education programs; institutional education programs; transitional
7 bilingual programs; and learning assistance programs.

8 (5) The director of financial management shall notify the
9 appropriate legislative fiscal committees in writing prior to approving
10 any allotment modifications or transfers under this section.

11 **Sec. 516.** 2011 1st sp.s. c 50 s 517 (uncodified) is amended to
12 read as follows:

13 Pursuant to House Bill No. 1131 (regarding student achievement fund
14 allocations), per-student allocation distributions for school years
15 2011-12 and 2012-13 are suspended.

(End of part)

**PART VI
HIGHER EDUCATION**

Sec. 601. 2011 2nd sp.s. c 9 s 601 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2012)	((\$533,009,000))
	<u>\$532,975,000</u>
General Fund--State Appropriation (FY 2013)	((\$525,644,000))
	<u>\$511,095,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation	\$8,037,000
Education Legacy Trust Account--State Appropriation	\$95,370,000
TOTAL APPROPRIATION	((\$1,162,060,000))
	<u>\$1,147,477,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2012 and \$28,761,000 of the general fund--state appropriation for fiscal year 2013 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2012 and at least 6,200 full-time equivalent students in fiscal year 2013.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2012 and \$2,725,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$4,500,000 of the general fund--state appropriation for fiscal

1 year 2012 and \$4,500,000 of the general fund--state appropriation for
2 fiscal year 2013 is provided solely for worker retraining.

3 (4) Of the amounts appropriated in this section, \$5,000,000 is
4 provided solely for the student achievement initiative.

5 (5) When implementing the appropriations in this section, the state
6 board and the trustees of the individual community and technical
7 colleges shall minimize impact on academic programs, maximize
8 reductions in administration, and shall at least maintain, and endeavor
9 to increase, enrollment opportunities and degree and certificate
10 production in high employer-demand fields of study at their academic
11 year 2008-09 levels.

12 (6) Community and technical colleges are not required to send mass
13 mailings of course catalogs to residents of their districts. Community
14 and technical colleges shall consider lower cost alternatives, such as
15 mailing postcards or brochures that direct individuals to online
16 information and other ways of acquiring print catalogs.

17 (7) Bellevue college is authorized to offer applied baccalaureate
18 degrees in information technology, health care services and management,
19 biotechnology, and preprofessional preparation for medical fields.
20 These degrees shall be directed at high school graduates and transfer-
21 oriented degree and professional and technical degree holders. In
22 fiscal year 2012, Bellevue college will develop a two-year plan for
23 offering these new degrees. The plan will assume funding for these new
24 degrees shall come through redistribution of its current per full-time
25 enrollment funding. The plan shall be delivered to the legislature by
26 June 30, 2012.

27 (8) The Seattle community college district is authorized to offer
28 applied baccalaureate degree programs in business/international
29 business and technology management, interactive and artistic digital
30 media, sustainability, building science technology, and allied and
31 global health. These degrees shall be directed at high school
32 graduates and professional and technical degree holders. In fiscal
33 year 2012, Seattle community colleges shall develop a two-year plan for
34 offering these new degrees. The plan will assume that funding for
35 these new degrees comes through redistribution of its current per full-
36 time enrollment funding. The plan shall be delivered to the
37 legislature by June 30, 2012.

1 (9) Appropriations in this section from the general fund and the
2 education legacy trust account may not be expended for remedial
3 (precollege) courses for students who graduated from high school within
4 the last two years.

5 **Sec. 602.** 2011 2nd sp.s. c 9 s 602 (uncodified) is amended to read
6 as follows:

7 **FOR THE UNIVERSITY OF WASHINGTON**

8	General Fund--State Appropriation (FY 2012)	((\$201,388,000))
9		<u>\$201,362,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$206,358,000))
11		<u>\$203,478,000</u>
12	Education Legacy Trust Account--State Appropriation	\$18,579,000
13	<u>Economic Development Strategic Reserve Account--</u>	
14	<u>State Appropriation</u>	<u>\$1,500,000</u>
15	Biotoxin Account--State Appropriation	\$450,000
16	Accident Account--State Appropriation	\$6,699,000
17	Medical Aid Account--State Appropriation	\$6,502,000
18	TOTAL APPROPRIATION	((\$439,976,000))
19		<u>\$438,570,000</u>

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

22 (1) In implementing the appropriations in this section, the
23 president and regents shall (~~seek to~~) minimize impacts on student
24 services and instructional programs by maximizing reductions in
25 administration and other noninstructional activities.

26 (2) \$150,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$150,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely for the development of integrated
29 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho
30 (WWAMI) medical education program in Spokane and eastern Washington.
31 Funding is contingent on appropriations being provided to Washington
32 State University for WWAMI program expansion in Spokane and eastern
33 Washington.

34 (3) \$52,000 of the general fund--state appropriation for fiscal
35 year 2012 and \$52,000 of the general fund--state appropriation for
36 fiscal year 2013 are provided solely for the center for international
37 trade in forest products in the college of forest resources.

1 (4) \$88,000 of the general fund--state appropriation for fiscal
2 year 2012 is provided solely for implementation of Engrossed Second
3 Substitute Senate Bill No. 5485 (state's natural resources). If the
4 bill is not enacted by June 30, 2011, the amount provided in this
5 subsection shall lapse.

6 (5) \$143,000 of the general fund--state appropriation for fiscal
7 year 2012 and \$144,000 of the general fund--state appropriation for
8 fiscal year 2013 are provided solely for the ongoing management of the
9 Washington park arboretum.

10 **Sec. 603.** 2011 2nd sp.s. c 9 s 603 (uncodified) is amended to read
11 as follows:

12 **FOR WASHINGTON STATE UNIVERSITY**

13	General Fund--State Appropriation (FY 2012)	((\$134,512,000))
14		<u>\$134,678,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$136,087,000))
16		<u>\$135,785,000</u>
17	Education Legacy Trust Account--State Appropriation	\$33,065,000
18	TOTAL APPROPRIATION	((\$303,664,000))
19		<u>\$303,528,000</u>

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

22 (1) In implementing the appropriations in this section, the
23 president and regents shall (~~seek to~~) minimize impacts on student
24 services and instructional programs by maximizing reductions in
25 administration and other noninstructional activities.

26 (2) Within available funds, Washington State University shall serve
27 an additional cohort of fifteen full-time equivalent students in the
28 mechanical engineering program located at Olympic College.

29 (3) \$300,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$300,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for the expansion of health
32 sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho
33 (WWAMI) medical education program in Spokane and eastern Washington.
34 Funding is contingent on appropriations being provided to the
35 University of Washington for integrated medical curriculum development
36 for WWAMI.

1 **Sec. 604.** 2011 2nd sp.s. c 9 s 604 (uncodified) is amended to read
2 as follows:

3 **FOR EASTERN WASHINGTON UNIVERSITY**

4	General Fund--State Appropriation (FY 2012)	((\$26,257,000))
5		<u>\$26,255,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$26,541,000))
7		<u>\$25,494,000</u>
8	Education Legacy Trust Account--State Appropriation	\$16,087,000
9	TOTAL APPROPRIATION	((\$68,885,000))
10		<u>\$67,836,000</u>

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

13 (1) In implementing the appropriations in this section, the
14 president and governing board shall (~~seek to~~) minimize impacts on
15 student services and instructional programs by maximizing reductions in
16 administration and other noninstructional activities.

17 (2) At least \$200,000 of the general fund--state appropriation for
18 fiscal year 2012 and at least \$200,000 of the general fund--state
19 appropriation for fiscal year 2013 shall be expended on the Northwest
20 autism center.

21 **Sec. 605.** 2011 2nd sp.s. c 9 s 605 (uncodified) is amended to read
22 as follows:

23 **FOR CENTRAL WASHINGTON UNIVERSITY**

24	General Fund--State Appropriation (FY 2012)	((\$22,468,000))
25		<u>\$22,466,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$22,525,000))
27		<u>\$21,547,000</u>
28	Education Legacy Trust Account--State Appropriation	\$19,076,000
29	TOTAL APPROPRIATION	((\$64,069,000))
30		<u>\$63,089,000</u>

31 The appropriations in this section are subject to the following
32 conditions and limitations: In implementing the appropriations in this
33 section, the president and governing board shall (~~seek to~~) minimize
34 impacts on student services and instructional programs by maximizing
35 reductions in administration and other noninstructional activities.

1 **Sec. 606.** 2011 2nd sp.s. c 9 s 606 (uncodified) is amended to read
2 as follows:

3 **FOR THE EVERGREEN STATE COLLEGE**

4	General Fund--State Appropriation (FY 2012)	((\$15,595,000))
5		<u>\$15,594,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$15,339,000))
7		<u>\$14,809,000</u>
8	Education Legacy Trust Account--State Appropriation	\$5,450,000
9	TOTAL APPROPRIATION	((\$36,384,000))
10		<u>\$35,853,000</u>

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

13 (1) In implementing the appropriations in this section, the
14 president and governing board shall (~~seek to~~) minimize impacts on
15 student services and instructional programs by maximizing reductions in
16 administration and other noninstructional activities.

17 (2) \$50,000 of the general fund--state appropriation for fiscal
18 year 2012 and \$25,000 of the general fund--state appropriation for
19 fiscal year 2013 are provided solely for the Washington state institute
20 for public policy to conduct a detailed study of the commitment of
21 sexually violent predators to the special commitment center pursuant to
22 chapter 71.09 RCW and the subsequent release of those persons to
23 less-restrictive alternatives.

24 (a) Specifically, the institute's study shall examine:

25 (i) The projected future demand for the special commitment center,
26 including profiles and characteristics of persons referred and
27 committed to the special commitment center since its inception, whether
28 the profiles of those persons have changed over time, and, given
29 current trends, the likelihood of the continuing rate of referral;

30 (ii) Residents' participation in treatment over time and the impact
31 of treatment on eventual release to a less-restrictive alternative;

32 (iii) The annual review process and the process for a committed
33 person to petition for conditional or unconditional release,
34 specifically:

- 35 (A) The time frames for conducting mandatory reviews;
- 36 (B) The role of the special commitment center clinical team;
- 37 (C) Options and standards utilized by other jurisdictions or

1 similar processes to conduct periodic reviews, including specialized
2 courts, parole boards, independent review boards, and other commitment
3 proceedings;

4 (iv) The capacity and future demand for appropriate less
5 restrictive alternatives for moving residents out of the special
6 commitment center, including:

7 (A) The capacity and demand for secure community transition
8 facilities;

9 (B) Options for specialized populations such as the elderly or
10 those with developmental disabilities and whether more cost-efficient
11 options might be used to house those populations while keeping the
12 public safe;

13 (C) Prospects for moving residents to noninstitutionalized settings
14 beyond a secure community transition facility.

15 (b) The department of social and health services shall cooperate
16 with the institute in conducting its examination and must provide the
17 institute with requested data and records in a timely manner.

18 (c) The institute shall provide a status report to the governor and
19 the legislature no later than November 1, 2011, with a final report due
20 no later than November 1, 2012.

21 (3) \$50,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$50,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for the institute for public
24 policy to provide research support to the council on quality education.

25 (4) To the extent federal or private funding is available for this
26 purpose, the Washington state institute for public policy and the
27 center for reinventing public education at the University of Washington
28 shall examine the relationship between participation in pension systems
29 and teacher quality and mobility patterns in the state. The department
30 of retirement systems shall facilitate researchers' access to necessary
31 individual-level data necessary to effectively conduct the study. The
32 researchers shall ensure that no individually identifiable information
33 will be disclosed at any time. An interim report on project findings
34 shall be completed by November 15, 2010, and a final report shall be
35 submitted to the governor and to the relevant committees of the
36 legislature by October 15, 2011.

37 (5) Funding provided in this section is sufficient for The

1 Evergreen State College to continue operations of the Longhouse Center
2 and the Northwest Indian applied research institute.

3 (6) If, and to the extent that private funding is available for
4 this purpose, the Washington state institute for public policy shall
5 study and report on the child welfare and educational characteristics
6 and outcomes for foster youth who are served by educational advocates.
7 The department of social and health services and the office of the
8 superintendent of public instruction shall facilitate researchers'
9 access to data necessary to effectively complete the study. The
10 institute shall submit an interim report with baseline characteristics
11 of youth served by educational advocates by December 2011 and a final
12 report by October 31, 2012, to the governor and to the appropriate
13 committees of the legislature.

14 (7) \$75,000 of the general fund--state appropriation for fiscal
15 year 2012 is provided to the Washington state institute for public
16 policy (WSIPP) to conduct a review of state investments in the family
17 caregiver and support program. Funding for this program is provided by
18 assumed savings from diverting seniors from entering into long-term
19 care medicaid placements by supporting informal caregivers. WSIPP
20 shall work with the department of social and health services to
21 establish and review outcome data for this investment. A preliminary
22 report on the outcomes of the investment into this program is due to
23 the appropriate legislative committees by December 15, 2011, and a
24 final report is due to the appropriate legislative committees by August
25 30, 2012.

