

2012 Supplemental Early Action Operating Appropriations Bill

Proposed Substitute Senate Bill 5883

Senate Ways & Means Committee

December 12, 2011

1 AN ACT Relating to fiscal matters; amending RCW 28B.50.837,
2 28B.76.565, 28B.76.565, 28B.76.605, 28B.76.605, 43.21A.660, 43.79.460,
3 43.320.110, 70.96A.350, and 79.105.150; amending 2011 1st sp.s. c 50 ss
4 101, 102, 107, 109, 110, 111, 113, 114, 116, 118, 119, 121, 122, 123,
5 125, 126, 127, 129, 130, 131, 134, 135, 138, 140, 141, 143, 144, 145,
6 146, 148, 150, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
7 212, 213, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304,
8 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505,
9 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 605, 606, 607,
10 608, 609, 610, 611, 612, 613, 614, 615, 617, 618, 619, 620, 621, 622,
11 701, 703, 704, 713, and 805 (uncodified); reenacting and amending RCW
12 43.19.791; adding new sections to 2011 1st sp.s. c 50 (uncodified);
13 repealing 2011 1st sp.s. c 50 ss 139, 722, and 725 (uncodified); making
14 appropriations; providing effective dates; providing expiration dates;
15 and declaring an emergency.

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

17 **PART I**
18 **GENERAL GOVERNMENT**

1 **Sec. 101.** 2011 1st sp.s. c 50 s 101 (uncodified) is amended to
2 read as follows:

3 **FOR THE HOUSE OF REPRESENTATIVES**

4	General Fund--State Appropriation (FY 2012)	((\$29,923,000))
5		<u>\$29,934,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$30,444,000))
7		<u>\$30,465,000</u>
8	Motor Vehicle Account--State Appropriation	\$1,316,000
9	TOTAL APPROPRIATION	((\$61,683,000))
10		<u>\$61,715,000</u>

11 **Sec. 102.** 2011 1st sp.s. c 50 s 102 (uncodified) is amended to
12 read as follows:

13 **FOR THE SENATE**

14	General Fund--State Appropriation (FY 2012)	((\$21,772,000))
15		<u>\$21,770,000</u>
16	General Fund--State Appropriation (FY 2013)	((\$23,868,000))
17		<u>\$23,864,000</u>
18	Motor Vehicle Account--State Appropriation	\$1,400,000
19	TOTAL APPROPRIATION	((\$47,040,000))
20		<u>\$47,034,000</u>

21 **Sec. 103.** 2011 1st sp.s. c 50 s 107 (uncodified) is amended to
22 read as follows:

23 **FOR THE STATUTE LAW COMMITTEE**

24	General Fund--State Appropriation (FY 2012)	((\$4,249,000))
25		<u>\$4,248,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$4,691,000))
27		<u>\$4,689,000</u>
28	TOTAL APPROPRIATION	((\$8,940,000))
29		<u>\$8,937,000</u>

30 **Sec. 104.** 2011 1st sp.s. c 50 s 109 (uncodified) is amended to
31 read as follows:

32 **FOR THE SUPREME COURT**

33	General Fund--State Appropriation (FY 2012)	((\$6,714,000))
34		<u>\$6,724,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$6,729,000))

1 \$6,738,000
 2 TOTAL APPROPRIATION ((~~\$13,443,000~~))
 3 \$13,462,000

4 **Sec. 105.** 2011 1st sp.s. c 50 s 110 (uncodified) is amended to
 5 read as follows:

6 **FOR THE LAW LIBRARY**
 7 General Fund--State Appropriation (FY 2012) ((~~\$1,472,000~~))
 8 \$1,506,000
 9 General Fund--State Appropriation (FY 2013) \$1,466,000
 10 TOTAL APPROPRIATION ((~~\$2,938,000~~))
 11 \$2,972,000

12 **Sec. 106.** 2011 1st sp.s. c 50 s 111 (uncodified) is amended to
 13 read as follows:

14 **FOR THE COURT OF APPEALS**
 15 General Fund--State Appropriation (FY 2012) ((~~\$15,227,000~~))
 16 \$15,285,000
 17 General Fund--State Appropriation (FY 2013) ((~~\$15,280,000~~))
 18 \$15,290,000
 19 TOTAL APPROPRIATION ((~~\$30,507,000~~))
 20 \$30,575,000

21 **Sec. 107.** 2011 1st sp.s. c 50 s 113 (uncodified) is amended to
 22 read as follows:

23 **FOR THE ADMINISTRATOR FOR THE COURTS**
 24 General Fund--State Appropriation (FY 2012) ((~~\$50,619,000~~))
 25 \$50,692,000
 26 General Fund--State Appropriation (FY 2013) ((~~\$50,174,000~~))
 27 \$50,235,000
 28 General Fund--Federal Appropriation ((~~\$1,551,000~~))
 29 \$2,532,000
 30 General Fund--Private/Local Appropriation ((~~\$248,000~~))
 31 \$390,000
 32 Judicial Information Systems Account--State
 33 Appropriation ((~~\$42,383,000~~))
 34 \$42,414,000
 35 Judicial Stabilization Trust Account--State

1	Appropriation	\$5,414,000
2	TOTAL APPROPRIATION	(\$150,389,000)
3		<u>\$151,677,000</u>

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

6 (1) \$1,800,000 of the general fund--state appropriation for fiscal
7 year 2012 and \$1,800,000 of the general fund--state appropriation for
8 fiscal year 2013 are provided solely for school districts for petitions
9 to juvenile court for truant students as provided in RCW 28A.225.030
10 and 28A.225.035. The office of the administrator for the courts shall
11 develop an interagency agreement with the superintendent of public
12 instruction to allocate the funding provided in this subsection.
13 Allocation of this money to school districts shall be based on the
14 number of petitions filed. This funding includes amounts school
15 districts may expend on the cost of serving petitions filed under RCW
16 28A.225.030 by certified mail or by personal service or for the
17 performance of service of process for any hearing associated with RCW
18 28A.225.030.

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

29 (b) Each fiscal year during the 2011-2013 fiscal biennium, each
30 county shall report the number of petitions processed and the total
31 actual costs of processing truancy, children in need of services, and
32 at-risk youth petitions. Counties shall submit the reports to the
33 administrator for the courts no later than 45 days after the end of the
34 fiscal year. The administrator for the courts shall electronically
35 transmit this information to the chairs and ranking minority members of
36 the house of representatives and senate ways and means committees no
37 later than 60 days after a fiscal year ends. These reports are deemed

1 informational in nature and are not for the purpose of distributing
2 funds.

3 (3) The distributions made under this subsection and distributions
4 from the county criminal justice assistance account made pursuant to
5 section 801 of this act constitute appropriate reimbursement for costs
6 for any new programs or increased level of service for purposes of RCW
7 43.135.060.

8 (4) \$265,000 of the general fund--state appropriation for fiscal
9 year 2012 is provided solely for the office of public guardianship to
10 provide guardianship services for low-income incapacitated persons.

11 (5) \$1,178,000 of the judicial information systems account--state
12 appropriation is provided solely for replacing computer equipment at
13 state courts and state judicial agencies.

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

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

1 **Sec. 108.** 2011 1st sp.s. c 50 s 114 (uncodified) is amended to
 2 read as follows:

3 **FOR THE OFFICE OF PUBLIC DEFENSE**

4	General Fund--State Appropriation (FY 2012)	((\$25,027,000))
5		<u>\$25,030,000</u>
6	General Fund--State Appropriation (FY 2013)	((\$24,966,000))
7		<u>\$24,972,000</u>
8	Judicial Stabilization Trust Account--State	
9	Appropriation	\$2,490,000
10	TOTAL APPROPRIATION	((\$52,483,000))
11		<u>\$52,492,000</u>

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

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

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

29 (a) Procedures to control costs and require accountability,
 30 consistent with the state's obligation to ensure the right to counsel
 31 under both the United States Constitution and the Washington
 32 Constitution;

33 (b) Appropriate practice standards for trial-level defense of
 34 indigent persons involved in proceedings under chapter 71.09 RCW, an
 35 estimated number of attorneys statewide who are qualified to provide
 36 such representation, and reasonable compensation for such defense
 37 services;

1 (c) The total budget necessary to implement the proposal statewide
 2 for fiscal year 2013, including administrative support; and
 3 (d) Possible savings to the state and counties that might result
 4 from implementing the proposal.

5 **Sec. 109.** 2011 1st sp.s. c 50 s 116 (uncodified) is amended to
 6 read as follows:

7 **FOR THE OFFICE OF THE GOVERNOR**

8	General Fund--State Appropriation (FY 2012)	((\$5,312,000))
9		<u>\$5,311,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$5,293,000))
11		<u>\$5,292,000</u>
12	Economic Development Strategic Reserve Account--State	
13	Appropriation	\$1,500,000
14	TOTAL APPROPRIATION	((\$12,105,000))
15		<u>\$12,103,000</u>

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

18 (1) \$1,500,000 of the economic development strategic reserve
 19 account appropriation is provided solely for efforts to assist with
 20 currently active industrial recruitment efforts that will bring new
 21 jobs to the state or will retain headquarter locations of major
 22 companies currently housed in the state.

23 (2) \$547,000 of the general fund--state appropriation for fiscal
 24 year 2012 and \$547,000 of the general fund--state appropriation for
 25 fiscal year 2013 are provided solely for the office of the education
 26 ombudsman.

27 **Sec. 110.** 2011 1st sp.s. c 50 s 118 (uncodified) is amended to
 28 read as follows:

29 **FOR THE PUBLIC DISCLOSURE COMMISSION**

30	General Fund--State Appropriation (FY 2012)	((\$2,107,000))
31		<u>\$2,106,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$2,130,000))
33		<u>\$2,129,000</u>
34	TOTAL APPROPRIATION	((\$4,237,000))
35		<u>\$4,235,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$43,000 of the general fund--state
3 appropriation for fiscal year 2012 and \$82,000 of the general fund--
4 state appropriation for fiscal year 2013 are provided solely for the
5 implementation of Engrossed Substitute Senate Bill No. 5021 (election
6 campaign disclosure).

7 **Sec. 111.** 2011 1st sp.s. c 50 s 119 (uncodified) is amended to
8 read as follows:

9 **FOR THE SECRETARY OF STATE**

10	General Fund--State Appropriation (FY 2012)	((\$16,710,000))
11		<u>\$16,014,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$14,135,000))
13		<u>\$12,862,000</u>
14	General Fund--Federal Appropriation	\$7,338,000
15	Public Records Efficiency, Preservation, and Access	
16	Account--State Appropriation	((\$7,943,000))
17		<u>\$7,950,000</u>
18	Charitable Organization Education Account--State	
19	Appropriation	\$452,000
20	Local Government Archives Account--State	
21	Appropriation	((\$10,556,000))
22		<u>\$10,557,000</u>
23	Election Account--Federal Appropriation	\$17,288,000
24	Washington State Heritage Center Account--State	
25	Appropriation	\$1,028,000
26	TOTAL APPROPRIATION	((\$75,450,000))
27		<u>\$73,489,000</u>

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

30 (1) ((~~\$4,101,000~~)) \$3,898,000 of the general fund--state
31 appropriation for fiscal year 2012 is provided solely to reimburse
32 counties for the state's share of primary and general election costs
33 and the costs of conducting mandatory recounts on state measures.
34 Counties shall be reimbursed only for those odd-year election costs
35 that the secretary of state validates as eligible for reimbursement.

36 (2)(a) ((~~\$1,997,000~~)) \$1,847,000 of the general fund--state
37 appropriation for fiscal year 2012 and ((~~\$2,076,000~~)) \$1,926,000 of the

1 general fund--state appropriation for fiscal year 2013 are provided
2 solely for contracting with a nonprofit organization to produce gavel-
3 to-gavel television coverage of state government deliberations and
4 other events of statewide significance during the 2011-2013 biennium.
5 The funding level for each year of the contract shall be based on the
6 amount provided in this subsection. The nonprofit organization shall
7 be required to raise contributions or commitments to make
8 contributions, in cash or in kind, in an amount equal to forty percent
9 of the state contribution. The office of the secretary of state may
10 make full or partial payment once all criteria in this subsection have
11 been satisfactorily documented.

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

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

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

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

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

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

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

35 **Sec. 112.** 2011 1st sp.s. c 50 s 121 (uncodified) is amended to
36 read as follows:

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

2	General Fund--State Appropriation (FY 2012)	((\$232,000))
3		<u>\$236,000</u>
4	General Fund--State Appropriation (FY 2013)	\$219,000
5	TOTAL APPROPRIATION	((\$451,000))
6		<u>\$455,000</u>

7 **Sec. 113.** 2011 1st sp.s. c 50 s 122 (uncodified) is amended to
8 read as follows:

9 **FOR THE STATE TREASURER**

10	State Treasurer's Service Account--State	
11	Appropriation	((\$14,996,000))
12		<u>\$14,994,000</u>

13 **Sec. 114.** 2011 1st sp.s. c 50 s 123 (uncodified) is amended to
14 read as follows:

15 **FOR THE STATE AUDITOR**

16	State Auditing Services Revolving Account--State	
17	Appropriation	\$10,293,000
18	Performance Audit of Government Account--State	
19	Appropriation	((\$1,685,000))
20		<u>\$1,461,000</u>
21	TOTAL APPROPRIATION	((\$11,978,000))
22		<u>\$11,754,000</u>

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

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

30 (2) \$1,461,000 of the performance audits of government account
31 appropriation is provided solely for staff and related costs to verify
32 the accuracy of reported school district data submitted for state
33 funding purposes; conduct school district program audits of state
34 funded public school programs; establish the specific amount of state
35 funding adjustments whenever audit exceptions occur and the amount is

1 not firmly established in the course of regular public school audits;
2 and to assist the state special education safety net committee when
3 requested.