26 (8) \$13,000 of the general fund--state appropriation for fiscal
27 year 2013 is provided solely to implement Second Substitute House Bill
28 No. 2289 (child protective services). If the bill is not enacted by
29 June 30, 2012, the amount provided in this subsection shall lapse.

30 **Sec. 607.** 2011 2nd sp.s. c 9 s 607 (uncodified) is amended to read
31 as follows:

32 **FOR WESTERN WASHINGTON UNIVERSITY**

33	General Fund--State Appropriation (FY 2012)	((\$33,754,000))
34		<u>\$33,750,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$33,743,000))
36		<u>\$32,506,000</u>
37	Education Legacy Trust Account--State Appropriation	\$13,266,000

1 TOTAL APPROPRIATION ((~~\$80,763,000~~))
2 \$79,522,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: In implementing the appropriations in this
5 section, the president and governing board shall (~~seek to~~) minimize
6 impacts on student services and instructional programs by maximizing
7 reductions in administration and other noninstructional activities.

8 **Sec. 608.** 2011 2nd sp.s. c 9 s 611 (uncodified) is amended to read
9 as follows:

10 **FOR THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

11 General Fund--State Appropriation (FY 2013) ((~~\$248,927,000~~))
12 \$174,102,000
13 General Fund--Federal Appropriation \$5,816,000
14 Washington Opportunity Pathways Account--State
15 Appropriation \$73,500,000
16 TOTAL APPROPRIATION ((~~\$328,243,000~~))
17 \$253,418,000

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

20 (1) ((~~\$237,018,000~~)) \$162,193,000 of the general fund--state
21 appropriation for fiscal year 2013 and \$73,500,000 of the opportunity
22 pathways account--state appropriation are provided solely for student
23 financial aid payments under the state need grant and the state work
24 study program including up to a four percent administrative allowance
25 for the state work study program.

26 (2) Within the funds appropriated in this section, eligibility for
27 the state need grant shall include students with family incomes at or
28 below 70 percent of the state median family income (MFI), adjusted for
29 family size, and shall include students enrolled in three to five
30 credit-bearing quarter credits, or the equivalent semester credits.
31 The office of student financial assistance shall report to the
32 legislature by December 1, 2013, regarding the number of students
33 enrolled in three to five credit-bearing quarter credits, or the
34 equivalent semester credits, and their academic progress including
35 degree completion. Awards for all students shall be adjusted by the
36 estimated amount by which Pell grant increases exceed projected
37 increases in the noninstructional costs of attendance. Awards for

1 students with incomes between 51 and 70 percent of the state median
2 shall be prorated at the following percentages of the award amount
3 granted to those with incomes below 51 percent of the MFI: 70 percent
4 for students with family incomes between 51 and 55 percent MFI; 65
5 percent for students with family incomes between 56 and 60 percent MFI;
6 60 percent for students with family incomes between 61 and 65 percent
7 MFI; and 50 percent for students with family incomes between 66 and 70
8 percent MFI. Awards for students will be limited in duration to 12
9 quarters, or eight semesters for students in four-year schools and six
10 quarters for students in two-year schools. Only those students who
11 file their federal application for federal financial aid (FAFSA) by
12 March 15th will receive state need grant awards.

13 (3) (~~(\$250,000)~~) \$1,250,000 of the general fund--state
14 appropriation for fiscal year 2013 is provided solely for
15 implementation of the aerospace training scholarship and student loan
16 program as specified in Engrossed Substitute House Bill No. 1846
17 (aerospace student loans). If this bill is not enacted by June 30,
18 2011, the amount provided in this subsection shall lapse.

19 (4) For fiscal year 2013, the board shall defer loan or conditional
20 scholarship repayments to the future teachers conditional scholarship
21 and loan repayment program for up to one year for each participant if
22 the participant has shown evidence of efforts to find a teaching job
23 but has been unable to secure a teaching job per the requirements of
24 the program.

25 (5) \$1,000,000 of the education legacy trust account--state
26 appropriation is provided solely for the gaining early awareness and
27 readiness for undergraduate programs project.

28 (6) \$500,000 of the general fund--state appropriation for fiscal
29 year 2013 is provided solely for the leadership 1000 program.

30 (7) \$2,436,000 of the general fund--state appropriation for fiscal
31 year 2013 is provided solely for the passport to college program. The
32 maximum scholarship award shall be \$5,000. The board shall contract
33 with a nonprofit organization to provide support services to increase
34 student completion in their postsecondary program and shall, under this
35 contract provide a minimum of \$500,000 in fiscal year 2013 for this
36 purpose.

37 (8) In addition to the entities listed in RCW 28B.122.010, the

1 aerospace student loan program may provide loans to students attending
2 an aerospace training program at Renton technical college.

3 **Sec. 609.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to
4 read as follows:

5 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

6	General Fund--State Appropriation (FY 2012)	((\$1,382,000))
7		<u>\$1,312,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$1,388,000))
9		<u>\$1,655,000</u>
10	General Fund--Federal Appropriation	\$62,758,000
11	TOTAL APPROPRIATION	((\$65,528,000))
12		<u>\$65,725,000</u>

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

15 (1) For the 2011-2013 fiscal biennium the board shall not designate
16 recipients of the Washington award for vocational excellence or
17 recognize them at award ceremonies as provided in RCW 28C.04.535.

18 (2) \$205,000 of the general fund--state appropriation for fiscal
19 year 2013 is provided solely for the implementation of Second
20 Substitute House Bill No. 2170 (career pathways act). If the bill is
21 not enacted by June 30, 2012, the amount provided in this subsection
22 shall lapse.

23 (3) \$131,000 of the general fund--state appropriation for fiscal
24 year 2013 is provided solely for the implementation of Second
25 Substitute House Bill No. 2156 (workforce training/aerospace). If the
26 bill is not enacted by June 30, 2012, the amount provided in this
27 subsection shall lapse.

28 **Sec. 610.** 2011 2nd sp.s. c 9 s 612 (uncodified) is amended to read
29 as follows:

30 **FOR THE DEPARTMENT OF EARLY LEARNING**

31	General Fund--State Appropriation (FY 2012)	((\$27,571,000))
32		<u>\$26,251,000</u>
33	General Fund--State Appropriation (FY 2013)	((\$27,558,000))
34		<u>\$28,388,000</u>
35	General Fund--Federal Appropriation	((\$261,753,000))
36		<u>\$280,084,000</u>

1 Opportunity Pathways Account--State Appropriation . . . ((~~\$80,000,000~~))
2 \$78,000,000
3 TOTAL APPROPRIATION ((~~\$396,882,000~~))
4 \$412,723,000

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

7 (1) \$16,028,000 of the general fund--state appropriation for fiscal
8 year 2012, ((~~\$16,028,000~~)) \$19,028,000 of the general fund--state
9 appropriation of fiscal year 2013, ((~~\$80,000,000~~)) \$78,000,000 of the
10 opportunity pathways account appropriation, and \$2,256,000 of the
11 general fund--federal appropriation are provided solely for the early
12 childhood education assistance program services. Of these amounts,
13 \$10,284,000 is a portion of the biennial amount of state maintenance of
14 effort dollars required to receive federal child care and development
15 fund grant dollars.

16 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the
17 department is authorized to increase child care center and child care
18 family home licensure fees in fiscal years 2012 and 2013 for costs to
19 the department for the licensure activity, including costs of necessary
20 inspection. These increases are necessary to support expenditures
21 authorized in this section.

22 (3) \$638,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$638,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for child care resource and
25 referral network services.

26 (4) \$200,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$200,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely to develop and provide culturally
29 relevant supports for parents, family, and other caregivers.

30 (5) The department is the lead agency for and recipient of the
31 federal child care and development fund grant. Amounts within this
32 grant shall be used to fund child care licensing, quality initiatives,
33 agency administration, and other costs associated with child care
34 subsidies. The department shall transfer a portion of this grant to
35 the department of social and health services to fund the child care
36 subsidies paid by the department of social and health services on
37 behalf of the department of early learning.

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

7 (7) \$934,000 of the general fund--state appropriation for fiscal
8 year 2012, \$934,000 of the general fund--state appropriation for fiscal
9 year 2013, and \$2,400,000 of the general fund--federal appropriation
10 are provided solely for expenditure into the home visiting services
11 account. This funding is intended to meet federal maintenance of
12 effort requirements and to secure private matching funds.

13 (8) In addition to groups that were given prioritized access to the
14 working connections child care program effective March 1, 2011, the
15 department shall also give prioritized access into the program to
16 families in which a parent of a child in care is a minor who is not
17 living with a parent or guardian and who is a full-time student in a
18 high school that has a school-sponsored on-site child care center.

19 (9) Within available amounts, the department in consultation with
20 the office of financial management and the department of social and
21 health services shall report quarterly enrollments and active caseload
22 for the working connections child care program to the legislative
23 fiscal committees. The report shall also identify the number of cases
24 participating in both temporary assistance for needy families and
25 working connections child care.

26 (10) \$2,522,000 of the general fund--state appropriation for fiscal
27 year 2012, \$2,522,000 of the general fund--state appropriation for
28 fiscal year 2013, and \$4,304,000 of the general fund--federal
29 appropriation are provided solely for the medicaid treatment child care
30 (MTCC) program. The department shall contract for MTCC services to
31 provide therapeutic child care and other specialized treatment services
32 to abused, neglected, at-risk, and/or drug-affected children. Priority
33 for services shall be given to children referred from the department of
34 social and health services children's administration. In addition to
35 referrals made by children's administration, the department shall
36 authorize services for children referred to the MTCC program, as long
37 as the children meet the eligibility requirements as outlined in the

1 Washington state plan for the MTCC program. Of the amounts
2 appropriated in this subsection, \$60,000 per fiscal year may be used by
3 the department for administering the MTCC program, if needed.

4 **Sec. 611.** 2011 2nd sp.s. c 9 s 613 (uncodified) is amended to read
5 as follows:

6 **FOR THE STATE SCHOOL FOR THE BLIND**

7	General Fund--State Appropriation (FY 2012)	\$5,782,000
8	General Fund--State Appropriation (FY 2013)	\$5,749,000
9	((General Fund--Private/Local Appropriation	\$1,961,000))
10	TOTAL APPROPRIATION	(((\$13,492,000))
11		<u>\$11,531,000</u>

12 ~~((The appropriations in this section are subject to the following
13 conditions and limitations: \$271,000 of the general fund--
14 private/local appropriation is provided solely for the school for the
15 blind to offer short course programs, allowing students the opportunity
16 to leave their home schools for short periods and receive intensive
17 training. The school for the blind shall provide this service to the
18 extent that it is funded by contracts with school districts and
19 educational services districts.))~~

20 **Sec. 612.** 2011 2nd sp.s. c 9 s 614 (uncodified) is amended to read
21 as follows:

22 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
23 **LOSS**

24	General Fund--State Appropriation (FY 2012)	\$8,449,000
25	General Fund--State Appropriation (FY 2013)	\$8,446,000
26	((General Fund--Private/Local Appropriation	\$526,000))
27	TOTAL APPROPRIATION	(((\$17,421,000))
28		<u>\$16,895,000</u>

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2011 2nd sp.s. c 9 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 702. 2011 2nd sp.s. c 9 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2012)	((\$27,516,000))
	<u>\$27,400,000</u>
General Fund--State Appropriation (FY 2013)	((\$30,758,000))
	<u>\$30,572,000</u>
Nondebt-Limit Reimbursable Bond Retirement	
Account--State Appropriation	\$140,128,000
TOTAL APPROPRIATION	((\$198,402,000))
	<u>\$198,100,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

NEW SECTION. **Sec. 703.** 2011 1st sp.s. c 50 s 709 (uncodified) is repealed.

NEW SECTION. **Sec. 704.** 2011 1st sp.s. c 50 s 710 (uncodified) is repealed.

NEW SECTION. **Sec. 705.** A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE EMPLOYEES--TEMPORARY LAYOFFS

General Fund--State Appropriation (FY 2013)	(\$68,381,000)
General Fund--Federal Appropriation	(\$22,034,000)
General Fund--Private/Local Appropriation	(\$3,161,000)
Education Legacy Trust Account--State	
Appropriation	(\$2,316,000)
Dedicated Funds and Accounts Appropriation	(\$18,872,000)
TOTAL APPROPRIATION	(\$114,764,000)

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

(1) The appropriations in this section are provided solely to reduce agency and institution appropriations in accordance with the

1 schedules in LEAP Omnibus Document H-TL1 dated February 17, 2012, which
2 is hereby incorporated by reference. The office of financial
3 management shall allocate the moneys appropriated in this section in
4 the amounts specified and adjust appropriation schedules accordingly.
5 The office of financial management shall make any further allotment
6 adjustments necessary to reflect agency mergers or consolidations
7 assumed in this act.

8 (2) The appropriations in this section reflect savings as a result
9 of temporary layoffs for state employees as provided in sections 901
10 and 902 of this act.

11 **Sec. 706.** 2011 1st sp.s. c 50 s 715 (uncodified) is amended to
12 read as follows:

13 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**
14 **COSTS**

15 General Fund--State Appropriation (FY 2012) ~~(\$591,000)~~
16 \$1,102,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The director of financial management shall
19 distribute ~~(\$338,000)~~ \$501,000 to Franklin county, \$128,000 to
20 Jefferson county, ~~(and)~~ \$125,000 to Okanogan county, \$161,000 to
21 Yakima county, and \$187,000 to King county for extraordinary criminal
22 justice costs.