4 (3) Within the amounts appropriated in this section, the state
5 auditor shall continue to complete the annual audit of the state's
6 comprehensive annual financial report and the annual federal single
7 audit consistent with the auditing standards generally accepted in the
8 United States and the standards applicable to financial audits
9 contained in government auditing standards, issued by the comptroller
10 general of the United States, and OMB circular A-133, audits of states,
11 local governments, and nonprofit organizations.

12 **Sec. 115.** 2011 1st sp.s. c 50 s 125 (uncodified) is amended to
13 read as follows:

14 **FOR THE ATTORNEY GENERAL**

15	General Fund--State Appropriation (FY 2012)	((\$4,028,000))
16		<u>\$4,758,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$3,997,000))
18		<u>\$2,727,000</u>
19	General Fund--Federal Appropriation	\$8,819,000
20	New Motor Vehicle Arbitration Account--State	
21	Appropriation	\$972,000
22	Legal Services Revolving Account--State	
23	Appropriation	((\$206,635,000))
24		<u>\$206,617,000</u>
25	Tobacco Prevention and Control Account--State	
26	Appropriation	\$270,000
27	TOTAL APPROPRIATION	((\$227,546,000))
28		<u>\$224,163,000</u>

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

31 (1) The attorney general shall report each fiscal year on actual
32 legal services expenditures and actual attorney staffing levels for
33 each agency receiving legal services. The report shall be submitted to
34 the office of financial management and the fiscal committees of the
35 senate and house of representatives no later than ninety days after the
36 end of each fiscal year. As part of its by agency report to the
37 legislative fiscal committees and the office of financial management,

1 the office of the attorney general shall include information detailing
2 the agency's expenditures for its agency-wide overhead and a breakdown
3 by division of division administration expenses.

4 (2) Prior to entering into any negotiated settlement of a claim
5 against the state that exceeds five million dollars, the attorney
6 general shall notify the director of financial management and the
7 chairs of the senate committee on ways and means and the house of
8 representatives committee on ways and means.

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

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

21 (5) \$62,000 of the legal services revolving fund--state
22 appropriation is provided solely to implement House Bill No. 1770
23 (state purchasing). If the bill is not enacted by June 30, 2011, the
24 amount provided in this subsection shall lapse.

25 (6) \$5,924,000 of the legal services revolving account--state
26 appropriation is provided solely to implement House Bill No. 2123
27 (workers' compensation). If the bill is not enacted by June 30, 2011,
28 the amount provided in this subsection shall lapse.

29 (7) The office of the attorney general is authorized to expend
30 \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer
31 protection costs in accordance with uses authorized in the court
32 orders.

33 (8) \$96,000 of the legal services revolving fund--state
34 appropriation is provided solely to implement Senate Bill No. 5076
35 (financial institutions). If the bill is not enacted by June 30, 2011,
36 the amount provided in this subsection shall lapse.

37 (9) \$99,000 of the legal services revolving fund--state
38 appropriation is provided solely to implement Engrossed Second

1 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill
2 is not enacted by June 30, 2011, the amount provided in this subsection
3 shall lapse.

4 (10) \$416,000 of the legal services revolving fund--state
5 appropriation is provided solely to implement Substitute Senate Bill
6 No. 5801 (industrial insurance system). If the bill is not enacted by
7 June 30, 2011, the amount provided in this subsection shall lapse.

8 (11) \$31,000 of the legal services revolving fund--state
9 appropriation is provided solely to implement Engrossed Substitute
10 Senate Bill No. 5021 (election campaign disclosure). If the bill is
11 not enacted by June 30, 2011, the amount provided in this subsection
12 shall lapse.

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

25 **Sec. 116.** 2011 1st sp.s. c 50 s 126 (uncodified) is amended to
26 read as follows:

27 **FOR THE CASELOAD FORECAST COUNCIL**

28	General Fund--State Appropriation (FY 2012)	((\$1,308,000))
29		<u>\$1,310,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$1,305,000))
31		<u>\$1,309,000</u>
32	TOTAL APPROPRIATION	((\$2,613,000))
33		<u>\$2,619,000</u>

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

36 (1) The appropriations in this section include funding for
37 activities transferred from the sentencing guidelines commission to the

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

8 (2) \$57,000 of the general fund--state appropriation for fiscal
 9 year 2012 and \$57,000 of the general fund--state appropriation for
 10 fiscal year 2013 are provided solely for the implementation of Senate
 11 Bill No. 5304 (college bound scholarship).

12 **Sec. 117.** 2011 1st sp.s. c 50 s 127 (uncodified) is amended to
 13 read as follows:

14 **FOR THE DEPARTMENT OF COMMERCE**

15	General Fund--State Appropriation (FY 2012)	((\$57,271,000))
16		<u>\$57,261,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$72,479,000))
18		<u>\$72,459,000</u>
19	General Fund--Federal Appropriation	((\$282,218,000))
20		<u>\$282,185,000</u>
21	General Fund--Private/Local Appropriation	((\$4,998,000))
22		<u>\$4,989,000</u>
23	Public Works Assistance Account--State	
24	Appropriation	((\$2,767,000))
25		<u>\$2,764,000</u>
26	Drinking Water Assistance Administrative	
27	Account--State Appropriation	\$437,000
28	Lead Paint Account--State Appropriation	\$65,000
29	Building Code Council Account--State Appropriation	\$13,000
30	Home Security Fund Account--State Appropriation	((\$16,655,000))
31		<u>\$16,652,000</u>
32	Affordable Housing for All Account--State	
33	Appropriation	\$11,902,000
34	County Research Services Account--State Appropriation	\$1,081,000
35	Financial Fraud and Identity Theft Crimes Investigation	
36	and Prosecution Account--State Appropriation	\$1,166,000
37	Low-Income Weatherization Assistance Account--State	

1	Appropriation	\$5,778,000
2	City and Town Research Services Account--State	
3	Appropriation	\$5,166,000
4	Manufacturing Innovation and Modernization	
5	Account--State Appropriation	\$61,000
6	Community and Economic Development Fee Account--State	
7	Appropriation	\$6,488,000
8	Washington Housing Trust Account--State	
9	Appropriation	((\$17,503,000))
10		<u>\$17,498,000</u>
11	Prostitution Prevention and Intervention Account--	
12	State Appropriation	((\$94,000))
13		<u>\$86,000</u>
14	Public Facility Construction Loan Revolving	
15	Account--State Appropriation	\$755,000
16	Washington Community Technology Opportunity Account--	
17	State Appropriation	\$713,000
18	TOTAL APPROPRIATION	((\$487,610,000))
19		<u>\$487,519,000</u>

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

22 (1) Repayments of outstanding mortgage and rental assistance
23 program loans administered by the department under RCW 43.63A.640 shall
24 be remitted to the department, including any current revolving account
25 balances. The department shall collect payments on outstanding loans,
26 and deposit them into the state general fund. Repayments of funds owed
27 under the program shall be remitted to the department according to the
28 terms included in the original loan agreements.

29 (2) \$500,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$500,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for a grant to resolution
32 Washington to building statewide capacity for alternative dispute
33 resolution centers and dispute resolution programs that guarantee that
34 citizens have access to low-cost resolution as an alternative to
35 litigation.

36 (3) \$306,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$306,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for a grant to the retired senior
2 volunteer program.

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

6 (5) \$1,800,000 of the home security fund--state appropriation is
7 provided for transitional housing assistance or partial payments for
8 rental assistance under the independent youth housing program.

9 (6) \$5,000,000 of the home security fund--state appropriation is
10 for the operation, repair, and staffing of shelters in the homeless
11 family shelter program.

12 (7) \$198,000 of the general fund--state appropriation for fiscal
13 year 2012 and \$198,000 of the general fund--state appropriation for
14 fiscal year 2013 are provided solely for the Washington new Americans
15 program.

16 (8) \$2,949,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$2,949,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for associate development
19 organizations.

20 (9) \$127,000 of the general fund--federal appropriation is provided
21 solely for implementation of Substitute House Bill No. 1886
22 (Ruckelshaus center process). If the bill is not enacted by June 30,
23 2011, the amount provided in this subsection shall lapse.

24 (10) Up to \$200,000 of the general fund--private/local
25 appropriation is for a grant to the Washington tourism alliance for the
26 maintenance of the Washington state tourism web site
27 www.experiencewa.com and its related sub-sites. The department may
28 transfer ownership of the web site and other tourism promotion assets
29 and assign obligations to the Washington tourism alliance for purposes
30 of tourism promotion throughout the state. The alliance may use the
31 assets only in a manner consistent with the purposes for which they
32 were created. Any revenue generated from these assets must be used by
33 the alliance for the sole purposes of statewide Washington tourism
34 promotion. The legislature finds that the Washington tourism alliance,
35 a not-for-profit, 501.c.6 organization established, funded, and
36 governed by Washington tourism industry stakeholders to sustain
37 destination tourism marketing across Washington, is an appropriate body

1 to receive funding and assets from and assume obligations of the
2 department for the purposes described in this section.

3 ~~((+12+))~~ (11) Within the appropriations in this section, specific
4 funding is provided to implement Substitute Senate Bill No. 5741
5 (economic development commission).

6 ~~((+13+))~~ (12) \$2,000,000 of the community and economic development
7 fee account appropriation is provided solely for the department of
8 commerce for services to homeless families through the Washington
9 families fund.

10 ~~((+14+))~~ (13) \$260,000 of the general fund--state appropriation for
11 fiscal year 2012 and \$259,000 of the general fund--state appropriation
12 for fiscal year 2013 are provided solely for the Washington asset
13 building coalitions.

14 ~~((+15+))~~ (14) \$1,859,000 of the general fund--state appropriation
15 for fiscal year 2012 and \$1,859,000 of the general fund--state
16 appropriation for fiscal year 2013 are provided solely for innovative
17 research teams, also known as entrepreneurial STARS, at higher
18 education research institutions, and for entrepreneurs-in-residence
19 programs at higher education research institutions and entrepreneurial
20 assistance organizations. Of these amounts no more than \$50,000 in
21 fiscal year 2012 and no more than \$50,000 in fiscal year 2013 may be
22 provided for the operation of entrepreneurs-in-residence programs at
23 entrepreneurial assistance organizations external to higher education
24 research institutions.

25 ~~((+16+))~~ (15) Up to \$700,000 of the general fund--private/local
26 appropriation is for pass-through grants to cities in central Puget
27 Sound to plan for transfer of development rights receiving areas under
28 the central Puget Sound regional transfer of development rights
29 program.

30 ~~((+17+))~~ (16) \$16,000 of the general fund--state appropriation for
31 fiscal year 2012 is provided solely to implement section 503 of
32 Substitute House Bill No. 1277 (licensed settings for vulnerable
33 adults). The long-term care ombudsman shall convene an adult family
34 home quality assurance panel to review problems concerning the quality
35 of care for residents in adult family homes. If Substitute House Bill
36 No. 1277 (licensed settings for vulnerable adults) is not enacted by
37 June 30, 2011, the amount provided in this subsection shall lapse.

1 ((~~18~~)) (17) \$24,605,000 of the general fund--state appropriation
2 for fiscal year 2012 and \$39,527,000 of the general fund--state
3 appropriation for fiscal year 2013 are provided solely for
4 establishment of the essential needs and housing support program
5 created in Engrossed Substitute House Bill No. 2082 (essential needs
6 and assistance program). The department of commerce shall contract for
7 these services with counties or community-based organizations involved
8 in providing essential needs and housing supports to low-income persons
9 who meet eligibility pursuant to Engrossed Substitute House Bill No.
10 2082. The department shall limit the funding used for administration
11 of the program to no more than five percent. Counties and community
12 providers shall limit the funding used for administration of the
13 program to no more than seven percent.

14 (a) Of the amounts provided in this subsection, \$4,000,000 is
15 provided solely for essential needs to clients who meet the eligibility
16 established in Engrossed Substitute House Bill No. 2082. Counties and
17 community-based organizations shall distribute basic essential products
18 in a manner that prevents abuse. To the greatest extent possible, the
19 counties or community-based organizations shall leverage local or
20 private funds, and volunteer support to acquire and distribute the
21 basic essential products.

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

26 (c) Of the amounts provided in this subsection, \$30,000,000 is
27 provided solely as a contingency fund to provide housing support
28 services for individuals who may become homeless and are otherwise
29 eligible for this program pursuant to Engrossed Substitute House Bill
30 No. 2082.