23 NEW SECTION. **Sec. 707.** 2011 2nd sp.s. c 9 s 705 (uncodified) is
24 repealed.

25 **Sec. 708.** 2011 2nd sp.s. c 9 s 707 (uncodified) is amended to read
26 as follows:

27 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONNEL SERVICES**

28 ~~((From appropriations to state agencies for the 2011-2013 fiscal~~
29 ~~biennium, the office of financial management shall reduce general~~
30 ~~fund state allotments by \$9,537,000 for fiscal year 2013 to reflect~~
31 ~~reduced billings and related charges to client agencies for central~~
32 ~~personnel services, pursuant to allotment schedules prepared by the~~
33 ~~office of financial management. The allotment reductions under this~~
34 ~~section shall be placed in unallotted status and remain unexpended.))~~
35 General Fund--State Appropriation (FY 2012) (\$745,000)

1	<u>General Fund--State Appropriation (FY 2013)</u>	<u>(\$763,000)</u>
2	<u>Other Appropriated Funds</u>	<u>(\$1,176,000)</u>
3	<u>TOTAL APPROPRIATION</u>	<u>(\$2,684,000)</u>

4 The appropriations in this section are solely for the purposes
5 designated in this section and are subject to the following conditions
6 and limitations:

7 (1) Appropriations are adjusted to reflect adjustments in funding
8 for charges associated with a personnel services rate reduction.

9 (2) The office of financial management shall update agency
10 appropriation schedules to reflect the changes to funding levels in
11 this section as identified by agency and in the amounts specified in
12 LEAP Document GLP-2012 dated February 17, 2012.

13 NEW SECTION. Sec. 709. A new section is added to 2011 lsp sp.s.
14 c 50 (uncodified) to read as follows:

15 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--FOR THE STREET GANG PREVENTION**
16 **ACCOUNT**

17 General Fund--State Appropriation (FY 2013) \$2,500,000

18 The appropriation in this section is subject to the following
19 conditions and limitations: The appropriation in this section is
20 provided solely for expenditures into the street gang prevention
21 account established in Second Substitute House Bill No. 2432 (street
22 gang activities). If the bill is not enacted by June 30, 2012, the
23 amount provided in this section shall lapse.

24 NEW SECTION. Sec. 710. A new section is added to 2011 1st sp.s.
25 c 50 (uncodified) to read as follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CELLULAR PHONE USAGE**

27 From appropriations to state agencies for the 2011-2013 fiscal
28 biennium, the office of financial management shall reduce general
29 fund--state allotments by \$594,000 for fiscal year 2012 and \$1,207,000
30 for fiscal year 2013 to reflect efficiencies and reductions associated
31 with cellular phone usage and costs, including efficiencies identified
32 by the state auditor. The allotment reductions under this section
33 shall be placed in unallotted status and remain unexpended.

34 NEW SECTION. Sec. 711. A new section is added to 2011 1st sp.s.
35 c 50 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**
2 **FROM THE FOREST DEVELOPMENT ACCOUNT**

3 Forest Development Account--State Appropriation \$10,000,000

4 The appropriation in this section is provided solely for
5 distribution of state forest land revenues to taxing authorities that
6 received such revenue from fiscal year 2002 through fiscal year 2011
7 and is subject to the following conditions and limitations:

8 (1) Within fifteen days of the effective date of this section, the
9 department shall transmit funds in the amounts specified in subsection
10 (3) of this section to the county treasurers of the counties receiving
11 the funds.

12 (2) The county treasurers of the counties listed in this section
13 shall distribute funds received from this appropriation to taxing
14 authorities in proportion to the state forest transfer land funds
15 distributed to the taxing authorities based on information available
16 for the fiscal years 2002 through 2011. Funds to be credited to the
17 state of Washington and funds credited to school district general
18 levies shall be remitted to the state of Washington within thirty days
19 after the effective date of this section for deposit into the state
20 general fund.

21 (3) Funds shall be distributed in the following amounts:

22	Clallam	\$848,854
23	Clark	\$630,368
24	Cowlitz	\$418,159
25	Grays Harbor	\$266,365
26	Jefferson	\$239,722
27	King	\$328,725
28	Kitsap	\$73,839
29	Klickitat	\$197,968
30	Lewis	\$887,679
31	Mason	\$425,935
32	Okanogan	\$4
33	Pacific	\$352,540
34	Pierce	\$334,179
35	Skagit	\$1,534,497

1	Skamania	\$66,648
2	Snohomish	\$1,565,549
3	Stevens	\$6,709
4	Thurston	\$783,735
5	Wahkiakum	\$285,339
6	Whatcom	\$753,186
7	Total	\$10,000,000

8 NEW SECTION. **Sec. 712.** A new section is added to 2011 1st sp.s.
9 c 50 (uncodified) to read as follows:

10 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE CHARGES**
11 **REDUCTION**

12	General Fund--State Appropriation (FY 2012)	(\$702,000)
13	General Fund--State Appropriation (FY 2013)	(\$1,410,000)
14	Other Appropriated Funds	(\$3,222,000)
15	TOTAL APPROPRIATION	(\$5,334,000)

16 The appropriations in this section are solely for the purposes
17 designated in this section and are subject to the following conditions
18 and limitations:

19 (1) Appropriations are adjusted to reflect adjustments in funding
20 for charges associated with central services.

21 (2) The office of financial management shall update agency
22 appropriation schedules to reflect the changes to funding levels in
23 this section as identified by agency and in the amounts specified in
24 LEAP Document 92A-2012 dated February 17, 2012.

25 NEW SECTION. **Sec. 713.** A new section is added to 2011 1st sp.s.
26 c 50 (uncodified) to read as follows:

27 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEGAL SERVICES REDUCTION**

28	General Fund--State Appropriation (FY 2012)	(\$896,000)
29	General Fund--State Appropriation (FY 2013)	(\$1,805,000)
30	Other Appropriated Funds	(\$4,918,000)
31	TOTAL APPROPRIATION	(\$7,619,000)

32 The appropriations in this section are solely for the purposes
33 designated in this section and are subject to the following conditions
34 and limitations:

1 (1) Appropriations are adjusted to reflect savings associated with
2 a reduction in expenditures related to legal services.

3 (2) The office of financial management shall update agency
4 appropriation schedules to reflect the changes to funding levels in
5 this section as identified by agency and in the amounts specified in
6 LEAP Document 92C-2012 dated February 17, 2012.

7 NEW SECTION. **Sec. 714.** A new section is added to 2011 1st sp.s.
8 c 50 (uncodified) to read as follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE SAVINGS**

10	General Fund--State Appropriation (FY 2012)	(\$62,000)
11	General Fund--State Appropriation (FY 2013)	(\$127,000)
12	Other Appropriated Funds	(\$207,000)
13	TOTAL APPROPRIATION	(\$396,000)

14 The appropriations in this section are solely for the purposes
15 designated in this section and are subject to the following conditions
16 and limitations:

17 (1) Appropriations are adjusted to reflect savings associated with
18 a reduction in billing to various state agencies for central services.

19 (2) The office of financial management shall update agency
20 appropriation schedules to reflect the changes to funding levels in
21 this section as identified by agency and in the amounts specified in
22 LEAP Document 92E-2012 dated February 17, 2012.

23 NEW SECTION. **Sec. 715.** A new section is added to 2011 1st sp.s.
24 c 50 (uncodified) to read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMMUTE TRIP REDUCTION**

26	General Fund--State Appropriation (FY 2012)	(\$17,000)
27	General Fund--State Appropriation (FY 2013)	(\$67,000)
28	Other Appropriated Funds	(\$755,000)
29	TOTAL APPROPRIATION	(\$839,000)

30 The appropriations in this section are solely for the purposes
31 designated in this section and are subject to the following conditions
32 and limitations:

33 (1) Appropriations are adjusted to reflect savings associated with
34 eliminating expenditures related to the commute trip reduction program.

35 (2) The office of financial management shall update agency

1 appropriation schedules to reflect the changes to funding levels in
2 this section as identified by agency and in the amounts specified in
3 LEAP Document CTR-2012 dated February 17, 2012.

4 NEW SECTION. **Sec. 716.** A new section is added to 2011 1st sp.s.
5 c 50 (uncodified) to read as follows:

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CONSOLIDATED TECHNOLOGY**
7 **SERVICES**

8	General Fund--State Appropriation (FY 2012)	(\$307,000)
9	General Fund--State Appropriation (FY 2013)	(\$1,249,000)
10	Other Appropriated Funds	(\$1,927,000)
11	TOTAL APPROPRIATION	(\$3,483,000)

12 The appropriations in this section are solely for the purposes
13 designated in this section and are subject to the following conditions
14 and limitations:

15 (1) Appropriations are adjusted to reflect savings associated with
16 a 5 percent reduction in service delivery and administration costs.

17 (2) The office of financial management shall update agency
18 appropriation schedules to reflect the changes to funding levels in
19 this section as identified by agency and in the amounts specified in
20 LEAP Document CTS-2012 dated February 17, 2012.

21 NEW SECTION. **Sec. 717.** A new section is added to 2011 1st sp.s.
22 c 50 (uncodified) to read as follows:

23 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ENTERPRISE SERVICES**

24	General Fund--State Appropriation (FY 2013)	(\$1,393,000)
25	Other Appropriated Funds	(\$584,000)
26	TOTAL APPROPRIATION	(\$1,977,000)

27 The appropriations in this section are solely for the purposes
28 designated in this section and are subject to the following conditions
29 and limitations:

30 (1) Appropriations are adjusted to reflect savings associated with
31 a reduction in expenditures related to printing, bulk mail, and the
32 operation of the state motor pool.

33 (2) The office of financial management shall update agency
34 appropriation schedules to reflect the changes to funding levels in
35 this section as identified by agency and in the amounts specified in
36 LEAP Document DES-2012 dated February 17, 2012.

1 NEW SECTION. **Sec. 718.** A new section is added to 2011 1st sp.s.
2 c 50 (uncodified) to read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--GOODS AND SERVICES**

4	General Fund--State Appropriation (FY 2012)	(\$1,644,000)
5	General Fund--State Appropriation (FY 2013)	(\$6,580,000)
6	TOTAL APPROPRIATION	(\$8,224,000)

7 The appropriations in this section are solely for the purposes
8 designated in this section and are subject to the following conditions
9 and limitations:

10 (1) Appropriations are adjusted to reflect savings associated with
11 a 10 percent reduction in expenditures related to goods and services.

12 (2) The office of financial management shall update agency
13 appropriation schedules to reflect the changes to funding levels in
14 this section as identified by agency and in the amounts specified in
15 LEAP Document HW2-2012 dated February 17, 2012.

16 (3) For agencies with appropriations from accounts other than the
17 general fund--state, the office of financial management shall work with
18 agencies to achieve potential savings in other accounts.

19 NEW SECTION. **Sec. 719.** A new section is added to 2011 1st sp.s.
20 c 50 (uncodified) to read as follows:

21 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--TRAVEL**

22	General Fund--State Appropriation (FY 2012)	(\$653,000)
23	General Fund--State Appropriation (FY 2013)	(\$2,616,000)
24	TOTAL APPROPRIATION	(\$3,269,000)

25 The appropriations in this section are solely for the purposes
26 designated in this section and are subject to the following conditions
27 and limitations:

28 (1) Appropriations are adjusted to reflect savings associated with
29 a 20 percent reduction in expenditures related to travel.

30 (2) The office of financial management shall update agency
31 appropriation schedules to reflect the changes to funding levels in
32 this section as identified by the agency and in the amounts specified
33 in LEAP Document TF1-2012 dated February 17, 2012.

34 (3) For agencies with appropriations from accounts other than the
35 general fund--state, the office of financial management shall work with
36 agencies to achieve potential savings in other accounts.

1 NEW SECTION. **Sec. 720.** A new section is added to 2011 1st sp.s.
2 c 50 (uncodified) to read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONAL SERVICE CONTRACTS**

4 General Fund--State Appropriation (FY 2012)	(\$1,076,000)
5 General Fund--State Appropriation (FY 2013)	(\$4,311,000)
6 TOTAL APPROPRIATION	(\$5,387,000)

7 The appropriations in this section are solely for the purposes
8 designated in this section and are subject to the following conditions
9 and limitations:

10 (1) Appropriations are adjusted to reflect savings associated with
11 a 20 percent reduction in expenditures related to personal service
12 contracts.

13 (2) The office of financial management shall update agency
14 appropriation schedules to reflect the changes to funding levels in
15 this section as identified by agency and in the amounts specified in
16 LEAP Document PSC-2012 dated February 17, 2012.

17 (3) For agencies with appropriations from accounts other than the
18 general fund--state, the office of financial management shall work with
19 agencies to achieve potential savings in other accounts.

20 NEW SECTION. **Sec. 721.** A new section is added to 2011 1st sp.s.
21 c 50 (uncodified) to read as follows:

22 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EQUIPMENT**

23 General Fund--State Appropriation (FY 2012)	(\$1,526,000)
24 General Fund--State Appropriation (FY 2013)	(\$6,114,000)
25 TOTAL APPROPRIATION	(\$7,640,000)

26 The appropriations in this section are solely for the purposes
27 designated in this section and are subject to the following conditions
28 and limitations:

29 (1) Appropriations are adjusted to reflect savings associated with
30 a 20 percent reduction in expenditures related to equipment.

31 (2) The office of financial management shall update agency
32 appropriation schedules to reflect the changes to funding levels in
33 this section as identified by agency and in the amounts specified in
34 LEAP Document HW3-2012 dated February 17, 2012.

35 (3) For agencies with appropriations from accounts other than the
36 general fund--state, the office of financial management shall work with
37 agencies to achieve potential savings in other accounts.

1 NEW SECTION. **Sec. 722.** A new section is added to 2011 1st sp.s.
2 c 50 (uncodified) to read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--REVISED EMPLOYER HEALTH**
4 **BENEFIT RATES**

5	General Fund--State Appropriation (FY 2013)	(\$32,946,000)
6	General Fund--Federal Appropriation	(\$4,719,000)
7	General Fund--Local Appropriation	(\$518,000)
8	Education Legacy Trust Account--State Appropriation	(\$178,000)
9	Dedicated Funds and Accounts Appropriation	(\$7,684,000)
10	TOTAL APPROPRIATION	(\$46,046,000)

11 Appropriations are adjusted to reflect changes to appropriations to
12 reflect the change in the employer funding rate providing employee
13 health and insurance coverage for fiscal year 2013 from \$850 to \$800
14 per estimated eligible employee per month. The office of financial
15 management shall update agency appropriations schedules to reflect the
16 changes in funding levels in this section as identified by agency and
17 fund in LEAP document H-HB1 dated February 17, 2012. From the
18 applicable accounts, the office of financial management shall adjust
19 allotments to the respective agencies by an amount that conforms with
20 funding adjustments enacted in this act. Any allotment reductions
21 under this section must be placed in reserve status and remain
22 unexpended.

23 NEW SECTION. **Sec. 723.** A new section is added to 2011 1st sp.s.
24 c 50 (uncodified) to read as follows:

25 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES--SALE OF PROPERTY**

26 The department of enterprise services shall sell the following
27 state-owned properties by June 30, 2013, and shall deposit receipt from
28 the sale into the state general fund: The Tacoma Rhodes building; the
29 600 Franklin street building; and the department of fish and wildlife
30 administrative headquarters building.

31 NEW SECTION. **Sec. 724.** A new section is added to 2011 1st sp.s.
32 c 50 (uncodified) to read as follows:

33 **FOR SUNDRY CLAIMS**

34 The following sums, or so much thereof as may be necessary, are
35 appropriated from the general fund, unless otherwise indicated, for
36 relief of various individuals, firms, and corporations for sundry

1 claims. These appropriations are to be disbursed on vouchers approved
2 by the director of financial management, except as otherwise provided,
3 for reimbursement of criminal defendants acquitted on the basis of
4 self-defense, pursuant to RCW 9A.16.110, as follows:

- 5 (1) Clint L. Powell, Jr., claim number 99970048 \$58,155.10
- 6 (2) Chance L. Hawkins, claim number 99970049 \$28,838.95
- 7 (3) Edgar L. Hawkins, claim number 99970050 \$25,507.00
- 8 (4) James Abbott, claim number 99970051 \$9,880.00
- 9 (5) Richard Frisk, claim number 99970052 \$32,788.50
- 10 (6) Brian Barnd-Spjut, claim number 99970053 \$122,821.79

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$8,368,000~~)) \$8,289,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$49,418,000~~)) \$44,078,000

General Fund Appropriation for prosecuting attorney distributions \$6,281,000

General Fund Appropriation for boating safety and education distributions \$4,000,000

General Fund Appropriation for other tax distributions \$58,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((~~\$40,421,000~~)) \$58,229,000

County Criminal Justice Assistance Appropriation ((~~\$69,801,000~~)) \$69,566,000

Municipal Criminal Justice Assistance Appropriation ((~~\$26,950,000~~)) \$26,843,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((~~\$16,589,000~~)) \$12,159,000

Liquor Excise Tax Account Appropriation for liquor

1	excise tax distribution	((\$52,152,000))
2		<u>\$53,843,000</u>
3	Streamlined Sales and Use Tax Mitigation Account	
4	Appropriation for distribution to local taxing	
5	jurisdictions to mitigate the unintended revenue	
6	redistribution effect of the sourcing	
7	law changes	((\$49,635,000))
8		<u>\$27,109,000</u>
9	Columbia River Water Delivery Account Appropriation for	
10	the Confederated Tribes of the Colville	
11	Reservation	((\$7,441,000))
12		<u>\$7,478,000</u>
13	Columbia River Water Delivery Account Appropriation for	
14	the Spokane Tribe of Indians	((\$4,748,000))
15		<u>\$4,794,000</u>
16	Liquor Revolving Account Appropriation for liquor	
17	profits distribution	((\$69,318,000))
18		<u>\$98,061,000</u>
19	TOTAL APPROPRIATION	((\$411,301,000))
20		<u>\$426,908,000</u>

21 The total expenditures from the state treasury under the
22 appropriations in this section shall not exceed the funds available
23 under statutory distributions for the stated purposes.

24 **Sec. 802.** 2011 1st sp.s. c 50 s 802 (uncodified) is amended to
25 read as follows:

26 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**
27 **ACCOUNT**

28	Impaired Driver Safety Account Appropriation	((\$2,501,000))
29		<u>\$2,439,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations: The amount appropriated in this section
32 shall be distributed quarterly during the 2011-2013 fiscal biennium in
33 accordance with RCW 82.14.310. This funding is provided to counties
34 for the costs of implementing criminal justice legislation including,
35 but not limited to: Chapter 206, Laws of 1998 (drunk driving
36 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
37 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998

1 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
2 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
3 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
4 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
5 215, Laws of 1998 (DUI provisions).

6 **Sec. 803.** 2011 1st sp.s. c 50 s 803 (uncodified) is amended to
7 read as follows:

8 **FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**
9 Impaired Driver Safety Account Appropriation (~~(\$1,666,000)~~)
10 \$1,626,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The amount appropriated in this section
13 shall be distributed quarterly during the 2011-2013 biennium to all
14 cities ratably based on population as last determined by the office of
15 financial management. The distributions to any city that substantially
16 decriminalizes or repeals its criminal code after July 1, 1990, and
17 that does not reimburse the county for costs associated with criminal
18 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
19 which the city is located. This funding is provided to cities for the
20 costs of implementing criminal justice legislation including, but not
21 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
22 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
23 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
24 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
25 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
26 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
27 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
28 Laws of 1998 (DUI provisions).

29 **Sec. 804.** 2011 2nd sp.s. c 9 s 801 (uncodified) is amended to read
30 as follows:

31 **FOR THE STATE TREASURER--TRANSFERS**
32 State Treasurer's Service Account: For transfer to
33 the state general fund, \$16,300,000
34 for fiscal year 2012 and (~~(\$21,300,000)~~) \$24,800,000
35 for fiscal year 2013 (~~(\$37,600,000)~~)
36 \$41,100,000

1 Waste Reduction, Recycling, and Litter Control
2 Account: For transfer to the state general
3 fund, \$3,500,000 for fiscal year 2012 and
4 \$3,500,000 for fiscal year 2013 \$7,000,000
5 Aquatics Lands Enhancement Account: For transfer to
6 the state general fund, (~~(\$3,500,000)~~) \$5,659,000
7 for fiscal year 2012 and (~~(\$3,500,000)~~) \$5,658,000
8 for fiscal year 2013 (~~(\$7,000,000)~~)
9 \$11,317,000
10 Savings Incentive Account: For transfer to the state
11 general fund, \$44,618,000 for fiscal year 2012 \$44,618,000
12 Distinguished Professorship Trust Fund: For transfer to
13 the state general fund for fiscal year 2012, an amount
14 not to exceed the actual cash balance of the fund \$3,024,000
15 Washington Graduate Fellowship Trust Fund: For transfer
16 to the state general fund for fiscal year 2012, an
17 amount not to exceed the actual cash balance of
18 the fund \$1,028,000
19 College Faculty Awards Trust Fund: For transfer
20 to the state general fund for fiscal year 2012, an amount
21 not to exceed the actual cash balance of the fund \$1,996,000
22 Data Processing Revolving Account: For transfer
23 to the state general fund, \$5,960,000 for fiscal
24 year 2012 \$5,960,000
25 Drinking Water Assistance Account: For transfer to
26 the drinking water assistance repayment account \$38,000,000
27 Economic Development Strategic Reserve Account: For
28 transfer to the state general fund, \$2,100,000
29 for fiscal year 2012 and (~~(\$2,100,000)~~) \$4,541,000
30 for fiscal year 2013 (~~(\$4,200,000)~~)
31 \$6,641,000
32 General Fund: For transfer to the streamlined sales
33 and use tax account, \$24,846,000 for fiscal year
34 2012 and \$24,789,000 for fiscal year 2013 \$49,635,000
35 Public Works Assistance Account: For transfer to the
36 water pollution control revolving account,
37 \$7,750,000 for fiscal year 2012 and \$7,750,000 for
38 fiscal year 2013 \$15,500,000

1 The Charitable, Educational, Penal, and Reformatory
2 Institutions Account: For transfer to the state
3 general fund, \$4,500,000 for fiscal year 2012 and
4 \$4,500,000 for fiscal year 2013 \$9,000,000
5 Thurston County Capital Facilities Account: For
6 transfer to the state general fund, \$4,000,000
7 for fiscal year 2012 and \$4,000,000 for fiscal
8 year 2013 \$8,000,000
9 Public Works Assistance Account: For transfer to the
10 drinking water assistance account, \$10,000,000 for
11 fiscal year 2012 and \$5,000,000 for fiscal year
12 2013 \$15,000,000
13 Liquor Control Board Construction and Maintenance
14 Account: For transfer to the state general fund,
15 \$500,000 for fiscal year 2012 ((and
16 ~~\$500,000 for fiscal year 2013~~ \$1,000,000))
17 \$500,000
18 Education Savings Account: For transfer to the state
19 general fund, \$54,431,000 for fiscal
20 year 2012 ((and ~~\$22,500,000 for fiscal~~
21 ~~year 2013~~ \$76,931,000))
22 \$54,431,000
23
24 Department of Retirement Systems Expense Account:
25 For transfer to the state general fund, \$250,000
26 for fiscal year 2012 and \$250,000 for fiscal year
27 2013 \$500,000
28 Education Construction Account: For transfer to the
29 state general fund, \$102,000,000 for fiscal year
30 2012 and \$102,000,000 for fiscal year 2013 \$204,000,000
31 Public Works Assistance Account: For transfer to the
32 state general fund, \$25,000,000 for fiscal year 2012
33 and \$25,000,000 for fiscal year 2013 \$50,000,000
34 Foster Care Endowed Scholarship Trust Fund: For transfer
35 to the state general fund, \$200,000 for fiscal year
36 2012 and \$200,000 for fiscal year 2013 \$400,000
37 Affordable Housing For All Account: For transfer to
38 the home security fund, \$1,000,000 for fiscal year

1 2012 and \$1,000,000 for fiscal year 2013 \$2,000,000
 2 Tobacco Settlement Account: For transfer to the state
 3 general fund, in an amount not to exceed the actual
 4 amount of the annual base payment to the tobacco
 5 settlement account \$158,205,000
 6 Tobacco Settlement Account: For transfer to the basic
 7 health plan stabilization account from the amounts
 8 deposited in the account that are attributable to the
 9 annual strategic contribution payment received in
 10 fiscal year 2012 \$22,000,000
 11 Tobacco Settlement Account: For transfer to the basic
 12 health plan stabilization account from the amounts
 13 deposited in the account that are attributable to the
 14 annual strategic contribution payment received in
 15 fiscal year 2013 \$22,000,000
 16 Tobacco Settlement Account: For transfer to the life
 17 sciences discovery fund, in an amount not to exceed
 18 the actual remaining amount of the annual strategic
 19 contribution payment to the tobacco settlement account
 20 for fiscal year 2012 \$6,000,000
 21 Tobacco Settlement Account: For transfer to the life
 22 sciences discovery fund, in an amount not to exceed
 23 the actual remaining amount of the annual strategic
 24 contribution payment to the tobacco settlement account
 25 for fiscal year 2013 \$6,000,000
 26 The transfer to the life sciences discovery fund is subject to the
 27 following conditions: All new grants awarded during the 2011-2013
 28 fiscal biennium shall support and accelerate the commercialization of
 29 an identifiable product.
 30 Public Works Assistance Account: For transfer to the
 31 state general fund, in an amount not to exceed
 32 the actual real estate excise tax deposit to the
 33 public works assistance account for fiscal
 34 year 2013 \$24,600,000
 35 Manufacturing Innovation and Modernization Account:
 36 For transfer to the state general fund, \$201,000
 37 for fiscal year 2013 \$201,000
 38 Multimodal Transportation Account: For transfer to