31 **Sec. 118.** 2011 1st sp.s. c 50 s 129 (uncodified) is amended to
32 read as follows:

33 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

34	General Fund--State Appropriation (FY 2012)	((\$18,688,000))
35		<u>\$18,627,000</u>
36	General Fund--State Appropriation (FY 2013)	((\$18,547,000))
37		<u>\$18,851,000</u>

1 General Fund--Federal Appropriation \$31,534,000
2 General Fund--Private/Local Appropriation \$1,270,000
3 Performance Audits of Government Account--
4 State Appropriation \$25,000
5 Economic Development Strategic Reserve Account--
6 State Appropriation \$280,000
7 Department of Personnel Services--State
8 Appropriation ((~~\$9,111,000~~))
9 \$7,827,000
10 Data Processing Revolving Account--State
11 Appropriation \$5,208,000
12 Higher Education Personnel Services Account--State
13 Appropriation ((~~\$1,581,000~~))
14 \$1,537,000
15 Aquatic Lands Enhancement Account--State Appropriation \$100,000
16 TOTAL APPROPRIATION ((~~\$86,344,000~~))
17 \$85,259,000

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

20 (1) \$1,210,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$1,210,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for implementation of House Bill
23 No. 1178 (regulatory assistance office). If the bill is not enacted by
24 June 30, 2011, the amounts provided in this subsection shall lapse.

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

35 The office of financial management shall solicit the input of
36 Pierce county, the department of corrections, and the department of
37 social and health services in developing the request for proposal,

1 evaluating applications, and directing the evaluation. The consultant
2 shall report to the governor and legislature by November 15, 2011.

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

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

9 (i) Ownership issues, including consultation with the federal
10 government about its current legal requirements associated with the
11 island;

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

14 (iii) Tribal treaty interests;

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

16 (v) Land use and public safety needs;

17 (vi) Recreational opportunities for the general public;

18 (vii) Historic and archaeological resources; and

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

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

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

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

30 (i) Federal agencies with relevant responsibilities;

31 (ii) Tribal governments;

32 (iii) State agencies;

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

35 (v) Interested private organizations and individuals.

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

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

6 (2) \$65,000 of the department of retirement systems--state
7 appropriation is provided solely for the administrative costs
8 associated with implementation of House Bill No. 1625 (plan 3 default
9 investment option). If the bill is not enacted by June 30, 2011, the
10 amount provided in this subsection shall lapse.

11 (3) \$133,000 of the department of retirement systems--state
12 appropriation is provided solely for the administrative costs
13 associated with implementation of Engrossed House Bill No. 1981 as
14 amended (post-retirement employment). If the bill is not enacted by
15 June 30, 2011, the amount provided in this subsection shall lapse.

16 ((+5)) (4) \$15,000 of the department of retirement systems expense
17 account--state appropriation is provided solely for the administrative
18 costs associated with implementation of Substitute House Bill No. 2021
19 (plan 1 annual increase amounts). If the bill is not enacted by June
20 30, 2011, the amount provided in this section shall lapse.

21 **Sec. 122.** 2011 1st sp.s. c 50 s 135 (uncodified) is amended to
22 read as follows:

23 **FOR THE DEPARTMENT OF REVENUE**

24	General Fund--State Appropriation (FY 2012)	((\$104,380,000))
25		<u>\$100,927,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$104,232,000))
27		<u>\$100,801,000</u>
28	Timber Tax Distribution Account--State Appropriation	\$5,940,000
29	Waste Reduction/Recycling/Litter Control--State	
30	Appropriation	\$129,000
31	Waste Tire Removal Account--State Appropriation	\$2,000
32	State Toxics Control Account--State Appropriation	\$87,000
33	Oil Spill Prevention Account--State Appropriation	\$19,000
34	Master License Fund--State Appropriation	\$14,012,000
35	Vehicle License Fraud Account--State Appropriation	\$5,000
36	Performance Audits of Government Account--State	
37	Appropriation	\$3,188,000

1 TOTAL APPROPRIATION ((~~\$231,994,000~~))
2 \$225,110,000

3 **Sec. 123.** 2011 1st sp.s. c 50 s 138 (uncodified) is amended to
4 read as follows:

5 **FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**
6 OMWBE Enterprises Account--State Appropriation ((~~\$3,266,000~~))
7 \$3,264,000

8 NEW SECTION. **Sec. 124.** 2011 1st sp.s. c 50 s 139 (uncodified) is
9 repealed.

10 **Sec. 125.** 2011 1st sp.s. c 50 s 140 (uncodified) is amended to
11 read as follows:

12 **FOR THE INSURANCE COMMISSIONER**
13 General Fund--Federal Appropriation \$4,452,000
14 Insurance Commissioners Regulatory Account--State
15 Appropriation ((~~\$47,509,000~~))
16 \$47,514,000

17 TOTAL APPROPRIATION ((~~\$51,961,000~~))
18 \$51,966,000

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

- 21 (1) \$75,000 of the insurance commissioner's regulatory
22 account--state appropriation is provided solely for the implementation
23 of Substitute Senate Bill No. 5445 (health benefit exchange).
- 24 (2) \$42,000 of the insurance commissioner's regulatory
25 account--state appropriation is provided solely for the implementation
26 of Senate Bill No. 5213 (insurance statutes).

27 **Sec. 126.** 2011 1st sp.s. c 50 s 141 (uncodified) is amended to read
28 as follows:

29 **FOR THE BOARD OF ACCOUNTANCY**
30 Certified Public Accountants' Account--State
31 Appropriation ((~~\$2,810,000~~))
32 \$2,808,000

1 to meet the actual costs of conducting business and the appropriation
2 levels in this section.

3 (2) \$15,000 of the pipeline safety account--state appropriation is
4 provided solely for the implementation of Engrossed Second Substitute
5 House Bill No. 1634 (underground utilities).

6 (3) \$182,000 of the public service revolving account--state
7 appropriation is provided solely for the implementation of Engrossed
8 Second Substitute Senate Bill No. 5769 (coal-fired generation).

9 (4) \$169,000 of the public service revolving account--state
10 appropriation is provided solely for the implementation of Second
11 Substitute Senate Bill No. 5034 (private infrastructure).

12 **Sec. 130.** 2011 1st sp.s. c 50 s 146 (uncodified) is amended to
13 read as follows:

14 **FOR THE MILITARY DEPARTMENT**

15	General Fund--State Appropriation (FY 2012)	((\$8,010,000))
16		<u>\$7,175,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$8,001,000))
18		<u>\$7,175,000</u>
19	General Fund--Federal Appropriation	\$159,181,000
20	Enhanced 911 Account--State Appropriation	\$46,556,000
21	Disaster Response Account--State Appropriation	\$17,933,000
22	Disaster Response Account--Federal Appropriation	\$66,266,000
23	Military Department Rent and Lease Account--State	
24	Appropriation	\$615,000
25	Worker and Community Right-to-Know Account--State	
26	Appropriation	\$2,165,000
27	TOTAL APPROPRIATION	((\$308,727,000))
28		<u>\$307,066,000</u>

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

32 (1) \$18,018,000 of the disaster response account--state
33 appropriation and \$66,266,000 of the disaster response account--federal
34 appropriation may be spent only on disasters declared by the governor
35 and with the approval of the office of financial management. The
36 military department shall submit a report to the office of financial
37 management and the legislative fiscal committees on October 1st and
38 February 1st of each year detailing information on the disaster

1 response account, including: (a) The amount and type of deposits into
2 the account; (b) the current available fund balance as of the reporting
3 date; and (c) the projected fund balance at the end of the 2011-2013
4 biennium based on current revenue and expenditure patterns.

5 (2) \$75,000,000 of the general fund--federal appropriation is
6 provided solely for homeland security, subject to the following
7 conditions:

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

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

17 **Sec. 131.** 2011 1st sp.s. c 50 s 148 (uncodified) is amended to
18 read as follows:

19 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

20	General Fund--State Appropriation (FY 2012)	((\$2,347,000))
21		<u>\$2,346,000</u>
22	General Fund--State Appropriation (FY 2013)	((\$2,402,000))
23		<u>\$2,400,000</u>
24	Higher Education Personnel Services Account--State	
25	Appropriation	\$251,000
26	Department of Personnel Service Account--State	
27	Appropriation	\$3,309,000
28	TOTAL APPROPRIATION	((\$8,309,000))
29		<u>\$8,306,000</u>

30 **Sec. 132.** 2011 1st sp.s. c 50 s 150 (uncodified) is amended to
31 read as follows:

32 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

33	General Fund--State Appropriation (FY 2012)	((\$4,052,000))
34		<u>\$3,501,000</u>
35	General Fund--State Appropriation (FY 2013)	((\$4,047,000))
36		<u>\$3,495,000</u>

1 General Fund--Federal Appropriation \$177,000
 2 General Fund--Private/Local Appropriation \$368,000
 3 Building Code Council Account--State Appropriation . . . ((~~\$1,185,000~~))
 4 \$1,187,000
 5 Department of Personnel Service Account--State
 6 Appropriation ((~~\$9,511,000~~))
 7 \$11,119,000
 8 ((~~General Administration Service~~)) Enterprise
 9 Services Account--State Appropriation ((~~\$26,524,000~~))
 10 \$26,540,000
 11 TOTAL APPROPRIATION ((~~\$45,864,000~~))
 12 \$46,387,000

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

15 (1) The appropriations in this section are for the operations and
 16 expenses of the department of enterprise services as established by
 17 Engrossed Substitute Senate Bill No. 5931 (central service functions of
 18 state government), effective October 1, 2011. Prior to October 1,
 19 2011, the appropriations in this section may be expended for the
 20 continued operations and expenses of the office of financial
 21 management, the department of general administration, the department of
 22 information services, and the department of personnel, pursuant to the
 23 expenditure authority schedules produced by the office of financial
 24 management, in accordance with chapter 43.88 RCW.

25 (2) \$3,090,000 of the general fund--state appropriation for fiscal
 26 year 2012 and \$3,090,000 of the general fund--state appropriation for
 27 fiscal year 2013 are provided solely for the payment of facilities and
 28 services charges, utilities and contracts charges, public and historic
 29 facilities charges, and capital projects surcharges allocable to the
 30 senate, house of representatives, statute law committee, and joint
 31 legislative systems committee. The department shall allocate charges
 32 attributable to these agencies among the affected revolving funds. The
 33 department shall maintain an interagency agreement with these agencies
 34 to establish performance standards, prioritization of preservation and
 35 capital improvement projects, and quality assurance provisions for the
 36 delivery of services under this subsection. The legislative agencies
 37 named in this subsection shall continue to enjoy all of the same rights

1 of occupancy and space use on the capitol campus as historically
2 established.

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

6 (4) The building code council account appropriation is provided
7 solely for the operation of the state building code council as required
8 by statute and modified by the standards established by executive order
9 10-06. The council shall not consider any proposed code amendment or
10 take any other action not authorized by statute or in compliance with
11 the standards established in executive order 10-06. No member of the
12 council may receive compensation, per diem, or reimbursement for
13 activities other than physical attendance at those meetings of the
14 state building code council or the council's designated committees, at
15 which the opportunity for public comment is provided generally and on
16 all agenda items upon which the council proposes to take action.

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

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

(End of part)

PART II
HUMAN SERVICES

Sec. 201. 2011 1st sp.s. c 50 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The health care authority and the department are authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under this Washington medicaid integration partnership (WMIP), the health care authority and the department may combine and transfer such medicaid

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

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

31 ((+6+)) (5) The department shall to the maximum extent practicable
32 use the same system for delivery of spoken-language interpreter
33 services for social services appointments as the one established for
34 medical appointments in section 213 of this act. When contracting
35 directly with an individual to deliver spoken language interpreter
36 services, the department shall only contract with language access
37 providers who are working at a location in the state and who are state-
38 certified or state-authorized, except that when such a provider is not

1 available, the department may use a language access provider who meets
2 other certifications or standards deemed to meet state standards,
3 including interpreters in other states.

4 **Sec. 202.** 2011 1st sp.s. c 50 s 202 (uncodified) is amended to
5 read as follows:

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

8	General Fund--State Appropriation (FY 2012)	((\$301,565,000))
9		<u>\$295,011,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$302,895,000))
11		<u>\$294,232,000</u>
12	General Fund--Federal Appropriation	((\$473,030,000))
13		<u>\$487,912,000</u>
14	General Fund--Private/Local Appropriation	\$1,358,000
15	Home Security Fund--State Appropriation	\$10,741,000
16	Domestic Violence Prevention Account--State	
17	Appropriation	\$1,154,000
18	Education Legacy Trust Account--State Appropriation	\$725,000
19	TOTAL APPROPRIATION	((\$1,091,468,000))
20		<u>\$1,091,133,000</u>

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

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

28 (2) \$668,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$668,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely to contract for the operation of
31 one pediatric interim care center. The center shall provide
32 residential care for up to thirteen children through two years of age.
33 Seventy-five percent of the children served by the center must be in
34 need of special care as a result of substance abuse by their mothers.
35 The center shall also provide on-site training to biological, adoptive,
36 or foster parents. The center shall provide at least three months of
37 consultation and support to the parents accepting placement of children

1 from the center. The center may recruit new and current foster and
2 adoptive parents for infants served by the center. The department
3 shall not require case management as a condition of the contract. The
4 department shall collaborate with the pediatric interim care center to
5 determine if and how the center could be appropriately incorporated
6 into the performance-based contract model and report its findings to
7 the legislature by December 1, 2012.