1 the state general fund, \$10,000,000 for fiscal
2 year 2013 \$10,000,000
3 State Toxics Control Account: For transfer to the
4 state general fund, \$2,827,000 for fiscal year
5 2012 and \$2,778,000 for fiscal year 2013 \$5,605,000
6 Local Toxics Control Account: For transfer to the
7 state general fund, \$5,000,000 for fiscal year
8 2012 and \$5,000,000 for fiscal year 2013 \$10,000,000
9 Public Service Revolving Account: For transfer to
10 the state general fund, \$5,000,000 for fiscal
11 year 2013 \$5,000,000
12 Financial Services Regulation Fund: For transfer to
13 the state general fund, \$3,000,000 for fiscal
14 year 2013 \$3,000,000
15 Waste Tire Removal Account: For transfer to the
16 state general fund, \$2,000,000 for fiscal year
17 2012 and \$4,500,000 for fiscal year 2013 \$6,500,000
18 Worker and Community Right To Know Fund: For transfer
19 to the state general fund, \$1,000,000 for fiscal
20 year 2013 \$1,000,000
21 Home Security Fund: For transfer to the state general
22 fund, \$1,135,000 for fiscal year 2012 and \$3,045,000
23 for fiscal year 2013 \$4,180,000
24 Affordable Housing for All Account: For transfer to the
25 state general fund, \$470,000 for fiscal year 2012
26 and \$2,823,000 for fiscal year 2013 \$3,293,000
27 Transitional Housing Operating and Rent Account: For
28 transfer to the state general fund, \$625,000 for
29 fiscal year 2012 and \$3,750,000 for fiscal year
30 2013 \$4,375,000
31 Resources Management Cost Account from aquatics lands
32 revenues: For transfer to the aquatics lands
33 enhancement account, \$2,736,000 for fiscal year 2012
34 and \$5,264,000 for fiscal year 2013 \$8,000,000
35 Fair Account: For transfer to the state general fund,
36 \$500,000 for fiscal year 2012 \$500,000

(End of part)

PART IX
MISCELLANEOUS

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

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

(b) Each executive branch state agency other than institutions of higher education may submit to the office of financial management a compensation reduction plan to achieve the cost reductions as provided in ~~((the omnibus appropriations))~~ this act. The compensation reduction plan of each executive branch agency may include, but is not limited to, employee leave without pay, including additional mandatory and voluntary temporary layoffs, reductions in the agency workforce, compensation reductions, and reduced work hours, as well as voluntary retirement, separation, and other incentive programs authorized by section ~~((912, chapter 564, Laws of 2009. The amount of compensation cost reductions to be achieved by each agency shall be adjusted to reflect voluntary and mandatory temporary layoffs at the agency during the 2009-2011 fiscal biennium and implemented prior to January 1, 2010, but not adjusted by other compensation reduction plans adopted as a result of the enactment of chapter 564, Laws of 2009, or the enactment of other compensation cost reduction measures applicable to the 2009-2011 fiscal biennium))~~ 905, chapter 50, Laws of 2011 1st special session.

(c) Each institution of higher education must submit to the office of financial management a compensation and operations reduction plan to achieve at least the cost reductions as provided in ~~((the omnibus appropriations))~~ this act. For purposes of the reduction plan, the state board of community and technical colleges shall submit a single plan on behalf of all community and technical colleges. The reduction plan of each institution may include, but is not limited to, employee

1 leave without pay, including mandatory and voluntary temporary layoffs,
2 reductions in the institution workforce, compensation reductions, and
3 reduced work hours, as well as voluntary retirement, separation,
4 incentive programs authorized by section ~~((912, chapter 564, Laws of~~
5 ~~2009, as well as other reductions to the cost of operations. The~~
6 ~~amount of cost reductions to be achieved by each institution shall be~~
7 ~~adjusted to reflect voluntary and mandatory temporary layoffs at the~~
8 ~~institution during the 2009-2011 fiscal biennium and implemented prior~~
9 ~~to January 1, 2010, but not adjusted by other compensation reduction~~
10 ~~plans adopted as a result of the enactment of chapter 564, Laws of~~
11 ~~2009, or the enactment of other compensation cost reduction measures~~
12 ~~applicable to the 2009-2011 fiscal biennium)) 905, chapter 50, Laws of~~
13 ~~2011 1st special session.~~

14 (d) The director of financial management shall review, approve, and
15 submit to the legislative fiscal committees those executive branch
16 state agencies and higher education institution plans that achieves the
17 cost reductions as provided in ~~((the omnibus appropriations))~~ this act.
18 For those executive branch state agencies and institutions of higher
19 education that do not have an approved compensation and operations
20 reduction plan, the institution shall be closed on the dates specified
21 in subsection (2) of this section.

22 (e) For each agency of the legislative branch, the chief clerk of
23 the house of representatives and the secretary of the senate shall
24 review and approve a plan of employee mandatory and voluntary leave for
25 the ~~((2009-))~~ 2011-2013 fiscal biennium that achieves the cost
26 reductions as provided in ~~((the omnibus appropriations))~~ this act.
27 ~~((The amount of compensation cost reductions to be achieved shall be~~
28 ~~adjusted, if necessary, to reflect voluntary and mandatory temporary~~
29 ~~layoffs at the agencies during the 2009-2011 fiscal biennium and~~
30 ~~implemented prior to January 1, 2010.))~~

31 (f) For each agency of the judicial branch, the supreme court shall
32 review and approve a plan of employee mandatory and voluntary leave for
33 the ~~((2009-))~~ 2011-2013 fiscal biennium that achieve the cost
34 reductions as provided in ~~((the omnibus appropriations))~~ this act.
35 ~~((The amount of compensation cost reductions to be achieved shall be~~
36 ~~adjusted, if necessary, to reflect voluntary and mandatory temporary~~
37 ~~layoffs at the agencies during the 2009-2011 fiscal biennium and~~
38 ~~implemented prior to January 1, 2010.))~~

1 (2) Each state agency of the executive, legislative, and judicial
2 branch, and any institution that does not have an approved plan in
3 accordance with subsection (1) of this section shall be closed on the
4 following dates in addition to the legal holidays specified in RCW
5 1.16.050:

- 6 ~~((a) Monday, July 12, 2010;~~
- 7 ~~(b) Friday, August 6, 2010;~~
- 8 ~~(c) Tuesday, September 7, 2010;~~
- 9 ~~(d) Monday, October 11, 2010;~~
- 10 ~~(e) Monday, December 27, 2010;~~
- 11 ~~(f) Friday, January 28, 2011;~~
- 12 ~~(g) Tuesday, February 22, 2011;~~
- 13 ~~(h) Friday, March 11, 2011;~~
- 14 ~~(i) Friday, April 22, 2011;~~
- 15 ~~(j) Friday, June 10, 2011.)~~

- 16 (a) Friday, July 13, 2012;
- 17 (b) Friday, July 27, 2012;
- 18 (c) Friday, August 10, 2012;
- 19 (d) Friday, August 24, 2012;
- 20 (e) Friday, September 14, 2012;
- 21 (f) Friday, September 28, 2012;
- 22 (g) Friday, October 12, 2012;
- 23 (h) Friday, October 26, 2012;
- 24 (i) Friday, November 9, 2012;
- 25 (j) Friday, November 16, 2012;
- 26 (k) Friday, December 7, 2012;
- 27 (l) Monday, December 17, 2012;
- 28 (m) Monday, January 7, 2013;
- 29 (n) Friday, January 25, 2013;
- 30 (o) Friday, February 8, 2013;
- 31 (p) Friday, February 22, 2013;
- 32 (q) Friday, March 8, 2013;
- 33 (r) Friday, March 22, 2013;
- 34 (s) Friday, April 12, 2013;
- 35 (t) Friday, April 26, 2013;
- 36 (u) Friday, May 10, 2013;
- 37 (v) Monday, May 20, 2013;
- 38 (w) Friday, June 7, 2013;

1 (x) Friday, June 21, 2013.

2 (3) If the closure of state agencies or institutions under
3 subsection (2) of this section prevents the performance of any action,
4 the action shall be considered timely if performed on the next business
5 day.

6 (4) The following activities of state agencies and institutions of
7 higher education are exempt from subsections (1) and (2) of this
8 section:

9 (a) Direct custody, supervision, and patient care in: (i)
10 Corrections; (ii) juvenile rehabilitation; (iii) institutional care of
11 veterans, or individuals with mental illness, and individuals with
12 developmental disabilities; (iv) state hospitals, the University of
13 Washington medical center, and Harborview medical center; (v) the
14 special commitment center; (vi) the school for the blind; (vii) the
15 state center for childhood deafness and hearing loss; and (viii) the
16 Washington youth academy;

17 (b) Direct protective services to children and other vulnerable
18 populations, child support enforcement, disability determination
19 services, complaint investigators, and residential care licensors and
20 surveyors in the department of social and health services and the
21 department of health;

22 (c) Washington state patrol investigative services and field
23 enforcement;

24 (d) Hazardous materials response or emergency response and cleanup;

25 (e) Emergency public health and patient safety response and the
26 public health laboratory;

27 (f) Military operations and emergency management within the
28 military department;

29 (g) Firefighting;

30 (h) Enforcement officers in the department of fish and wildlife,
31 the liquor control board, the gambling commission, the department of
32 financial institutions, and the department of natural resources;

33 (i) State parks operated by the parks and recreation commission;

34 (j) In institutions of higher education, classroom instruction,
35 operations not funded from state funds or tuition, campus police and
36 security, emergency management and response, work performed by student
37 employees if the duties were not previously assigned to nonstudents
38 during the current or prior school year, and student health care;

1 (k) Operations of liquor control board business enterprises and
2 games conducted by the state lottery;

3 (l) Agricultural commodity commissions and boards, and agricultural
4 inspection programs operated by the department of agriculture;

5 (m) The unemployment insurance program and reemployment services of
6 the employment security department;

7 (n) The workers' compensation program and workplace safety and
8 health compliance activities of the department of labor and industries;

9 (o) The operation, maintenance, and construction of state ferries
10 and state highways;

11 (p) The department of revenue;

12 (q) Licensing service offices in the department of licensing that
13 are open no more than two days per week, and no licensing service
14 office closures may occur on Saturdays as a result of this section;

15 (r) The governor, lieutenant governor, legislative agencies, and
16 the office of financial management, during sessions of the legislature
17 under Article II, section 12 of the state Constitution and the twenty-
18 day veto period under Article IV, section 12 of the state Constitution;

19 (s) The office of the attorney general, except for management and
20 administrative functions not directly related to civil, criminal, or
21 administrative actions;

22 (t) The labor relations office of the office of financial
23 management through November 1, (~~2010~~) 2012;

24 (u) The minimal use of state employees on the specified closure
25 dates as necessary to protect public assets and information technology
26 systems, and to maintain public safety; and

27 (v) The operations of the office of the insurance commissioner that
28 are funded by industry regulatory fees.

29 (5)(a) The closure of an office of a state agency or institution of
30 higher education under this section shall result in the temporary
31 layoff of the employees of the agency or institution. The compensation
32 of the employees shall be reduced proportionately to the duration of
33 the temporary layoff. Temporary layoffs under this section shall not
34 affect the employees' vacation leave accrual, seniority, health
35 insurance, or sick leave credits. For the purposes of chapter (~~430-~~
36 ~~Laws of 2009~~) 5, Laws of 2011 1st special session, the compensation
37 reductions under this section are deemed to be an integral part of an
38 employer's expenditure reduction efforts and shall not result in the

1 loss of retirement benefits in any state defined benefit retirement
2 plan for an employee whose period of average final compensation
3 includes a portion of the period from the effective date of this
4 section through June 30, (~~2011~~) 2013.

5 (b)(i) During the closure of an office or institution under this
6 section, any employee with a monthly full-time equivalent salary of two
7 thousand five hundred dollars or less may, at the employee's option,
8 use accrued vacation leave in lieu of temporary layoff during the
9 closure. Solely for this purpose, and during the 2009-2011 fiscal
10 biennium only, the department of personnel shall adopt rules to permit
11 employees with less than six months of continuous state employment to
12 use accrued vacation leave.

13 (ii) If an employee with a monthly full-time equivalent salary of
14 two thousand five hundred dollars or less has no accrued vacation
15 leave, that employee may use shared leave, if approved by the agency
16 director, and if made available through donations under RCW 41.04.665
17 in lieu of temporary layoff during the closure.

18 (6) Except as provided in subsection (4) of this section, for
19 employees not scheduled to work on a day specified in subsection (2) of
20 this section, the employing agency must designate an alternative day
21 during that month on which the employee is scheduled to work that the
22 employee will take temporary leave without pay.

23 (7) To the extent that the implementation of this section is
24 subject to collective bargaining under chapter 41.80 RCW, the
25 bargaining shall be conducted pursuant to section 4 of this act. To
26 the extent that the implementation of this section is subject to
27 collective bargaining under chapters 28B.52, 41.56, 41.76, or 47.64
28 RCW, the bargaining shall be conducted pursuant to these chapters.