8 (3)(a) (~~(\$85,114,000)~~) \$85,202,000 of the general fund--state
9 appropriation for fiscal year 2012, (~~(\$85,409,000)~~) \$85,408,000 of the
10 general fund--state appropriation for fiscal year 2013, and
11 (~~(\$79,166,000)~~) \$79,279,000 of the general fund--federal appropriation
12 are provided solely for services for children and families subject to
13 RCW 74.13.360 and House Bill No. 2122 (child welfare). Prior to
14 approval of contract services pursuant to RCW 74.13.360 and House Bill
15 No. 2122, the amounts provided in this section shall be allotted on a
16 monthly basis and expenditures shall not exceed allotments based on a
17 three month rolling average without approval of the office of financial
18 management following notification to the legislative fiscal committees.

19 (b) The department shall use performance-based contracts to provide
20 services to safely reduce the number of children in out-of-home care,
21 safely reduce the time spent in out-of-home care prior to achieving
22 permanency, and safely reduce the number of children returning to
23 out-of-home care following permanency. The department shall provide an
24 initial report to the legislature and the governor by January 15, 2012,
25 regarding the start-up costs associated with performance-based
26 contracts under RCW 74.13.360 and House Bill No. 2122 (child welfare).

27 (4) \$176,000 of the general fund--state appropriation for fiscal
28 year 2012, \$177,000 of the general fund--state appropriation for fiscal
29 year 2013, \$656,000 of the general fund--private/local appropriation,
30 \$253,000 of the general fund--federal appropriation, and \$725,000 of
31 the education legacy trust account--state appropriation are provided
32 solely for children's administration to contract with an educational
33 advocacy provider with expertise in foster care educational outreach.
34 The amounts in this subsection are provided solely for contracted
35 education coordinators to assist foster children in succeeding in K-12
36 and higher education systems and to assure a focus on education during
37 the transition to performance based contracts. Funding shall be
38 prioritized to regions with high numbers of foster care youth and/or

1 regions where backlogs of youth that have formerly requested
2 educational outreach services exist. The department shall utilize
3 private matching funds to maintain educational advocacy services.

4 (5) \$670,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$670,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for services provided through
7 children's advocacy centers.

8 (6) To ensure expenditures remain within available funds
9 appropriated in this section as required by RCW 74.13A.005 and
10 74.13A.020, the secretary shall not set the amount of any adoption
11 assistance payment or payments, made pursuant to RCW 26.33.320 and
12 74.13A.005 through 74.13A.080, to more than ninety percent of the
13 foster care maintenance payment for that child had he or she remained
14 in a foster family home during the same period. This subsection does
15 not apply to adoption assistance agreements in existence on the
16 effective date of this section.

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

36 ((+9)) (8) \$47,000 of the general fund--state appropriation for
37 fiscal year 2012, \$14,000 of the general fund--state appropriation for
38 fiscal year 2013, and \$40,000 of the general fund--federal

1 appropriation are provided solely to implement Substitute House Bill
2 No. 1697 (dependency system). If the bill is not enacted by June 30,
3 2011, the amounts provided in this subsection shall lapse.

4 ~~((+10))~~ (9) \$564,000 of the general fund--federal appropriation is
5 provided solely to implement Second Substitute House Bill No. 1128
6 (extended foster care). If the bill is not enacted by June 30, 2011,
7 the amount provided in this subsection shall lapse.

8 **Sec. 203.** 2011 1st sp.s. c 50 s 203 (uncodified) is amended to
9 read as follows:

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

12	General Fund--State Appropriation (FY 2012)	((\$87,025,000))
13		<u>\$86,684,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$86,803,000))
15		<u>\$86,505,000</u>
16	General Fund--Federal Appropriation	((\$702,000))
17		<u>\$3,758,000</u>
18	General Fund--Private/Local Appropriation	\$1,903,000
19	Washington Auto Theft Prevention Authority Account--	
20	State Appropriation	\$196,000
21	Juvenile Accountability Incentive Account--Federal	
22	Appropriation	\$2,801,000
23	TOTAL APPROPRIATION	((\$179,430,000))
24		<u>\$181,847,000</u>

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

27 (1) \$331,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$331,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for deposit in the county criminal
30 justice assistance account for costs to the criminal justice system
31 associated with the implementation of chapter 338, Laws of 1997
32 (juvenile code revisions). The amounts provided in this subsection are
33 intended to provide funding for county adult court costs associated
34 with the implementation of chapter 338, Laws of 1997 and shall be
35 distributed in accordance with RCW 82.14.310.

36 (2) \$2,716,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$2,716,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for the implementation of chapter
2 338, Laws of 1997 (juvenile code revisions). The amounts provided in
3 this subsection are intended to provide funding for county impacts
4 associated with the implementation of chapter 338, Laws of 1997 and
5 shall be distributed to counties as prescribed in the current
6 consolidated juvenile services (CJS) formula.

7 (3) \$3,482,000 of the general fund--state appropriation for fiscal
8 year 2012 and \$3,482,000 of the general fund--state appropriation for
9 fiscal year 2013 are provided solely to implement community juvenile
10 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile
11 code revisions). Funds provided in this subsection may be used solely
12 for community juvenile accountability grants, administration of the
13 grants, and evaluations of programs funded by the grants.

14 (4) \$1,130,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$1,130,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely to implement alcohol and substance
17 abuse treatment programs for locally committed offenders. The juvenile
18 rehabilitation administration shall award these moneys on a competitive
19 basis to counties that submitted a plan for the provision of services
20 approved by the division of alcohol and substance abuse. The juvenile
21 rehabilitation administration shall develop criteria for evaluation of
22 plans submitted and a timeline for awarding funding and shall assist
23 counties in creating and submitting plans for evaluation.

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

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

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

1 courts, through the community juvenile accountability act committee,
2 based on the criteria established in consultation with Washington state
3 institute for public policy and the juvenile courts.

4 (b) The juvenile rehabilitation administration shall phase the
5 implementation of the formula provided in subsection (1) of this
6 section by including a stop-loss formula of five percent in fiscal year
7 2012 and five percent in fiscal year 2013.

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

1 evidence-based expansion or special sex offender disposition
2 alternative funds should be included in the block grant or left
3 separate.

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

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

36 (9) Within the funds provided in this section, the juvenile
37 rehabilitation administration shall maintain the physical plant and
38 protect state assets at the Maple Lane School.

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

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

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

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

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

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

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

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

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

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

24 (iii) Mental health services provided in nursing facilities to
25 individuals with dementia, and consultation to facility staff treating
26 those individuals; and

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

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

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

37 (k) Regional support networks may use local funds to earn
38 additional federal medicaid match, provided the locally matched rate

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

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

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

24 (2) INSTITUTIONAL SERVICES

25	General Fund--State Appropriation (FY 2012)	((\$114,686,000))
26		<u>\$115,317,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$113,766,000))
28		<u>\$114,111,000</u>
29	General Fund--Federal Appropriation	((\$150,767,000))
30		<u>\$153,324,000</u>
31	General Fund--Private/Local Appropriation	((\$65,834,000))
32		<u>\$67,325,000</u>
33	TOTAL APPROPRIATION	((\$445,053,000))
34		<u>\$450,077,000</u>

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

37 (a) The state psychiatric hospitals may use funds appropriated in

1 this subsection to purchase goods and supplies through hospital group
2 purchasing organizations when it is cost-effective to do so.

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

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

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

22 (3) SPECIAL PROJECTS

23	General Fund--State Appropriation (FY 2012)	(((\$1,457,000)))
24		<u>\$1,168,000</u>
25	General Fund--State Appropriation (FY 2013)	(((\$1,462,000)))
26		<u>\$1,164,000</u>
27	General Fund--Federal Appropriation	(((\$2,682,000)))
28		<u>\$4,109,000</u>
29	General Fund--Private/Local Appropriation	\$700,000
30	TOTAL APPROPRIATION	(((\$6,301,000)))
31		<u>\$7,141,000</u>

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

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

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

10 (4) PROGRAM SUPPORT

11	General Fund--State Appropriation (FY 2012)	(((\$4,276,000)))
12		<u>\$4,476,000</u>
13	General Fund--State Appropriation (FY 2013)	(((\$4,102,000)))
14		<u>\$4,261,000</u>
15	General Fund--Federal Appropriation	(((\$6,894,000)))
16		<u>\$7,227,000</u>
17	General Fund--Private/Local Appropriation	\$446,000
18	TOTAL APPROPRIATION	(((\$15,718,000)))
19		<u>\$16,410,000</u>

20 (a) The appropriations in this subsection are subject to the
 21 following conditions and limitations: In accordance with RCW
 22 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to
 23 increase license and certification fees in fiscal years 2012 and 2013
 24 to support the costs of the regulatory program. The fee schedule
 25 increases must be developed so that the maximum amount of additional
 26 fees paid by providers statewide in the 2011-2013 fiscal biennium is
 27 \$446,000. The department's fee schedule shall have differential rates
 28 for providers with proof of accreditation from organizations that the
 29 department has determined to have substantially equivalent standards to
 30 those of the department, including but not limited to the joint
 31 commission on accreditation of health care organizations, the
 32 commission on accreditation of rehabilitation facilities, and the
 33 council on accreditation. To reflect the reduced costs associated with
 34 regulation of accredited programs, the department's fees for
 35 organizations with such proof of accreditation must reflect the lower
 36 costs of licensing for these programs than for other organizations
 37 which are not accredited.

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

11 **Sec. 205.** 2011 1st sp.s. c 50 s 205 (uncodified) is amended to
12 read as follows:

13 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
14 **DISABILITIES PROGRAM**

15 (1) COMMUNITY SERVICES

16	General Fund--State Appropriation (FY 2012)	((\$418,664,000))
17		<u>\$418,815,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$422,393,000))
19		<u>\$422,854,000</u>
20	General Fund--Federal Appropriation	((\$726,897,000))
21		<u>\$743,532,000</u>
22	General Fund--Private/Local Appropriation	\$184,000
23	TOTAL APPROPRIATION	((\$1,568,138,000))
24		<u>\$1,585,385,000</u>

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

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

31 (b) Amounts appropriated in this subsection reflect a reduction to
32 funds appropriated for in-home care. The department shall reduce the
33 number of in-home hours authorized. The reduction shall be scaled
34 based on the acuity level of care recipients. The largest hour
35 reductions shall be to lower acuity patients and the smallest hour
36 reductions shall be to higher acuity patients.

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

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

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

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

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

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

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

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

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

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

21 (i) The current annual renewal license fee for adult family homes
22 shall be increased to \$100 per bed beginning in fiscal year 2012 and
23 \$175 per bed beginning in fiscal year 2013. Adult family homes shall
24 receive a corresponding vendor rate increase per medicaid patient day
25 of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the
26 cost of the license fee increase for publicly funded beds.

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

30 (~~(k)~~) (j) Clients with developmental disabilities have
31 demonstrated a need and a desire for a day services program as verified
32 by over 900 clients currently accessing day programs through a long-
33 term care service model. In addition, every individual, to include
34 those with a developmental disability, should have the opportunity for
35 meaningful employment which allows them to contribute to their
36 communities and to become as self-sufficient as possible. Providing
37 choice empowers recipients of publicly funded services and their

1 families by expanding their degree of control over the services and
2 supports they need.

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

16 (2) INSTITUTIONAL SERVICES

17	General Fund--State Appropriation (FY 2012)	((\$80,256,000))
18		<u>\$80,815,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$79,288,000))
20		<u>\$79,939,000</u>
21	General Fund--Federal Appropriation	((\$153,007,000))
22		<u>\$154,388,000</u>
23	General Fund--Private/Local Appropriation	\$22,043,000
24	TOTAL APPROPRIATION	((\$334,594,000))
25		<u>\$337,185,000</u>

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

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

32 (b) \$721,000 of the general fund--state appropriation for fiscal
33 year 2012 and \$721,000 of the general fund--state appropriation for
34 fiscal year 2013 are for the department to fulfill its contracts with
35 the school districts under chapter 28A.190 RCW to provide
36 transportation, building space, and other support services as are
37 reasonably necessary to support the educational programs of students
38 living in residential habilitation centers.

1	(3) PROGRAM SUPPORT	
2	General Fund--State Appropriation (FY 2012)	((\$1,383,000))
3		<u>\$1,380,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$1,376,000))
5		<u>\$1,371,000</u>
6	General Fund--Federal Appropriation	((\$1,326,000))
7		<u>\$1,323,000</u>
8	TOTAL APPROPRIATION	((\$4,085,000))
9		<u>\$4,074,000</u>

10	(4) SPECIAL PROJECTS	
11	General Fund--State Appropriation (FY 2012)	((\$4,659,000))
12		<u>\$4,648,000</u>
13	General Fund--State Appropriation (FY 2013)	((\$4,659,000))
14		<u>\$4,637,000</u>
15	General Fund--Federal Appropriation	((\$9,590,000))
16		<u>\$9,575,000</u>
17	General Fund--Private/Local Appropriation	\$998,000
18	TOTAL APPROPRIATION	((\$19,906,000))
19		<u>\$19,858,000</u>

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

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

1 Frances Haddon Morgan Center and any investments into community
2 placements and resources. The department shall provide a fiscal
3 progress report to the legislature by December 5, 2011.

4 **Sec. 206.** 2011 1st sp.s. c 50 s 206 (uncodified) is amended to
5 read as follows:

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

8	General Fund--State Appropriation (FY 2012)	((\$783,305,000))
9		<u>\$781,995,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$811,670,000))
11		<u>\$804,465,000</u>
12	General Fund--Federal Appropriation	((\$1,686,010,000))
13		<u>\$1,680,450,000</u>
14	General Fund--Private/Local Appropriation	\$27,517,000
15	Traumatic Brain Injury Account--State Appropriation	\$3,388,000
16	Nursing Facility Quality Assurance Account--State	
17	Appropriation	((\$88,000,000))
18		<u>\$88,071,000</u>
19	TOTAL APPROPRIATION	((\$3,399,890,000))
20		<u>\$3,385,886,000</u>

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

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

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

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

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

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

34 (d) The department shall provide a medicaid rate add-on to
35 reimburse the medicaid share of the skilled nursing facility safety net
36 assessment as a medicaid allowable cost. The nursing facility safety
37 net rate add-on may not be included in the calculation of the annual
38 statewide weighted average nursing facility payment rate.

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

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

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

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

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

30 (6) \$1,883,000 of the general fund--state appropriation for fiscal
31 year 2012, \$1,883,000 of the general fund--state appropriation for
32 fiscal year 2013, and \$3,766,000 of the general fund--federal
33 appropriation are provided solely for state contributions for
34 individual provider health care benefits. Pursuant to the collective
35 bargaining agreement negotiated with the exclusive bargaining
36 representative of individual providers established under RCW
37 74.39A.270, the state shall contribute to the multiemployer health
38 benefits trust fund \$1.96 per paid hour worked by individual providers.

1 (7) \$16,835,000 of the general fund--state appropriation for fiscal
2 year 2012, \$17,952,000 of the general fund--state appropriation for
3 fiscal year 2013, and \$34,786,000 of the general fund--federal
4 appropriation are provided solely for home care agencies to purchase
5 health coverage for home care providers. The department shall
6 calculate and distribute payments for health care benefits to home care
7 agencies at \$558 per month for each worker who cares for publicly
8 funded clients at 86 hours or more per month. In order to negotiate
9 the most comprehensive health benefits package for its employees, each
10 agency may determine benefit levels according to the hours an employee
11 works providing state-funded personal care. Health benefits shall be
12 offered to all employees who care for publicly funded clients for 86
13 hours per month or more. At a minimum, employees who care for publicly
14 funded clients at 140 hours a month or greater must receive a
15 comprehensive medical benefit. Benefits shall not be provided to
16 employees who care for publicly funded clients at 85 hours or less per
17 month or as interim respite workers. The department shall not pay an
18 agency for benefits provided to an employee who otherwise receives
19 health care coverage through other family members, other
20 employment-based coverage, or military or veteran's coverage. The
21 department shall require annually, each home care agency to review each
22 of its employee's available health coverage and to provide a written
23 declaration to the department verifying that health benefits purchased
24 with public funds are solely for employees that do not have other
25 available coverage. Home care agencies may determine a reasonable
26 employee co-premium not to exceed 20 percent of the total benefit cost.

27 (8) \$2,063,000 of the general fund--state appropriation for fiscal
28 year 2012, \$2,195,000 of the general fund--state appropriation for
29 fiscal year 2013, and \$4,260,000 of the general fund--federal
30 appropriation are provided solely for the state's contribution to the
31 training partnership, as provided in RCW 74.39A.360, for instructional
32 costs associated with the training of individual providers. House Bill
33 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
34 make statutory changes to the increased training requirements and
35 therefore the state shall contribute to the partnership \$0.17 per paid
36 hour worked by all home care workers. This amount is pursuant to the
37 collective bargaining agreement negotiated with the exclusive

1 bargaining representative of individual providers established under RCW
2 74.39A.270. Expenditures for the purposes specified in this subsection
3 shall not exceed the amounts provided in this subsection.

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

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

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

23 (12) \$1,840,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$1,877,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for operation of the volunteer
26 services program. Funding shall be prioritized towards serving
27 populations traditionally served by long-term care services to include
28 senior citizens and persons with disabilities.

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

34 (a) The current annual renewal license fee for nursing facilities
35 shall be increased to \$359 per bed beginning in fiscal year 2012 and
36 assumes \$517,000 of the general fund--private/local appropriation.
37 Nursing facilities shall receive a vendor rate increase of \$0.08 per

1 medicaid patient day to cover the license fee increase for publicly
2 funded beds.

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

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

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

27 (14) \$3,316,000 of the traumatic brain injury account--state
28 appropriation is provided solely to continue services for persons with
29 traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011
30 (traumatic brain injury strategic partnership).

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

35 **Sec. 207.** 2011 1st sp.s. c 50 s 207 (uncodified) is amended to
36 read as follows:

1	FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES	
2	PROGRAM	
3	General Fund--State Appropriation (FY 2012)	((\$506,611,000))
4		<u>\$487,305,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$500,003,000))
6		<u>\$503,362,000</u>
7	General Fund--Federal Appropriation	((\$1,115,799,000))
8		<u>\$1,167,467,000</u>
9	General Fund--Private/Local Appropriation	\$30,592,000
10	TOTAL APPROPRIATION	((\$2,153,005,000))
11		<u>\$2,188,726,000</u>

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

14 (1) ((~~\$297,623,000~~)) \$258,880,000 of the general fund--state
15 appropriation for fiscal year 2012, ((~~\$297,623,000~~)) \$297,296,000 of
16 the general fund--state appropriation for fiscal year 2013, and
17 ((~~\$672,443,000~~)) \$710,173,000 of the general fund--federal
18 appropriation are provided solely for all components of the WorkFirst
19 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921
20 (social services programs), the amounts in this subsection assume that
21 any participant in the temporary assistance for needy families where
22 their participation is suspended and does not volunteer to participate
23 in WorkFirst services or unsubsidized employment does not receive child
24 care subsidies or WorkFirst subsidies as a condition of the suspension.
25 Within the amounts provided for the WorkFirst program, the department
26 may provide assistance using state-only funds for families eligible for
27 temporary assistance for needy families.

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

32 (b) The department may establish a career services work transition
33 program.

34 (c) Within the amounts provided in this subsection, \$1,414,000 of
35 the general fund--state appropriation for fiscal year 2012 and
36 \$5,150,000 of the general fund--state appropriation for fiscal year
37 2013 are provided solely for the implementation and administration of
38 the electronic benefit transfer system under section 12 of Engrossed

1 Substitute Senate Bill No. 5921 (social services programs). The
2 department shall transfer these amounts to the department of early
3 learning for the implementation and administration of the project.

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

8 (e) The department shall create a temporary assistance for needy
9 families budget structure that allows for more transparent tracking of
10 budget units and subunits of expenditures where these units and
11 subunits are mutually exclusive from other department budget units.
12 The budget structure shall include budget units for the following:
13 Grants, child care, WorkFirst activities, and administration of the
14 program.

15 (2)(a) \$11,825,000 of the general fund--federal appropriation is
16 provided solely for a contingency reserve in the event the temporary
17 assistance for needy families cash benefit is projected to exceed
18 forecasted amounts by more than one percent. The department shall only
19 expend an amount equal to the forecasted over-expenditure. For
20 purposes of this subsection, the temporary assistance forecast shall be
21 completed every quarter and follow a similar schedule of the caseload
22 forecast council forecasts.

23 (b) If sufficient savings in subsection (1) of this section are
24 achieved, the department of early learning shall increase the number of
25 child care slots available for the working connections child care
26 program.

27 (3) (~~(\$31,960,000)~~) \$23,494,000 of the general fund--state
28 appropriation for fiscal year 2012, in addition to supplemental
29 security income recoveries, is provided solely for financial assistance
30 and other services to recipients in the program established in section
31 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates
32 on October 31, 2011.

33 (4)(a) (~~(\$11,690,000)~~) \$13,086,000 of the general fund--state
34 appropriation for fiscal year 2012 and (~~(\$21,494,000)~~) \$24,788,000 of
35 the general fund--state appropriation for fiscal year 2013, in addition
36 to supplemental security income recoveries, are provided solely for the
37 programs created in Engrossed Substitute House Bill No. 2082 (essential
38 needs and assistance program) beginning November 1, 2011.

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

7 (c) The department shall continue the interagency agreement with
8 the department of veterans' affairs to establish a process for referral
9 of veterans who may be eligible for veterans' services. This agreement
10 must include out-stationing department of veterans' affairs staff in
11 selected community service office locations in King and Pierce counties
12 to facilitate applications for veterans' services.

13 (5) \$1,657,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$1,657,000 of the general fund--state appropriation for
15 fiscal year 2013 are provided solely for naturalization services.

16 (6) \$2,366,000 of the general fund--state appropriation for fiscal
17 year 2012 is provided solely for refugee employment services, of which
18 \$1,774,000 is provided solely for the department to pass through to
19 statewide refugee assistance organizations for limited English
20 proficiency pathway services; and \$2,366,000 of the general fund--state
21 appropriation for fiscal year 2013 is provided solely for refugee
22 employment services, of which \$1,774,000 is provided solely for the
23 department to pass through to statewide refugee assistance
24 organizations for limited English proficiency pathway services.

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

31 (8) To ensure expenditures remain within available funds
32 appropriated in this section, the legislature establishes the benefit
33 under the state food assistance program, pursuant to RCW 74.08A.120, to
34 be fifty percent of the federal supplemental nutrition assistance
35 program benefit amount.

36 **Sec. 208.** 2011 1st sp.s. c 50 s 208 (uncodified) is amended to
37 read as follows:

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

3 General Fund--State Appropriation (FY 2012) ((~~\$75,785,000~~))
4 \$74,287,000
5 General Fund--State Appropriation (FY 2013) ((~~\$75,924,000~~))
6 \$74,422,000
7 General Fund--Federal Appropriation ((~~\$141,516,000~~))
8 \$141,514,000
9 General Fund--Private/Local Appropriation \$2,086,000
10 Criminal Justice Treatment Account--State
11 Appropriation ((~~\$17,748,000~~))
12 \$20,748,000
13 Problem Gambling Account--State Appropriation \$1,448,000
14 TOTAL APPROPRIATION ((~~\$314,507,000~~))
15 \$314,505,000

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

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

23 (2) Within the amounts appropriated in this section, the department
24 shall continue to provide for chemical dependency treatment services
25 for adult medicaid eligible, pregnant and parenting women, disability
26 lifeline, and alcoholism and drug addiction treatment and support act,
27 and medical care services clients.

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

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

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

8 **Sec. 209.** 2011 1st sp.s. c 50 s 209 (uncodified) is amended to
9 read as follows:

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

12	General Fund--State Appropriation (FY 2012)	((\$10,852,000))
13		<u>\$10,874,000</u>
14	General Fund--State Appropriation (FY 2013)	\$10,861,000
15	General Fund--Federal Appropriation	((\$102,622,000))
16		<u>\$105,091,000</u>
17	Telecommunications Devices for the Hearing and	
18	Speech Impaired--State Appropriation	\$2,766,000
19	TOTAL APPROPRIATION	((\$127,101,000))
20		<u>\$129,592,000</u>

21 The appropriations in this section are subject to the following
22 conditions and limitations: ((+2)) \$480,000 of the telecommunications
23 devices for the hearing and speech impaired account--state
24 appropriation is provided solely for the office of deaf and hard of
25 hearing to contract for services that provide employment support and
26 help with life activities for deaf-blind individuals in King county.

27 **Sec. 210.** 2011 1st sp.s. c 50 s 210 (uncodified) is amended to
28 read as follows:

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

31	General Fund--State Appropriation (FY 2012)	((\$47,779,000))
32		<u>\$47,719,000</u>
33	General Fund--State Appropriation (FY 2013)	((\$47,609,000))
34		<u>\$46,292,000</u>
35	TOTAL APPROPRIATION	((\$95,388,000))
36		<u>\$94,011,000</u>

1 **Sec. 211.** 2011 1st sp.s. c 50 s 211 (uncodified) is amended to
2 read as follows:

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

5	General Fund--State Appropriation (FY 2012)	((\$25,698,000))
6		<u>\$26,125,000</u>
7	General Fund--State Appropriation (FY 2013)	((\$23,960,000))
8		<u>\$24,586,000</u>
9	General Fund--Federal Appropriation	((\$38,917,000))
10		<u>\$39,223,000</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	((\$95,503,000))
15		<u>\$96,862,000</u>

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

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

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

28 (3) \$178,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$178,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for the juvenile detention
31 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 of the general fund--state appropriation for fiscal
38 year 2012 is provided solely for the department to distribute as

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

8 **Sec. 212.** 2011 1st sp.s. c 50 s 212 (uncodified) is amended to
9 read as follows:

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

12	General Fund--State Appropriation (FY 2012)	((\$66,410,000))
13		<u>\$62,778,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$63,304,000))
15		<u>\$61,927,000</u>
16	General Fund--Federal Appropriation	((\$60,313,000))
17		<u>\$58,400,000</u>
18	TOTAL APPROPRIATION	((\$190,027,000))
19		<u>\$183,105,000</u>

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

27 **Sec. 213.** 2011 1st sp.s. c 50 s 213 (uncodified) is amended to
28 read as follows:

29 **FOR THE STATE HEALTH CARE AUTHORITY**

30	General Fund--State Appropriation (FY 2012)	((\$2,195,580,000))
31		<u>\$2,130,229,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$2,263,679,000))
33		<u>\$2,185,617,000</u>
34	General Fund--Federal Appropriation	((\$5,608,085,000))
35		<u>\$5,389,627,000</u>
36	General Fund--Private/Local Appropriation	((\$60,277,000))

1		<u>\$45,512,000</u>
2	Emergency Medical Services and Trauma Care Systems	
3	Trust Account--State Appropriation	\$15,077,000
4	Hospital Safety Net Assessment Fund--State	
5	Appropriation	((\$404,438,000))
6		<u>\$394,905,000</u>
7	State Health Care Authority Administration Account--	
8	State Appropriation	((\$34,476,000))
9		<u>\$34,118,000</u>
10	Basic Health Plan Stabilization Account--	
11	State Appropriation	\$44,000,000
12	Medical Aid Account--State Appropriation	\$529,000
13	TOTAL APPROPRIATION	((\$10,643,180,000))
14		<u>\$10,239,614,000</u>

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

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

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

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

36 It is the intent of the legislature to improve the administration,
37 transparency, and equity in delivering a K-12 employees' health

1 benefits system. In addition, the legislature intends that any cost
2 savings that result from changes to K-12 health benefits be dedicated
3 to public schools.