29 (8) For all or a portion of the employees of an agency of the
30 executive branch, the office of financial management may approve the
31 substitution of temporary layoffs on an alternative date during that
32 month for any date specified in subsection (2) of this section as
33 necessary for the critical work of any agency.

34 NEW SECTION. **Sec. 902.** A new section is added to 2011 1st sp.s.
35 c 50 (uncodified) to read as follows:

36 To the extent that the implementation of section 901 of this act is
37 subject to collective bargaining:

1 (1) For institutions of higher education that have elected to have
2 negotiations conducted by the governor or governor's designee in
3 accordance with RCW 41.80.010(4), and that have an approved
4 compensation reduction plan under section 901(1) of this act,
5 negotiations regarding impacts of the compensation reduction plan shall
6 be conducted between the governor or governor's designee and a
7 coalition at each college, college district, or university of all of
8 the exclusive bargaining representatives subject to chapter 41.80 RCW;

9 (2) For institutions of higher education that have elected to have
10 negotiations conducted by the governor or governor's designee in
11 accordance with RCW 41.80.010(4), and that do not have an approved
12 compensation reduction plan under section 901(1) of this act,
13 negotiations regarding impacts of the temporary layoffs under section
14 901(2) of this act shall be conducted between the governor or
15 governor's designee and one coalition of all of the exclusive
16 bargaining representatives subject to chapter 41.80 RCW;

17 (3) For institutions of higher education that have not elected to
18 have negotiations conducted by the governor or governor's designee
19 under RCW 41.80.010(4), negotiations regarding impacts of section 901
20 of this act shall be conducted between each institution of higher
21 education and the exclusive bargaining representatives;

22 (4) For agencies that have an approved compensation reduction plan
23 under section 901(1) of this act, negotiations regarding impacts of the
24 compensation reduction plan shall be conducted between the governor or
25 governor's designee and a coalition at each agency of all of the
26 exclusive bargaining representatives subject to chapter 41.80 RCW; and

27 (5) For agencies that do not have an approved compensation
28 reduction plan under section 901(1) of this act, negotiations regarding
29 impacts of the temporary layoffs under section 901(2) of this act shall
30 be conducted between the governor or governor's designee and the
31 exclusive bargaining representatives subject to chapter 41.80 RCW.

32 **Sec. 903.** 2011 1st sp.s. c 50 s 910 (uncodified) is amended to
33 read as follows:

34 **COLLECTIVE BARGAINING AGREEMENT FOR FISCAL YEAR 2012--TERMS AND**
35 **CONDITIONS**

36 For fiscal year 2012, no agreements have been reached between the
37 governor and the following unions: Washington public employees

1 association, Washington public employees association higher education
2 community college coalition, Washington federation of state employees
3 higher education community college coalition, Washington federation of
4 state employees Central Washington University, Washington federation of
5 state employees Western Washington University, Washington federation of
6 state employees The Evergreen State College, and public school
7 employees Western Washington University, under the provisions of
8 chapter 41.80 RCW ((for the 2011-2013 biennium)) for fiscal year 2012.
9 Appropriations in this act provide funding to continue the terms and
10 conditions of the 2009-2011 general government and higher education
11 agreements negotiated by the office of financial management's labor
12 relations office under the provisions of chapter 41.80 RCW for fiscal
13 year 2012. For fiscal year 2012, appropriations have been reduced in
14 an amount equal to a 3 percent salary reduction for all represented
15 employees whose monthly full-time equivalent salary is \$2,500 or more
16 per month. This reduction will be implemented according to the terms
17 and conditions of the 2009-2011 agreements. ((For fiscal year 2013,
18 funding is reduced to reflect a 3.0 percent temporary salary reduction
19 for all employees whose monthly full-time equivalent salary is \$2,500
20 or more per month through June 29, 2013. Effective June 30, 2013, the
21 salary schedules effective July 1, 2009, through June 30, 2011, will be
22 reinstated. For employees entitled to leave, temporary salary
23 reduction leave is granted for fiscal year 2013. These changes will be
24 implemented according to law.))

25 NEW SECTION. Sec. 904. A new section is added to 2011 1st sp.s.
26 c 50 (uncodified) to read as follows:

27 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WPEA, WPEA CC**
28 **COALITION, WFSE CC COALITION, WFSE CWU, WFSE TESC**

29 Agreements have been reached between the governor and the following
30 unions: Washington public employees association, Washington public
31 employees association higher education community college coalition,
32 Washington federation of state employees higher education community
33 college coalition, Washington federation of state employees Central
34 Washington University, and Washington federation of state employees The
35 Evergreen State College, under the provisions of chapter 41.80 RCW for
36 fiscal year 2013. Funding is reduced to reflect a 3.0 percent
37 temporary salary reduction for all employees whose monthly full-time

1 equivalent salary is \$2,500 or more per month through June 29, 2013.
2 Effective June 30, 2013, the salary schedules effective July 1, 2009,
3 through June 30, 2011, will be reinstated. For employees entitled to
4 leave, temporary salary reduction leave is granted for fiscal year
5 2013.

6 NEW SECTION. **Sec. 905.** A new section is added to 2011 1st sp.s.
7 c 50 (uncodified) to read as follows:

8 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--YAKIMA VALLEY**
9 **COMMUNITY COLLEGE--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION**

10 An agreement has been reached between Yakima Valley Community
11 College and Washington public employees association under the
12 provisions of chapter 41.80 RCW for fiscal year 2013. The agreement is
13 consistent with the funding reduction provided in the 2011-2013 omnibus
14 appropriations act, which reflected a 3.0 percent temporary salary
15 reduction to all employees whose monthly full-time equivalent salary is
16 \$2,500 or more per month through June 29, 2013.

17 NEW SECTION. **Sec. 906.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
20 **UNIVERSITY--PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

21 An agreement has been reached between Western Washington University
22 and the Washington public school employees of Washington bargaining
23 units D and PTE under the provisions of chapter 41.80 RCW for fiscal
24 year 2013. The agreement is consistent with the funding reduction
25 provided in the 2011-2013 omnibus appropriations act, which reflected
26 a 3.0 percent temporary salary reduction to all employees whose monthly
27 full-time equivalent salary is \$2,500 or more per month through June
28 29, 2013. The reduction will be implemented according to the terms and
29 conditions of this agreement.

30 NEW SECTION. **Sec. 907.** A new section is added to 2011 1st sp.s.
31 c 50 (uncodified) to read as follows:

32 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
33 **UNIVERSITY--WFSE**

34 An agreement has been reached between Western Washington University
35 and the Washington federation of state employees bargaining units A, B,

1 and E under the provisions of chapter 41.80 RCW for fiscal year 2013.
2 The agreement is consistent with the funding reduction provided in the
3 2011-2013 omnibus appropriations act, which reflected a 3.0 percent
4 temporary salary reduction to all employees whose monthly full-time
5 equivalent salary is \$2,500 or more per month through June 29, 2013.
6 The reduction will be implemented according to the terms and conditions
7 of this agreement.

8 NEW SECTION. **Sec. 908.** A new section is added to 2011 1st sp.s.
9 c 50 (uncodified) to read as follows:

10 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--EASTERN WASHINGTON**
11 **UNIVERSITY--WFSE**

12 An agreement has been reached between Eastern Washington University
13 and the Washington federation of state employees under the provisions
14 of chapter 41.80 RCW for fiscal year 2013. The agreement is consistent
15 with the funding reduction provided in the 2011-2013 omnibus
16 appropriations act, which reflected a 3.0 percent temporary salary
17 reduction to all employees whose monthly full-time equivalent salary is
18 \$2,500 or more per month through June 29, 2013. The reduction will be
19 implemented according to the terms and conditions of this agreement.

20 **Sec. 909.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to
21 read as follows:

22 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

23 Appropriations for state agencies in this act are sufficient for
24 nonrepresented state employee health benefits for state agencies,
25 including institutions of higher education, and are subject to the
26 following conditions and limitations:

27 (1)(a) The monthly employer funding rate for insurance benefit
28 premiums, public employees' benefits board administration, and the
29 uniform medical plan, shall not exceed \$850 per eligible employee for
30 fiscal year 2012. For fiscal year 2013 the monthly employer funding
31 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

32 (b) In order to achieve the level of funding provided for health
33 benefits, the public employees' benefits board shall require any or all
34 of the following: Employee premium copayments, increases in point-of-
35 service cost sharing, the implementation of managed competition, or
36 make other changes to benefits consistent with RCW 41.05.065.

1 (c) The health care authority shall deposit any moneys received on
2 behalf of the uniform medical plan as a result of rebates on
3 prescription drugs, audits of hospitals, subrogation payments, or any
4 other moneys recovered as a result of prior uniform medical plan claims
5 payments, into the public employees' and retirees' insurance account to
6 be used for insurance benefits. Such receipts shall not be used for
7 administrative expenditures.

8 (2) The health care authority, subject to the approval of the
9 public employees' benefits board, shall provide subsidies for health
10 benefit premiums to eligible retired or disabled public employees and
11 school district employees who are eligible for medicare, pursuant to
12 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
13 \$150.00 per month.

14 (3) Technical colleges, school districts, and educational service
15 districts shall remit to the health care authority for deposit into the
16 public employees' and retirees' insurance account established in RCW
17 41.05.120 the following amounts:

18 (a) For each full-time employee, \$66.01 per month beginning
19 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

20 (b) For each part-time employee, who at the time of the remittance
21 is employed in an eligible position as defined in RCW 41.32.010 or
22 41.40.010 and is eligible for employer fringe benefit contributions for
23 basic benefits, \$66.01 each month beginning September 1, 2011, and
24 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
25 proportion of employer fringe benefit contributions for a full-time
26 employee that the part-time employee receives. The remittance
27 requirements specified in this subsection shall not apply to employees
28 of a technical college, school district, or educational service
29 district who purchase insurance benefits through contracts with the
30 health care authority.

31 **Sec. 910.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to
32 read as follows:

33 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
34 **BENEFITS**

35 Appropriations for state agencies in this act are sufficient for
36 represented employees outside the super coalition for health benefits,
37 and are subject to the following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan, shall not exceed \$850 per eligible employee for
4 fiscal year 2012. For fiscal year 2013 the monthly employer funding
5 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

6 (b) In order to achieve the level of funding provided for health
7 benefits, the public employees' benefits board shall require any or all
8 of the following: Employee premium copayments, increases in point-of-
9 service cost sharing, the implementation of managed competition, or
10 make other changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on
12 behalf of the uniform medical plan as a result of rebates on
13 prescription drugs, audits of hospitals, subrogation payments, or any
14 other moneys recovered as a result of prior uniform medical plan claims
15 payments, into the public employees' and retirees' insurance account to
16 be used for insurance benefits. Such receipts shall not be used for
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the
19 public employees' benefits board, shall provide subsidies for health
20 benefit premiums to eligible retired or disabled public employees and
21 school district employees who are eligible for medicare, pursuant to
22 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
23 \$150.00 per month.

24 (3) Technical colleges, school districts, and educational service
25 districts shall remit to the health care authority for deposit into the
26 public employees' and retirees' insurance account established in RCW
27 41.05.120 the following amounts:

28 (a) For each full-time employee, \$66.01 per month beginning
29 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

30 (b) For each part-time employee, who at the time of the remittance
31 is employed in an eligible position as defined in RCW 41.32.010 or
32 41.40.010 and is eligible for employer fringe benefit contributions for
33 basic benefits, \$66.01 each month beginning September 1, 2011, and
34 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
35 proportion of employer fringe benefit contributions for a full-time
36 employee that the part-time employee receives. The remittance
37 requirements specified in this subsection shall not apply to employees

1 of a technical college, school district, or educational service
2 district who purchase insurance benefits through contracts with the
3 health care authority.

4 **Sec. 911.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to
5 read as follows:

6 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
7 **BENEFITS**

8 The collective bargaining agreement negotiated with the super
9 coalition under chapter 41.80 RCW includes employer premiums at 85
10 percent of the total weighted average of the projected health care
11 premiums across all plans and tiers. Appropriations in this act for
12 state agencies, including institutions of higher education are
13 sufficient to fund state employees health benefits for employees
14 represented by the super coalition on health benefits, and are subject
15 to the following conditions and limitations:

16 (1)(a) The monthly employer funding rate for insurance benefit
17 premiums, public employees' benefits board administration, and the
18 uniform medical plan, shall not exceed \$850 per eligible employee for
19 fiscal year 2012. For fiscal year 2013 the monthly employer funding
20 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

21 (b) In order to achieve the level of funding provided for health
22 benefits, the public employees' benefits board shall require any or all
23 of the following: Employee premium copayments, increases in point-of-
24 service cost sharing, the implementation of managed competition, or
25 make other changes to benefits consistent with RCW 41.05.065.

26 (c) The health care authority shall deposit any moneys received on
27 behalf of the uniform medical plan as a result of rebates on
28 prescription drugs, audits of hospitals, subrogation payments, or any
29 other moneys recovered as a result of prior uniform medical plan claims
30 payments, into the public employees' and retirees' insurance account to
31 be used for insurance benefits. Such receipts shall not be used for
32 administrative expenditures.