4 To further this legislative intent, the state health care authority
5 shall develop a plan to implement a consolidated health benefits'
6 system for K-12 employees for the 2013-14 school year. The health care
7 authority shall deliver a report to the legislature by December 15,
8 2011, that sets forth the implementation plan to the ways and means
9 committees of the house of representatives and the senate.

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

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

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

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

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

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

20 (ii) The costs and benefits of providing a new statewide K-12
21 employees' health benefits pool to school districts and school
22 employees;

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

25 (iv) Recommendations of ways to limit administrative duplication
26 and costs, improve transparency to employees, the legislature, and the
27 public and assure equity among beneficiaries of publicly provided
28 employee health benefits;

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

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

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

1 (viii) Recommendations regarding methods to reduce inequities
2 between individual and family coverage;

3 (ix) Consolidation of the purchasing and budget accountability for
4 school employee benefits to maximize administrative efficiency and
5 leverage existing skills and resources; and

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

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

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

16 (C) Options for including potential changes to: Eligibility
17 standardization, the public employees benefits risk pools, the movement
18 of school employee retirees into the new K-12 pool or pools, and the
19 movement of educational service district employees into the new K-12
20 pool or pools.

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

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

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

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

31 (e) The office of the superintendent of public instruction and the
32 office of the insurance commissioner shall provide information and
33 technical assistance to the health care authority as requested by the
34 health care authority. The health care authority shall not implement
35 the new school employee benefits pool until authorized to do so by the
36 legislature.

37 (4) The administrator shall take at least the following actions to
38 assure that persons participating in the basic health plan are eligible

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

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

22 (6) \$23,700,000 of the general fund--federal appropriation is
23 provided solely for planning and implementation of a health benefit
24 exchange under the federal patient protection and affordable care act.
25 Within the amounts provided in this subsection, funds used by the
26 authority for information technology projects are conditioned on the
27 authority satisfying the requirements of Engrossed Second Substitute
28 Senate Bill No. 5931 (central service agencies).

29 (7) Based on quarterly expenditure reports and caseload forecasts,
30 if the health care authority estimates that expenditures for the
31 medical assistance program will exceed the appropriations, the health
32 care authority shall take steps including but not limited to reduction
33 of rates or elimination of optional services to reduce expenditures so
34 that total program costs do not exceed the annual appropriation
35 authority.

36 (8) In determining financial eligibility for medicaid-funded
37 services, the health care authority is authorized to disregard

1 recoveries by Holocaust survivors of insurance proceeds or other
2 assets, as defined in RCW 48.104.030.

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

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

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

16 (12) \$5,905,000 of the general fund--state appropriation for fiscal
17 year 2012, \$5,905,000 of the general fund--state appropriation for
18 fiscal year 2013, and \$11,810,000 of the general fund--federal
19 appropriation are provided solely for nonrural indigent assistance
20 disproportionate share hospital payments in accordance with RCW
21 74.09.730(1).

22 (13) \$665,000 of the general fund--state appropriation for fiscal
23 year 2012, \$665,000 of the general fund--state appropriation for fiscal
24 year 2013, and \$1,330,000 of the general fund--federal appropriation
25 are provided solely for small rural indigent assistance
26 disproportionate share hospital payments in accordance with RCW
27 74.09.730(1).

28 (14) \$6,000,000 of the general fund--federal appropriation is
29 provided solely for supplemental payments to nursing homes operated by
30 public hospital districts. The public hospital district shall be
31 responsible for providing the required nonfederal match for the
32 supplemental payment, and the payments shall not exceed the maximum
33 allowable under federal rules. It is the legislature's intent that the
34 payments shall be supplemental to and shall not in any way offset or
35 reduce the payments calculated and provided in accordance with part E
36 of chapter 74.46 RCW. It is the legislature's further intent that
37 costs otherwise allowable for rate-setting and settlement against
38 payments under chapter 74.46 RCW shall not be disallowed solely because

1 such costs have been paid by revenues retained by the nursing home from
2 these supplemental payments. The supplemental payments are subject to
3 retrospective interim and final cost settlements based on the nursing
4 homes' as-filed and final medicare cost reports. The timing of the
5 interim and final cost settlements shall be at the health care
6 authority's discretion. During either the interim cost settlement or
7 the final cost settlement, the health care authority shall recoup from
8 the public hospital districts the supplemental payments that exceed the
9 medicaid cost limit and/or the medicare upper payment limit. The
10 health care authority shall apply federal rules for identifying the
11 eligible incurred medicaid costs and the medicare upper payment limit.

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

1 and in effect on July 1, 2011, (b) one half of the indigent assistance
2 disproportionate share hospital payment amounts paid to and retained by
3 each hospital during fiscal year 2005, and (c) all of the other
4 disproportionate share hospital payment amounts paid to and retained by
5 each hospital during fiscal year 2005 to the extent the same
6 disproportionate share hospital programs exist in the 2011-13 biennium.
7 If payments during the fiscal year exceed the hospital's baseline
8 amount, no additional payments will be made to the hospital except the
9 federal portion of allowable disproportionate share hospital payments
10 for which the hospital can certify allowable match. If payments during
11 the fiscal year are less than the baseline amount, the hospital will be
12 paid a state grant equal to the difference between payments during the
13 fiscal year and the applicable baseline amount. Payment of the state
14 grant shall be made in the applicable fiscal year and distributed in
15 monthly payments. The grants will be recalculated and redistributed as
16 the baseline is updated during the fiscal year. The grant payments are
17 subject to an interim settlement within eleven months after the end of
18 the fiscal year. A final settlement shall be performed. To the extent
19 that either settlement determines that a hospital has received funds in
20 excess of what it would have received as described in this subsection,
21 the hospital must repay the excess amounts to the state when requested.
22 (~~(\$32,673,000)~~) \$24,677,000 of the general fund--state appropriation
23 for fiscal year 2012, of which \$6,570,000 is appropriated in section
24 204(1) of this act, and (~~(\$29,693,000)~~) \$21,531,000 of the general
25 fund--state appropriation for fiscal year 2013, of which \$6,570,000 is
26 appropriated in section 204(1) of this act, are provided solely for
27 state grants for the participating hospitals. CPE hospitals will
28 receive the inpatient and outpatient reimbursement rate restorations in
29 RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the
30 hospital safety net assessment fund rather than through the baseline
31 mechanism specified in this subsection.

32 (~~(+18+)~~) (16) The health care authority shall seek public-private
33 partnerships and federal funds that are or may become available to
34 provide on-going support for outreach and education efforts under the
35 federal children's health insurance program reauthorization act of
36 2009.

37 (~~(+19+)~~) (17) The health care authority shall target funding for
38 maternity support services towards pregnant women with factors that

1 lead to higher rates of poor birth outcomes, including hypertension, a
2 preterm or low birth weight birth in the most recent previous birth, a
3 cognitive deficit or developmental disability, substance abuse, severe
4 mental illness, unhealthy weight or failure to gain weight, tobacco
5 use, or African American or Native American race. The health care
6 authority shall prioritize evidence-based practices for delivery of
7 maternity support services. To the extent practicable, the health care
8 authority shall develop a mechanism to increase federal funding for
9 maternity support services by leveraging local public funding for those
10 services.

11 ~~((+20))~~ (18) For children with family incomes above 200 percent of
12 the federal poverty level in the state-funded children's health program
13 for children who are not eligible for coverage under the federally
14 funded children's health insurance program, premiums shall be set every
15 two years in an amount equal to the average state-only share of the per
16 capita cost of coverage in the state-funded children's health program
17 for children in families with incomes at or less than two hundred
18 percent of the federal poverty level.

19 ~~((+21))~~ (19) \$704,000 of the general fund--state appropriation for
20 fiscal year 2012, \$726,000 of the general fund--state appropriation for
21 fiscal year 2013, and \$1,431,000 of the general fund--federal
22 appropriation are provided solely for disproportionate share hospital
23 payments to hospitals that provide services to children in the
24 children's health program who are not eligible for services under Title
25 XIX or XXI of the federal social security act due to their citizenship
26 status.

27 ~~((+22))~~ (20) \$998,000 of the general fund--state appropriation for
28 fiscal year 2012, \$979,000 of the general fund--state appropriation for
29 fiscal year 2013, and \$1,980,000 of the general fund--federal
30 appropriation are provided solely to increase prior authorization
31 activities for advanced imaging procedures.

32 ~~((+23))~~ (21) \$249,000 of the general fund--state appropriation for
33 fiscal year 2012, \$246,000 of the general fund--state appropriation for
34 fiscal year 2013, and \$495,000 of the general fund--federal
35 appropriation are provided solely to increase prior authorization
36 activities for surgical procedures, which may include orthopedic
37 procedures, spinal procedures and interventions, and nerve procedures.

1 ~~((+24))~~ (22) \$300,000 of the general fund--private/local
2 appropriation and \$300,000 of the general fund--federal appropriation
3 are provided solely for a prescriptive practices improvement
4 collaborative focusing upon atypical antipsychotics and other
5 medications commonly used in the treatment of severe and persistent
6 mental illnesses among adults. The project shall promote collaboration
7 among community mental health centers, other major prescribers of
8 atypical antipsychotic medications to adults enrolled in state medical
9 assistance programs, and psychiatrists, pharmacists, and other
10 specialists at the University of Washington department of psychiatry
11 and/or other research universities. The collaboration shall include
12 patient-specific prescriber consultations by psychiatrists and
13 pharmacists specializing in treatment of severe and persistent mental
14 illnesses among adults; production of profiles to assist prescribers
15 and clinics in tracking their prescriptive practices and their
16 patients' medication use and adherence relative to evidence-based
17 practices guidelines, other prescribers, and patients at other clinics;
18 and in-service seminars at which participants can share and increase
19 their knowledge of evidence- based and other effective prescriptive
20 practices. The health care authority shall enter into an interagency
21 agreement with the office of the attorney general for expenditure of
22 \$300,000 of the state's proceeds of the *cy pres* settlement in *State of*
23 *Washington v. AstraZeneca (Seroquel)* for this purpose.

24 ~~((+25))~~ (23) \$570,000 of the general fund--private/local
25 appropriation is provided solely for continued operation of the
26 partnership access line for child mental health consultations. The
27 health care authority shall enter into an interagency agreement with
28 the office of the attorney general for expenditure of \$570,000 of the
29 state's proceeds of the *cy pres* settlement in *State of Washington v.*
30 *AstraZeneca (Seroquel)* for this purpose.

31 ~~((+26))~~ (24) \$80,000 of the general fund--state appropriation for
32 fiscal year 2012, \$80,000 of the general fund--state appropriation for
33 fiscal year 2013, and \$160,000 of the general fund--federal
34 appropriation are provided solely to fund the Tacoma-Pierce county
35 health department for access and outreach activities to reduce infant
36 mortality.

37 ~~((+27))~~ (25) \$75,000 of the general fund--state appropriation for
38 fiscal year 2012, \$75,000 of the general fund--state appropriation for

1 fiscal year 2013, and \$150,000 of the general fund--federal
2 appropriation are provided solely to assist with development and
3 implementation of evidence-based strategies regarding the appropriate,
4 safe, and effective role of C-section surgeries and early induced labor
5 in births and neonatal care. The strategies shall be identified and
6 implemented in consultation with clinical research specialists,
7 physicians, hospitals, advanced registered nurse practitioners, and
8 organizations concerned with maternal and child health.

9 ~~((28) \$4,126,000))~~ (26) \$2,400,000 of the general fund--state
10 appropriation for fiscal year 2012, ~~((\$4,268,000))~~ \$2,435,000 of the
11 general fund--state appropriation for fiscal year 2013, ~~((\$11,816,000))~~
12 \$7,253,000 of the general fund--private/local appropriation, and
13 ~~((\$20,207,000))~~ \$12,455,000 of the general fund--federal appropriation
14 are provided solely for continued provision of school-based medical
15 services by means of an intergovernmental transfer arrangement. Under
16 the arrangement, the state shall provide forty percent and school
17 districts sixty percent of the nonfederal matching funds required for
18 receipt of federal medicaid funding for the service.

19 ~~((29))~~ (27) \$263,000 of the general fund--state appropriation for
20 fiscal year 2012, \$88,000 of the general fund--state appropriation for
21 fiscal year 2013, and \$351,000 of the general fund--federal
22 appropriation are provided solely for development and submission to the
23 federal government by October 1, 2011, of a demonstration project
24 proposal as provided in Substitute Senate Bill No. 5596 (medicaid
25 demonstration waiver).

26 ~~((30) \$19,000 of the general fund--state appropriation for fiscal
27 year 2012, \$17,000 of the general fund--state appropriation for fiscal
28 year 2013, and \$34,000 of the general fund--federal appropriation are
29 provided solely to support a partnership among the department of social
30 and health services, the department of health, and agencies that
31 deliver medical care and behavioral health services in Cowlitz county.
32 The partnership shall identify and recommend strategies for resolving
33 regulatory, licensing, data management, reporting, and funding barriers
34 to more effective integration of primary medical and behavioral health
35 care services in the county.~~

36 ~~(31) \$4,761,000))~~ (28) \$5,600,000 of the general fund--state
37 appropriation for fiscal year 2012, ~~((\$4,066,000))~~ \$4,094,000 of the
38 general fund--state appropriation for fiscal year 2013, and

1 (~~(\$10,902,000)~~) \$11,332,000 of the general fund--federal appropriation
2 are provided solely for spoken-language interpreter services. The
3 authority shall develop and implement a new model for delivery of such
4 services no later than January 1, 2012. The model shall include:

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

9 (b) The requirement that the state contract with delivery
10 organizations, including foreign language agencies, who employ or
11 subcontract only with language access providers or interpreters working
12 in the state who are certified or authorized by the state. When a
13 state-certified or state-authorized in-state language access provider
14 or interpreter is not available, the delivery organization, including
15 foreign language agencies, may use a provider with other certifications
16 or qualifications deemed to meet state standards, including
17 interpreters in other states; and

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

22 Nothing in this subsection affects the ability of health care
23 providers to provide interpretive services through employed staff or
24 through telephone and video remote technologies when not reimbursed
25 directly by the department. The amounts in this subsection do not
26 include federal administrative funds provided to match nonstate
27 expenditures by local health jurisdictions and governmental hospitals.

28 (~~((+32))~~) (29) In its procurement of contractors for delivery of
29 medical managed care services for nondisabled, nonelderly persons, the
30 medical assistance program shall (a) place substantial emphasis upon
31 price competition in the selection of successful bidders; and (b) not
32 require delivery of any services that would increase the actuarial cost
33 of service beyond the levels included in current healthy options
34 contracts.

35 (~~((+33))~~) (30) \$1,430,000 of the general fund--state appropriation
36 for fiscal year 2012, \$1,430,000 of the general fund--state
37 appropriation for fiscal year 2013, and \$2,860,000 of the general
38 fund--federal appropriation are provided solely to pay

1 federally-designated rural health clinics their standard encounter rate
2 for prenatal and well-child visits, whether delivered under a managed
3 care contract or fee-for-service. In reconciling managed care
4 enhancement payments for calendar years 2009 and 2010, the department
5 shall treat well-child and prenatal care visits as encounters subject
6 to the clinic's encounter rate.

7 ~~((+35))~~ (31) \$280,000 of the general fund--state appropriation for
8 fiscal year 2012 and \$282,000 of the general fund--federal
9 appropriation are provided solely to increase utilization management of
10 drugs and drug classes for which there is evidence of over-utilization,
11 off-label use, excessive dosing, duplicative therapy, or opportunities
12 to shift utilization to less expensive, equally effective formulations.

13 ~~((+36))~~ (32) \$70,000 of the general fund--state appropriation for
14 fiscal year 2012, \$70,000 of the general fund--state appropriation for
15 fiscal year 2013, and \$140,000 of the general fund--federal
16 appropriation are provided solely to continue operation by a nonprofit
17 organization of a toll-free hotline that assists families to learn
18 about and enroll in the apple health for kids program.

19 ~~((+37))~~ (33) \$400,000 of the general fund--state appropriation for
20 fiscal year 2012 and \$400,000 of the general fund--state appropriation
21 for fiscal year 2013 is provided solely for the local outreach, case
22 management, and coordination with dental providers needed to execute
23 the access to baby and child dentistry program, which provides dental
24 care to Medicaid eligible children up to age six.

25 ~~((+39) \$1,555,000)~~ (34) \$1,868,000 of the general fund--state
26 appropriation for fiscal year 2012, ~~((+39) \$1,580,000)~~ \$1,873,000 of the
27 general fund--state appropriation for fiscal year 2013, and
28 ~~((+39) \$2,171,000)~~ \$3,154,000 of the general fund--federal appropriation
29 are provided solely to continue to provide dental services to pregnant
30 women. Services shall include preventive, routine, and emergent dental
31 care.

32 ~~((+40))~~ (35) \$395,000 of the general fund--state appropriation for
33 fiscal year 2012, \$395,000 of the general fund--state appropriation for
34 fiscal year 2013, and \$790,000 of the general fund--federal
35 appropriation are provided solely for continued operation of the
36 dental education in care of persons with disabilities (DECOD) program
37 at the University of Washington.

1 ~~((41))~~ (36) \$112,000 of the general fund--state appropriation for
2 fiscal year 2012, \$112,000 of the general fund--state appropriation for
3 fiscal year 2013, and \$1,928,000 of the general fund--federal
4 appropriation are provided solely for the provider incentive program
5 and other initiatives related to the health information technology
6 Medicaid plan.

7 ~~((42))~~ ~~\$1,373,000 of the general fund--state appropriation for~~
8 ~~fiscal year 2012, \$2,105,000 of the medicaid fraud penalty account--~~
9 ~~state appropriation, and \$3,701,000 of the general fund--federal~~
10 ~~appropriation are provided solely for efforts to reduce Medicaid fraud~~
11 ~~and abuse and to seek coverage or recovery from other medical payers.~~

12 ~~(43))~~ (37) \$2,926,000 of the general fund--local appropriation and
13 \$2,928,000 of the general fund--federal appropriation are provided
14 solely to support medical airlift services.

15 ~~((44))~~ (38) The authority shall collect data on enrollment and
16 utilization to study whether the expansion of family planning coverage
17 under Substitute Senate Bill No. 5912 is reducing state medical
18 expenditures by reducing unwanted pregnancies. The authority shall
19 report its findings to the legislature by December 1, 2012.

20 ~~((45))~~ (39) \$480,000 of the general fund--state appropriation for
21 fiscal year 2012, \$480,000 of the general fund--state appropriation for
22 fiscal year 2013, and \$824,000 of the general fund--federal
23 appropriation are provided solely for customer services staff. The
24 authority will attempt to improve the phone answer rate to 40 percent
25 and reduce the response times to written questions to ten days for
26 clients and 25 days for providers. The authority will report to the
27 legislature on its progress toward achieving these goals by January 1,
28 2012. If the authority has not achieved these goals by July 1, 2012,
29 then the authority shall reduce expenditures on management staff in
30 order to increase expenditures on customer service staff until the
31 goals are achieved.

32 ~~((46))~~ (40) The department shall purchase a brand name drug when
33 it determines that the cost of the brand name drug after rebates is
34 less than the cost of generic alternatives and that purchase of the
35 brand rather than generic version can save at least \$250,000. The
36 department may purchase generic alternatives when changes in market
37 prices make the price of the brand name drug after rebates more
38 expensive than the generic alternatives.

1 ((+49)) (41) The department shall collaborate closely with the
2 Washington state hospital and medical associations in identification of
3 the diagnostic codes and retroactive review procedures that will be
4 used to determine whether an emergency room visit is a nonemergency
5 condition to assure that conditions that require emergency treatment
6 continue to be covered.

7 **Sec. 214.** 2011 1st sp.s. c 50 s 215 (uncodified) is amended to
8 read as follows:

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

10 Worker and Community Right-to-Know Account--State

11	Appropriation	\$10,000
12	Accident Account--State Appropriation	((\$19,685,000))
13		<u>\$19,690,000</u>
14	Medical Aid Account--State Appropriation	((\$19,685,000))
15		<u>\$19,689,000</u>
16	TOTAL APPROPRIATION	((\$39,380,000))
17		<u>\$39,389,000</u>

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

20 (1) \$36,000 of the accident account--state appropriation and
21 \$36,000 of the medical aid account--state appropriation are solely
22 provided for Engrossed Substitute Senate Bill No. 5068 (industrial
23 safety and health act). If the bill is not enacted by June 30, 2011,
24 the amounts provided in this subsection shall lapse.

25 (2) \$16,000 of the accident account--state appropriation and
26 \$16,000 of the medical aid account--state appropriation are solely
27 provided for Substitute Senate Bill No. 5801 (industrial insurance
28 system). If the bill is not enacted by June 30, 2011, the amounts
29 provided in this subsection shall lapse.

30 (3) \$1,893,000 of the accident account--state appropriation and
31 \$1,893,000 of the medical aid account--state appropriation are provided
32 solely for implementation of House Bill No. 2123 (workers'
33 compensation). If the bill is not enacted by June 30, 2011, the
34 amounts provided in this subsection shall lapse.

35 **Sec. 215.** 2011 1st sp.s. c 50 s 216 (uncodified) is amended to
36 read as follows:

1 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

2	General Fund--State Appropriation (FY 2012)	((\$15,165,000))
3		<u>\$14,850,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$15,140,000))
5		<u>\$14,711,000</u>
6	General Fund--Federal Appropriation	\$456,000
7	General Fund--Private/Local Appropriation	\$4,048,000
8	Death Investigations Account--State Appropriation	\$148,000
9	Municipal Criminal Justice Assistance Account--	
10	State Appropriation	\$460,000
11	Washington Auto Theft Prevention Authority Account--	
12	State Appropriation	\$8,597,000
13	TOTAL APPROPRIATION	((\$44,014,000))
14		<u>\$43,270,000</u>

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

17 (1) \$5,000,000 of the general fund--state appropriation for fiscal
18 year 2012 and \$5,000,000 of the general fund--state appropriation for
19 fiscal year 2013, are provided to the Washington association of
20 sheriffs and police chiefs solely to verify the address and residency
21 of registered sex offenders and kidnapping offenders under RCW
22 9A.44.130.

23 (2) \$321,000 of the general fund--local appropriation is provided
24 solely to purchase ammunition for the basic law enforcement academy.
25 Jurisdictions shall reimburse to the criminal justice training
26 commission the costs of ammunition, based on the average cost of
27 ammunition per cadet, for cadets that they enroll in the basic law
28 enforcement academy.

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

31 (4) \$100,000 of the general fund--state appropriation for fiscal
32 year 2012 and \$100,000 of the general fund--state appropriation for
33 fiscal year 2013 are provided solely for a school safety program. The
34 commission, in collaboration with the school safety center advisory
35 committee, shall provide the school safety training for all school
36 administrators and school safety personnel hired after the effective
37 date of this section.

1 (5) \$96,000 of the general fund--state appropriation for fiscal
 2 year 2012 and \$90,000 of the general fund--state appropriation for
 3 fiscal year 2013 are provided solely for the school safety center
 4 within the commission. The safety center shall act as an information
 5 dissemination and resource center when an incident occurs in a school
 6 district in Washington or in another state, coordinate activities
 7 relating to school safety, and review and approve manuals and curricula
 8 used for school safety models and training. Through an interagency
 9 agreement, the commission shall provide funding for the office of the
 10 superintendent of public instruction to continue to develop and
 11 maintain a school safety information web site. The school safety
 12 center advisory committee shall develop and revise the training
 13 program, using the best practices in school safety, for all school
 14 safety personnel. The commission shall provide research-related
 15 programs in school safety and security issues beneficial to both law
 16 enforcement and schools.

17 (6) \$1,000,000 of the general fund--state appropriation for fiscal
 18 year 2012 and \$1,000,000 of the general fund--state appropriation for
 19 fiscal year 2013 are provided solely for grants to counties enforcing
 20 illegal drug laws and which have been underserved by federally funded
 21 state narcotics task forces. The Washington association of sheriffs
 22 and police chiefs, the Washington association of prosecuting attorneys,
 23 and the Washington association of county officials shall jointly
 24 develop funding allocations for the offices of the county sheriff,
 25 county prosecutor, and county clerk in qualifying counties. The
 26 commission shall not impose an administrative cost on this program.

27 **Sec. 216.** 2011 1st sp.s. c 50 s 217 (uncodified) is amended to
 28 read as follows:

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

30	General Fund--State Appropriation (FY 2012)	((\$18,605,000))
31		<u>\$17,433,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$19,513,000))
33		<u>\$18,374,000</u>
34	General Fund--Federal Appropriation	((\$10,100,000))
35		<u>\$11,636,000</u>
36	Asbestos Account--State Appropriation	\$395,000
37	Electrical License Account--State Appropriation	\$37,019,000

1	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
2	Worker and Community Right-to-Know Account--	
3	State Appropriation	\$949,000
4	Public Works Administration Account--State	
5	Appropriation	\$6,814,000
6	Manufactured Home Installation Training Account--	
7	State Appropriation	(\$151,000)
8		<u>\$334,000</u>
9	Accident Account--State Appropriation	(\$252,689,000)
10		<u>\$252,809,000</u>
11	Accident Account--Federal Appropriation	\$13,622,000
12	Medical Aid Account--State Appropriation	(\$264,070,000)
13		<u>\$264,202,000</u>
14	Medical Aid Account--Federal Appropriation	\$3,186,000
15	Plumbing Certificate Account--State Appropriation	\$1,688,000
16	Pressure Systems Safety Account--State Appropriation	\$4,068,000
17	TOTAL APPROPRIATION	(\$632,897,000)
18		<u>\$632,557,000</u>

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

21 (1) Pursuant to RCW 43.135.055, the department is authorized to
22 increase fees related to factory assembled structures, contractor
23 registration, electricians, plumbers, asbestos removal, boilers,
24 elevators, and manufactured home installers. These increases are
25 necessary to support expenditures authorized in this section,
26 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
27 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

28 (2) \$50,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$50,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for the crime victims compensation
31 program to pay claims for mental health services for crime victim
32 compensation program clients who have an established relationship with
33 a mental health provider and subsequently obtain coverage under the
34 medicaid program or the medical care services program under chapter
35 74.09 RCW. Prior to making such payment, the program must have
36 determined that payment for the specific treatment or provider is not
37 available under the medicaid or medical care services program. In
38 addition, the program shall make efforts to contact any healthy options

1 or medical care services health plan in which the client may be
2 enrolled to help the client obtain authorization to pay the claim on an
3 out-of-network basis.