33 (2) The health care authority, subject to the approval of the
34 public employees' benefits board, shall provide subsidies for health
35 benefit premiums to eligible retired or disabled public employees and
36 school district employees who are eligible for medicare, pursuant to

1 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
2 \$150.00 per month.

3 NEW SECTION. **Sec. 912.** A new section is added to 2011 1st sp.s.
4 c 50 (uncodified) to read as follows:

5 Chapter 50, Laws of 2011 1st sp. sess. (the biennial operating
6 budget) included funding for the pension system cost of legislation
7 adopted during the 2011 session of the legislature. No supplemental
8 rates are authorized for funding that legislation during the remainder
9 of the 2011-2013 fiscal biennium. Pension contribution rates for the
10 public employees' retirement system, the public safety employees'
11 retirement system, the school employees' retirement systems, and the
12 teachers' retirement system are established.

13 (1) For the public employees' retirement system:

14 (a) Beginning February 1, 2012, an employer contribution rate of
15 7.08 percent shall be charged;

16 (b) Beginning July 1, 2012, an employer contribution rate of 7.21
17 percent shall be charged.

18 (2) For the public safety employees' retirement system:

19 (a) Beginning February 1, 2012, an employer contribution rate of
20 8.74 percent shall be charged;

21 (b) Beginning July 1, 2012, an employer contribution rate of 8.87
22 percent shall be charged.

23 (3) For the school employees' retirement system:

24 (a) Beginning February 1, 2012, an employer contribution rate of
25 7.58 percent shall be charged;

26 (b) Beginning September 1, 2012, an employer contribution rate of
27 7.59 percent shall be charged.

28 (4) For the teachers' retirement system:

29 (a) Beginning February 1, 2012, an employer contribution rate of
30 8.04 percent shall be charged; and

31 (b) Beginning September 21, 2012, an employer contribution rate of
32 8.05 percent shall be charged.

33 These rates are inclusive of a department of retirement systems expense
34 charge of 0.16 percent. The department of retirement systems shall
35 collect employee contributions as provided in chapter 41.45 RCW.

1 **Sec. 913.** RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each
2 amended to read as follows:

3 The fair fund is created in the custody of the state treasury. All
4 moneys received by the department of agriculture for the purposes of
5 this fund and from RCW 67.16.105(7) shall be deposited into the fund.
6 At the beginning of fiscal year 2002 and each fiscal year thereafter,
7 the state treasurer shall transfer into the fair fund from the general
8 fund the sum of two million dollars(~~(, except for fiscal year 2011 the~~
9 ~~state treasurer shall transfer into the fair fund from the general fund~~
10 ~~the sum of one million one hundred three thousand dollars, and)) except
11 during (~~(fiscal year 2012 and))~~) fiscal year 2013 the state treasurer
12 shall transfer into the fair fund from the general fund the sum of one
13 million (~~(seven))~~) two hundred fifty thousand dollars each fiscal year.
14 Expenditures from the fund may be used only for assisting fairs in the
15 manner provided in this chapter. Only the director of agriculture or
16 the director's designee may authorize expenditures from the fund. The
17 fund is subject to allotment procedures under chapter 43.88 RCW, but no
18 appropriation is required for expenditures. During fiscal year 2012,
19 the legislature may transfer from the fair account to the general fund,
20 such amounts as reflect the excess fund balance in the account.~~

21 **Sec. 914.** RCW 41.60.050 and 2011 1st sp.s. c 50 s 937 and 2011 1st
22 sp.s. c 43 s 473 are each reenacted and amended to read as follows:

23 The legislature shall appropriate from the personnel service fund
24 for the payment of administrative costs of the productivity board.
25 However, during the (~~(2011-2013))~~) 2012 fiscal (~~(biennium))~~) year, the
26 operations of the productivity board shall be suspended.

27 **Sec. 915.** RCW 43.185C.060 and 2007 c 427 s 6 are each amended to
28 read as follows:

29 The home security fund account is created in the state treasury,
30 subject to appropriation. The state's portion of the surcharge
31 established in RCW 36.22.179 and 36.22.1791 must be deposited in the
32 account. Expenditures from the account may be used only for homeless
33 housing programs as described in this chapter. During the 2011-2013
34 fiscal biennium, the legislature may transfer from the home security
35 fund to the state general fund such amounts as reflect the excess fund
36 balance of the fund.

1 **Sec. 916.** RCW 43.185C.190 and 2011 1st sp.s. c 50 s 955 are each
2 amended to read as follows:

3 The affordable housing for all account is created in the state
4 treasury, subject to appropriation. The state's portion of the
5 surcharges established in RCW 36.22.178 shall be deposited in the
6 account. Expenditures from the account may only be used for affordable
7 housing programs. During the 2011-2013 fiscal biennium, moneys in the
8 account may be transferred to the home security fund. During the 2011-
9 2013 fiscal biennium, the legislature may transfer from the affordable
10 housing for all account to the state general fund such amounts as
11 reflect the excess fund balance of the fund.

12 **Sec. 917.** RCW 43.185C.215 and 2008 c 256 s 2 are each amended to
13 read as follows:

14 The transitional housing operating and rent account is created in
15 the custody of the state treasurer. All receipts from sources directed
16 to the transitional housing operating and rent program must be
17 deposited into the account. Expenditures from the account may be used
18 solely for the purpose of the transitional housing operating and rent
19 program as described in RCW 43.185C.210. Only the director of the
20 department or the director's designee may authorize expenditures from
21 the account. The account is subject to allotment procedures under
22 chapter 43.88 RCW, but an appropriation is not required for
23 expenditures. During the 2011-2013 fiscal biennium, the legislature
24 may transfer from the transitional housing operating and rent account
25 to the state general fund such amounts as reflect the excess fund
26 balance of the fund.

27 **Sec. 918.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each
28 amended to read as follows:

29 There is created a local fund known as the "financial services
30 regulation fund" which shall consist of all moneys received by the
31 divisions of the department of financial institutions, except for the
32 division of securities which shall deposit thirteen percent of all
33 moneys received, except as provided in RCW 43.320.115, and which shall
34 be used for the purchase of supplies and necessary equipment; the
35 payment of salaries, wages, and utilities; the establishment of
36 reserves; and other incidental costs required for the proper regulation

1 of individuals and entities subject to regulation by the department.
2 The state treasurer shall be the custodian of the fund. Disbursements
3 from the fund shall be on authorization of the director of financial
4 institutions or the director's designee. In order to maintain an
5 effective expenditure and revenue control, the fund shall be subject in
6 all respects to chapter 43.88 RCW, but no appropriation is required to
7 permit expenditures and payment of obligations from the fund.

8 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
9 may transfer from the financial services regulation fund to the state
10 general fund such amounts as reflect the excess fund balance of the
11 fund.

12 **Sec. 919.** RCW 43.338.030 and 2008 c 315 s 5 are each amended to
13 read as follows:

14 (1) The manufacturing innovation and modernization account is
15 created in the state treasury. Moneys in the account may be spent only
16 after appropriation.

17 (2) Expenditures from the account may be used only for funding
18 activities of the Washington manufacturing innovation and modernization
19 extension services program created in RCW 43.338.020.

20 (3) All payments by a program participant in the Washington
21 manufacturing innovation and modernization extension services program
22 created in RCW 43.338.020 shall be deposited into the manufacturing
23 innovation and modernization account. Of the total payments deposited
24 into the account by program participants, the department may use up to
25 three percent for administration of this program. The deposit of
26 payments under this section from a program participant cease when the
27 department specifies that the program participant has met the monetary
28 contribution obligations of the program.

29 (4) All revenue solicited and received under the provisions of RCW
30 43.338.020(3) shall be deposited into the manufacturing innovation and
31 modernization account.

32 (5) The legislature intends that all payments from the
33 manufacturing innovation and modernization account made to qualified
34 manufacturing extension partnership affiliates will be eligible as the
35 state match in an affiliate's application for federal matching funds
36 under the manufacturing extension partnership program of the United

1 States department of commerce's national institute of standards and
2 technology.

3 (6) During the 2011-2013 fiscal biennium, the legislature may
4 transfer from the manufacturing innovation and modernization account to
5 the state general fund such amounts as reflect the excess fund balance
6 of the fund.

7 **Sec. 920.** RCW 47.66.070 and 2000 2nd sp.s. c 4 s 2 are each
8 amended to read as follows:

9 The multimodal transportation 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 transportation
12 purposes. During the 2011-2013 fiscal biennium, the legislature may
13 transfer from the multimodal transportation account to the state
14 general fund such amounts as reflect the excess fund balance of the
15 fund to be used solely for the purposes of K-12 transportation.

16 **Sec. 921.** RCW 49.70.170 and 2010 c 8 s 12068 are each amended to
17 read as follows:

18 (1) The worker and community right to know fund is hereby
19 established in the custody of the state treasurer. The department
20 shall deposit all moneys received under this chapter in the fund.
21 Moneys in the fund may be spent only for the purposes of this chapter
22 following legislative appropriation. Disbursements from the fund shall
23 be on authorization of the director or the director's designee. During
24 the 2003-2005 fiscal biennium, moneys in the fund may also be used by
25 the military department for the purpose of assisting the state
26 emergency response commission and coordinating local emergency planning
27 activities. The fund is subject to the allotment procedure provided
28 under chapter 43.88 RCW.

29 (2) The department shall assess each employer who reported ten
30 thousand four hundred or more worker hours in the prior calendar year
31 an annual fee to provide for the implementation of this chapter. The
32 department shall promulgate rules establishing a fee schedule for all
33 employers who reported ten thousand four hundred or more worker hours
34 in the prior calendar year and are engaged in business operations
35 having a standard industrial classification, as designated in the
36 standard industrial classification manual prepared by the federal

1 office of management and budget, within major group numbers 01 through
2 08 (agriculture and forestry industries), numbers 10 through 14 (mining
3 industries), numbers 15 through 17 (construction industries), numbers
4 20 through 39 (manufacturing industries), numbers 41, 42, and 44
5 through 49 (transportation, communications, electric, gas, and sanitary
6 services), number 75 (automotive repair, services, and garages), number
7 76 (miscellaneous repair services), number 80 (health services), and
8 number 82 (educational services). The department shall establish the
9 annual fee for each employer who reported ten thousand four hundred or
10 more worker hours in the prior calendar year in industries identified
11 by this section, provided that fees assessed shall not be more than two
12 dollars and fifty cents per full time equivalent employee. The annual
13 fee shall not exceed fifty thousand dollars. The fees shall be
14 collected solely from employers whose industries have been identified
15 by rule under this chapter. The department shall promulgate rules
16 allowing employers who do not have hazardous substances at their
17 workplace to request an exemption from the assessment and shall
18 establish penalties for fraudulent exemption requests. All fees
19 collected by the department pursuant to this section shall be collected
20 in a cost-efficient manner and shall be deposited in the fund.

21 (3) Records required by this chapter shall at all times be open to
22 the inspection of the director, or his or her designee including, the
23 traveling auditors, agents, or assistants of the department provided
24 for in RCW 51.16.070 and 51.48.040. The information obtained from
25 employer records under the provisions of this section shall be subject
26 to the same confidentiality requirements as set forth in RCW 51.16.070.

27 (4) An employer may appeal the assessment of the fee or penalties
28 pursuant to the procedures set forth in Title 51 RCW and accompanying
29 rules except that the employer shall not have the right of appeal to
30 superior court as provided in Title 51 RCW. The employer from whom the
31 fee or penalty is demanded or enforced, may however, within thirty days
32 of the board of industrial insurance appeal's final order, pay the fee
33 or penalty under written protest setting forth all the grounds upon
34 which such fee or penalty is claimed to be unlawful, excessive, or
35 otherwise improper and thereafter bring an action in superior court
36 against the department to recover such fee or penalty or any portion of
37 the fee or penalty which was paid under protest.

1 (5) Repayment shall be made to the general fund of any moneys
2 appropriated by law in order to implement this chapter.

3 (6) During the 2011-2013 fiscal biennium, the legislature may
4 transfer from the worker and community right to know fund to the state
5 general fund such amounts as reflect the excess fund balance of the
6 fund.

7 **Sec. 922.** RCW 70.95.521 and 2009 c 261 s 3 are each amended to
8 read as follows:

9 The waste tire removal account is created in the state treasury.
10 Expenditures from the account may be used for the cleanup of
11 unauthorized waste tire piles, measures that prevent future
12 accumulation of unauthorized waste tire piles, and road wear related
13 maintenance on state and local public highways. During the 2007-2009
14 fiscal biennium, the legislature may transfer from the waste tire
15 removal account to the motor vehicle fund such amounts as reflect the
16 excess fund balance of the waste tire removal account. During the
17 2011-2013 fiscal biennium, the legislature may transfer from the waste
18 tire removal account to the state general fund such amounts as reflect
19 the excess fund balance of the fund.

20 **Sec. 923.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
21 reenacted and amended to read as follows:

22 (1) The state toxics control account and the local toxics control
23 account are hereby created in the state treasury.

24 (2) The following moneys shall be deposited into the state toxics
25 control account: (a) Those revenues which are raised by the tax
26 imposed under RCW 82.21.030 and which are attributable to that portion
27 of the rate equal to thirty-three one-hundredths of one percent; (b)
28 the costs of remedial actions recovered under this chapter or chapter
29 70.105A RCW; (c) penalties collected or recovered under this chapter;
30 and (d) any other money appropriated or transferred to the account by
31 the legislature. Moneys in the account may be used only to carry out
32 the purposes of this chapter, including but not limited to the
33 following activities:

34 (i) The state's responsibility for hazardous waste planning,
35 management, regulation, enforcement, technical assistance, and public
36 education required under chapter 70.105 RCW;

1 (ii) The state's responsibility for solid waste planning,
2 management, regulation, enforcement, technical assistance, and public
3 education required under chapter 70.95 RCW;

4 (iii) The hazardous waste cleanup program required under this
5 chapter;

6 (iv) State matching funds required under the federal cleanup law;

7 (v) Financial assistance for local programs in accordance with
8 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

9 (vi) State government programs for the safe reduction, recycling,
10 or disposal of hazardous wastes from households, small businesses, and
11 agriculture;

12 (vii) Hazardous materials emergency response training;

13 (viii) Water and environmental health protection and monitoring
14 programs;

15 (ix) Programs authorized under chapter 70.146 RCW;

16 (x) A public participation program, including regional citizen
17 advisory committees;

18 (xi) Public funding to assist potentially liable persons to pay for
19 the costs of remedial action in compliance with cleanup standards under
20 RCW 70.105D.030(2)(e) but only when the amount and terms of such
21 funding are established under a settlement agreement under RCW
22 70.105D.040(4) and when the director has found that the funding will
23 achieve both (A) a substantially more expeditious or enhanced cleanup
24 than would otherwise occur, and (B) the prevention or mitigation of
25 unfair economic hardship;

26 (xii) Development and demonstration of alternative management
27 technologies designed to carry out the hazardous waste management
28 priorities of RCW 70.105.150;

29 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
30 update technical assistance;

31 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
32 permitting teams; and

33 (xv) During the 2011-2013 fiscal biennium, actions for reducing
34 public exposure to toxic air pollution.

35 (3) The following moneys shall be deposited into the local toxics
36 control account: Those revenues which are raised by the tax imposed
37 under RCW 82.21.030 and which are attributable to that portion of the
38 rate equal to thirty-seven one-hundredths of one percent.

1 (a) Moneys deposited in the local toxics control account shall be
2 used by the department for grants or loans to local governments for the
3 following purposes in descending order of priority:

4 (i) Remedial actions;

5 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

6 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
7 70.95I, and 70.105 RCW;

8 (iv) Funds for a program to assist in the assessment and cleanup of
9 sites of methamphetamine production, but not to be used for the initial
10 containment of such sites, consistent with the responsibilities and
11 intent of RCW 69.50.511; and

12 (v) Cleanup and disposal of hazardous substances from abandoned or
13 derelict vessels, defined for the purposes of this section as vessels
14 that have little or no value and either have no identified owner or
15 have an identified owner lacking financial resources to clean up and
16 dispose of the vessel, that pose a threat to human health or the
17 environment.

18 (b) Funds for plans and programs shall be allocated consistent with
19 the priorities and matching requirements established in chapters
20 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
21 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
22 project that is referenced in the action agenda developed by the Puget
23 Sound partnership under RCW 90.71.310, shall, except as conditioned by
24 RCW 70.105D.120, receive priority for any available funding for any
25 grant or funding programs or sources that use a competitive bidding
26 process. During the 2007-2009 fiscal biennium, moneys in the account
27 may also be used for grants to local governments to retrofit public
28 sector diesel equipment and for storm water planning and implementation
29 activities.

30 (c) To expedite cleanups throughout the state, the department shall
31 partner with local communities and liable parties for cleanups. The
32 department is authorized to use the following additional strategies in
33 order to ensure a healthful environment for future generations:

34 (i) The director may alter grant-matching requirements to create
35 incentives for local governments to expedite cleanups when one of the
36 following conditions exists:

37 (A) Funding would prevent or mitigate unfair economic hardship
38 imposed by the clean-up liability;

1 (B) Funding would create new substantial economic development,
2 public recreational, or habitat restoration opportunities that would
3 not otherwise occur; or

4 (C) Funding would create an opportunity for acquisition and
5 redevelopment of vacant, orphaned, or abandoned property under RCW
6 70.105D.040(5) that would not otherwise occur;

7 (ii) The use of outside contracts to conduct necessary studies;

8 (iii) The purchase of remedial action cost-cap insurance, when
9 necessary to expedite multiparty clean-up efforts.

10 (d) To facilitate and expedite cleanups using funds from the local
11 toxics control account, during the 2009-2011 fiscal biennium the
12 director may establish grant-funded accounts to hold and disperse local
13 toxics control account funds and funds from local governments to be
14 used for remedial actions.

15 (4) Except for unanticipated receipts under RCW 43.79.260 through
16 43.79.282, moneys in the state and local toxics control accounts may be
17 spent only after appropriation by statute.

18 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one
19 percent of the moneys deposited into the state and local toxics control
20 accounts shall be allocated only for public participation grants to
21 persons who may be adversely affected by a release or threatened
22 release of a hazardous substance and to not-for-profit public interest
23 organizations. The primary purpose of these grants is to facilitate
24 the participation by persons and organizations in the investigation and
25 remedying of releases or threatened releases of hazardous substances
26 and to implement the state's solid and hazardous waste management
27 priorities. No grant may exceed sixty thousand dollars. Grants may be
28 renewed annually. Moneys appropriated for public participation from
29 either account which are not expended at the close of any biennium
30 shall revert to the state toxics control account.

31 (6) No moneys deposited into either the state or local toxics
32 control account may be used for solid waste incinerator feasibility
33 studies, construction, maintenance, or operation, or, after January 1,
34 2010, for projects designed to address the restoration of Puget Sound,
35 funded in a competitive grant process, that are in conflict with the
36 action agenda developed by the Puget Sound partnership under RCW
37 90.71.310.

1 (7) The department shall adopt rules for grant or loan issuance and
2 performance.

3 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the
4 legislature may transfer from the local toxics control account to
5 either the state general fund or the oil spill prevention account, or
6 both such amounts as reflect excess fund balance in the account.

7 (9) During the 2009-2011 fiscal biennium, the local toxics control
8 account may also be used for a standby rescue tug at Neah Bay, local
9 government shoreline update grants, private and public sector diesel
10 equipment retrofit, and oil spill prevention, preparedness, and
11 response activities.

12 (10) During the (~~2009-2011~~) 2011-2013 fiscal biennium, the
13 legislature may transfer from the state toxics control account to the
14 state general fund such amounts as reflect the excess fund balance in
15 the account.

16 (11) During the 2011-2013 fiscal biennium, the local toxics control
17 account may also be used for local government shoreline update grants
18 and actions for reducing public exposure to toxic air pollution.
19 During the 2011-2013 fiscal biennium, the legislature may transfer from
20 the local toxics control account to the state general fund such amounts
21 as reflect excess fund balance in the account.

22 **Sec. 924.** RCW 79.64.020 and 2011 c 216 s 15 are each amended to
23 read as follows:

24 A resource management cost account in the state treasury is created
25 to be used solely for the purpose of defraying the costs and expenses
26 necessarily incurred by the department in managing and administering
27 state lands, community forest trust lands, and aquatic lands and the
28 making and administering of leases, sales, contracts, licenses,
29 permits, easements, and rights-of-way as authorized under the
30 provisions of this title. Appropriations from the resource management
31 cost account to the department shall be expended for no other purposes.
32 Funds in the resource management cost account may be appropriated or
33 transferred by the legislature for the benefit of all of the trusts
34 from which the funds were derived. During the 2011-2013 fiscal
35 biennium, the legislature may transfer from the aquatics revenues in
36 the resources management cost account to the aquatics land enhancement

1 account, such amounts as reflect the excess fund balance in the
2 account.

3 **Sec. 925.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to
4 read as follows:

5 There is created a forest development account in the state
6 treasury. The state treasurer shall keep an account of all sums
7 deposited therein and expended or withdrawn therefrom. Any sums placed
8 in the forest development account shall be pledged for the purpose of
9 paying interest and principal on the bonds issued by the department
10 under RCW 79.22.080 and 79.22.090 and the provisions of this chapter,
11 and for the purchase of land for growing timber. Any bonds issued
12 shall constitute a first and prior claim and lien against the account
13 for the payment of principal and interest. No sums for the above
14 purposes shall be withdrawn or paid out of the account except upon
15 approval of the department.

16 Appropriations may be made by the legislature from the forest
17 development account to the department for the purpose of carrying on
18 the activities of the department on state forest lands, lands managed
19 on a sustained yield basis as provided for in RCW 79.10.320, and for
20 reimbursement of expenditures that have been made or may be made from
21 the resource management cost account in the management of state forest
22 lands. For the 2011-2013 fiscal biennium, moneys from the forest
23 development account shall be distributed as directed in section 711 of
24 this act to the beneficiaries of the revenues derived from state forest
25 lands. During the 2011-2013 fiscal biennium, the legislature may
26 appropriate moneys in the forest development account to support fire
27 suppression activities on state forest and state trust lands.

28 **Sec. 926.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 911 are each
29 amended to read as follows:

30 (1) After deduction for management costs as provided in RCW
31 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
32 received by the state from the sale or lease of state-owned aquatic
33 lands and from the sale of valuable material from state-owned aquatic
34 lands shall be deposited in the aquatic lands enhancement account which
35 is hereby created in the state treasury. After appropriation, these
36 funds shall be used solely for aquatic lands enhancement projects; for

1 the purchase, improvement, or protection of aquatic lands for public
2 purposes; for providing and improving access to the lands; and for
3 volunteer cooperative fish and game projects. During the ((2009-2011
4 and)) 2011-2013 fiscal ((biennia)) biennium, the aquatic lands
5 enhancement account may also be used for scientific research as part of
6 the adaptive management process and for developing a planning report
7 for McNeil Island. During the ((2009-2011-and)) 2011-2013 fiscal
8 ((biennia)) biennium, the legislature may transfer from the aquatic
9 lands enhancement account to the state general fund such amounts as
10 reflect excess fund balance of the account. During the 2011-2013
11 fiscal biennium, the aquatic lands enhancement account may be used to
12 support the shellfish program, fisheries management, enforcement
13 activities, the ballast water program, and the Puget Sound toxic
14 sampling program at the department of fish and wildlife, and the
15 knotweed program at the department of agriculture.

16 (2) In providing grants for aquatic lands enhancement projects, the
17 recreation and conservation funding board shall:

18 (a) Require grant recipients to incorporate the environmental
19 benefits of the project into their grant applications;

20 (b) Utilize the statement of environmental benefits, consideration,
21 except as provided in RCW 79.105.610, of whether the applicant is a
22 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
23 referenced in the action agenda developed by the Puget Sound
24 partnership under RCW 90.71.310, and except as otherwise provided in
25 RCW 79.105.630, and effective one calendar year following the
26 development and statewide availability of model evergreen community
27 management plans and ordinances under RCW 35.105.050, whether the
28 applicant is an entity that has been recognized, and what gradation of
29 recognition was received, in the evergreen community recognition
30 program created in RCW 35.105.030 in its prioritization and selection
31 process; and

32 (c) Develop appropriate outcome-focused performance measures to be
33 used both for management and performance assessment of the grants.

34 (3) To the extent possible, the department should coordinate its
35 performance measure system with other natural resource-related agencies
36 as defined in RCW 43.41.270.

37 (4) The department shall consult with affected interest groups in
38 implementing this section.

1 (5) After January 1, 2010, any project designed to address the
2 restoration of Puget Sound may be funded under this chapter only if the
3 project is not in conflict with the action agenda developed by the
4 Puget Sound partnership under RCW 90.71.310.

5 **Sec. 927.** RCW 80.01.080 and 2010 1st sp.s. c 37 s 950 are each
6 amended to read as follows:

7 There is created in the state treasury a public service revolving
8 fund. Regulatory fees payable by all types of public service companies
9 shall be deposited to the credit of the public service revolving fund.
10 Except for expenses payable out of the pipeline safety account, all
11 expense of operation of the Washington utilities and transportation
12 commission shall be payable out of the public service revolving fund.

13 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
14 may transfer from the public service revolving fund to the state
15 general fund such amounts as reflect the excess fund balance of the
16 fund.

17 **Sec. 928.** 2011 c 5 s 711 (uncodified) is amended to read as
18 follows:

19 **BASIC HEALTH PLAN STABILIZATION ACCOUNT**

20 The basic health plan stabilization account is created in the state
21 treasury, to consist of such revenues, appropriations, and transfers as
22 may be directed by law. Moneys in the account may be spent only after
23 appropriation. Expenditures from the account may be used solely for
24 the support of the basic health plan under chapter 70.47 RCW and
25 medical assistance under chapter 74.09 RCW.

26 NEW SECTION. **Sec. 929.** If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 remainder of the act or the application of the provision to other
29 persons or circumstances is not affected.

30 NEW SECTION. **Sec. 930.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

(End of bill)

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1 Correct the title.

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