4 ~~((+4))~~ (3) \$1,281,000 of the accident account--state appropriation
5 and \$1,281,000 of the medical aid account--state appropriation are
6 provided solely for implementation of Engrossed Substitute House Bill
7 No. 1725 (workers' compensation). If the bill is not enacted by June
8 30, 2011, the amounts provided in this subsection shall lapse.

9 ~~((+5))~~ (4) \$51,000 of the accident account--state appropriation
10 and \$51,000 of the medical aid account--state appropriation are
11 provided solely for implementation of Engrossed Substitute House Bill
12 No. 1367 (for hire vehicles, operators). If the bill is not enacted by
13 June 30, 2011, the amounts provided in this subsection shall lapse.

14 ~~((+6))~~ (5) \$8,727,000 of the medical aid account--state
15 appropriation is provided solely for implementation of Substitute
16 Senate Bill No. 5801 (industrial insurance system). If the bill is not
17 enacted by June 30, 2011, the amount provided in this subsection shall
18 lapse.

19 ~~((+7))~~ (6) \$625,000 of the general fund--state appropriation for
20 fiscal year 2012, \$625,000 of the general fund--state appropriation for
21 fiscal year 2013, \$1,250,000 of the public works administration
22 account--state appropriation, \$708,000 of the accident account--state
23 appropriation, and \$708,000 of the medical aid account--state
24 appropriation are provided solely for the purposes of expanding the
25 detecting unregistered employers targeting system and to support field
26 staff in investigation and enforcement. Within the funds appropriated
27 in this subsection, the department shall aggressively combat the
28 underground economy in construction. Of the amounts provided in this
29 subsection, \$800,000 shall be used for investigation and enforcement.

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

35 **Sec. 217.** 2011 1st sp.s. c 50 s 218 (uncodified) is amended to
36 read as follows:

1 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

2 (1) HEADQUARTERS

3 General Fund--State Appropriation (FY 2012) \$1,832,000
4 General Fund--State Appropriation (FY 2013) \$1,826,000
5 Charitable, Educational, Penal, and Reformatory
6 Institutions Account--State Appropriation \$10,000
7 TOTAL APPROPRIATION \$3,668,000

8 (2) FIELD SERVICES

9 General Fund--State Appropriation (FY 2012) \$5,006,000
10 General Fund--State Appropriation (FY 2013) \$5,001,000
11 General Fund--Federal Appropriation ((~~\$2,704,000~~))
12 \$3,356,000
13 General Fund--Private/Local Appropriation ((~~\$4,161,000~~))
14 \$4,737,000
15 Veterans Innovations Program Account--State
16 Appropriation \$812,000
17 Veteran Estate Management Account--Private/Local
18 Appropriation \$1,083,000
19 TOTAL APPROPRIATION ((~~\$18,767,000~~))
20 \$19,995,000

21 The appropriations in this subsection are subject to the following
22 conditions and limitations: ((~~(b)~~)) \$821,000 of the veterans
23 innovations program account--state appropriation is provided solely for
24 the department to continue support for returning combat veterans
25 through the veterans innovation program, including emergency financial
26 assistance through the defenders' fund and long-term financial
27 assistance through the competitive grant program.

28 (3) INSTITUTIONAL SERVICES

29 General Fund--State Appropriation (FY 2012) ((~~\$1,693,000~~))
30 \$899,000
31 General Fund--State Appropriation (FY 2013) ((~~\$903,000~~))
32 \$71,000
33 General Fund--Federal Appropriation ((~~\$56,141,000~~))
34 \$59,177,000
35 General Fund--Private/Local Appropriation ((~~\$33,630,000~~))
36 \$32,094,000
37 TOTAL APPROPRIATION ((~~\$92,367,000~~))

1		<u>\$92,241,000</u>
2	Sec. 218. 2011 1st sp.s. c 50 s 219 (uncodified) is amended to	
3	read as follows:	
4	FOR THE DEPARTMENT OF HEALTH	
5	General Fund--State Appropriation (FY 2012)	(((\$80,370,000))
6		<u>\$79,876,000</u>
7	General Fund--State Appropriation (FY 2013)	(((\$80,177,000))
8		<u>\$79,693,000</u>
9	General Fund--Federal Appropriation	(((\$533,065,000))
10		<u>\$555,563,000</u>
11	General Fund--Private/Local Appropriation	(((\$148,386,000))
12		<u>\$148,362,000</u>
13	Hospital Data Collection Account--State Appropriation	\$214,000
14	Health Professions Account--State Appropriation	(((\$94,505,000))
15		<u>\$94,469,000</u>
16	Aquatic Lands Enhancement Account--State Appropriation	\$604,000
17	Emergency Medical Services and Trauma Care Systems	
18	Trust Account--State Appropriation	\$12,302,000
19	Safe Drinking Water Account--State Appropriation	\$4,480,000
20	Drinking Water Assistance Account--Federal	
21	Appropriation	(((\$22,884,000))
22		<u>\$22,875,000</u>
23	Waterworks Operator Certification--State	
24	Appropriation	\$1,532,000
25	Drinking Water Assistance Administrative Account--	
26	State Appropriation	\$326,000
27	((Site Closure Account--State Appropriation	(\$349,000))
28	Biotoxin Account--State Appropriation	\$1,167,000
29	State Toxics Control Account--State Appropriation	\$3,649,000
30	Medical Test Site Licensure Account--State	
31	Appropriation	\$2,321,000
32	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
33	Community and Economic Development Fee Account--State	
34	Appropriation	\$596,000
35	Public Health Supplemental Account--Private/Local	
36	Appropriation	\$3,598,000
37	Accident Account--State Appropriation	\$297,000

1	Medical Aid Account--State Appropriation	\$50,000
2	Tobacco Prevention and Control Account--State	
3	Appropriation	((\$4,037,000))
4		<u>\$37,000</u>
5	TOTAL APPROPRIATION	((\$996,421,000))
6		<u>\$1,013,523,000</u>

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

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

30 (2) In accordance with RCW 43.70.250 and 43.135.055, the department
31 is authorized to establish and raise fees in fiscal year 2012 as
32 necessary to meet the actual costs of conducting business and the
33 appropriation levels in this section. This authorization applies to
34 fees required for: The review of health care facility construction;
35 review of health facility requests for certificate of need; the
36 regulation and inspection of farm worker housing, hospital licensing,
37 in-home health service agencies, and producers of radioactive waste;
38 the regulation and inspection of shellfish sanitary control, surgical

1 facility licensing, and; fees associated with the following
2 professions: Dieticians and nutritionists, occupational therapists,
3 pharmacy, veterinarian, orthotics and prosthetics, surgical
4 technicians, nursing home administrators, health care assistants,
5 hearing and speech, psychology, hypnotherapy, chiropractic, social
6 workers, physicians, and physician assistants.

7 (3) \$1,969,000 of the health professions account--state
8 appropriation is provided solely to implement online licensing for
9 health care providers. The department must submit a detailed
10 investment plan for this project to the office of financial management.
11 The office of financial management must review and approve this plan
12 before funding may be expended. The department of health must
13 successfully implement online application and renewal for at least one
14 profession as a pilot project before pursuing additional professions.
15 The department must report to the office of financial management on the
16 outcome of the pilot project.

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

21 (5) \$21,000 of the health professions account--state appropriation
22 is provided solely for the implementation of Substitute House Bill No.
23 1304 (health care assistants). If the bill is not enacted by June 30,
24 2011, the amount provided in this subsection shall lapse.

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

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

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

37 (9) \$46,000 of the health professions account--state appropriation
38 is provided solely for the implementation of Substitute Senate Bill No.

1 5071 (online access for midwives and marriage and family therapists).
2 If the bill is not enacted by June 30, 2011, the amount provided in
3 this subsection shall lapse.

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

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

21 ~~((+13+))~~ (12) \$57,000 of the general fund--state appropriation for
22 fiscal year 2012 and \$58,000 of the general fund--state appropriation
23 for fiscal year 2013 are provided solely for the midwifery licensure
24 and regulatory program to offset a reduction in revenue from fees.
25 There shall be no change to the current annual fees for new or renewed
26 licenses for the midwifery program, except from online access to HEAL-
27 WA. The department shall convene the midwifery advisory committee on
28 a quarterly basis to address issues related to licensed midwifery.

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

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

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

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

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

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

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

38 (3) COMMUNITY SUPERVISION

1	General Fund--State Appropriation (FY 2012)	((\$128,403,000))
2		<u>\$129,635,000</u>
3	General Fund--State Appropriation (FY 2013)	((\$124,709,000))
4		<u>\$128,049,000</u>
5	<u>Federal Narcotics Forfeiture Account--Federal</u>	
6	<u>Appropriation</u>	\$372,000
7	<u>Controlled Substances Account--State</u>	
8	<u>Appropriation</u>	\$32,000
9	TOTAL APPROPRIATION	((\$253,112,000))
10		<u>\$258,088,000</u>

11 The appropriations in this subsection are subject to the following
12 conditions and limitations: ((~~+b~~)) \$875,000 of the general fund--
13 state appropriation for fiscal year 2012 is provided solely to
14 implement Engrossed Substitute House Bill No. 5891 (criminal justice
15 cost savings). If the bill is not enacted by June 30, 2011, the amount
16 provided in this subsection shall lapse.

17 (4) CORRECTIONAL INDUSTRIES

18	General Fund--State Appropriation (FY 2012)	((\$3,598,000))
19		<u>\$3,535,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$3,589,000))
21		<u>\$3,458,000</u>
22	TOTAL APPROPRIATION	((\$7,187,000))
23		<u>\$6,993,000</u>

24 The appropriations in this subsection are subject to the following
25 conditions and limitations: ((~~\$132,000~~)) \$66,000 of the general fund--
26 state appropriation for fiscal year 2012 ((~~and \$132,000 of the general~~
27 ~~fund--state appropriation for fiscal year 2013 are~~)) is provided solely
28 for transfer to the jail industries board. The board shall use the
29 amounts provided only for administrative expenses, equipment purchases,
30 and technical assistance associated with advising cities and counties
31 in developing, promoting, and implementing consistent, safe, and
32 efficient offender work programs.

33 (5) INTERAGENCY PAYMENTS

34	General Fund--State Appropriation (FY 2012)	((\$39,765,000))
35		<u>\$37,053,000</u>
36	General Fund--State Appropriation (FY 2013)	((\$36,035,000))
37		<u>\$35,549,000</u>

1 TOTAL APPROPRIATION ((\$75,800,000))
2 \$72,602,000

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

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

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

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

18 **Sec. 220.** 2011 1st sp.s. c 50 s 221 (uncodified) is amended to
19 read as follows:

20 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

21 General Fund--State Appropriation (FY 2012) \$2,278,000
22 General Fund--State Appropriation (FY 2013) \$2,264,000
23 General Fund--Federal Appropriation \$19,082,000
24 General Fund--Private/Local Appropriation \$30,000
25 TOTAL APPROPRIATION \$23,654,000

26 **Sec. 221.** 2011 1st sp.s. c 50 s 222 (uncodified) is amended to
27 read as follows:

28 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

29 (~~General Fund--State Appropriation (FY 2012) \$43,000~~
30 ~~General Fund--State Appropriation (FY 2013) \$26,000~~)
31 General Fund--Federal Appropriation ((\$267,328,000))
32 \$267,301,000
33 General Fund--Private/Local Appropriation ((\$33,937,000))
34 \$33,931,000
35 Unemployment Compensation Administration Account--
36 Federal Appropriation ((\$359,598,000))
37 \$350,622,000

1	Administrative Contingency Account--State	
2	Appropriation	((\$20,429,000))
3		<u>\$20,948,000</u>
4	Employment Service Administrative Account--State	
5	Appropriation	((\$33,738,000))
6		<u>\$33,721,000</u>
7	TOTAL APPROPRIATION	((\$715,099,000))
8		<u>\$706,523,000</u>

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

11 (1) \$39,666,000 of the unemployment compensation administration
12 account--federal appropriation is from amounts made available to the
13 state by section 903 (d), (f), and (g) of the social security act (Reed
14 act). This amount is provided solely for continuing current
15 unemployment insurance functions and department services to employers
16 and job seekers.

17 (2) \$35,584,000 of the unemployment compensation administration
18 account--federal appropriation is from amounts made available to the
19 state by section 903 (d), (f), and (g) of the social security act (Reed
20 act). This amount is provided solely for the replacement of the
21 unemployment insurance tax information system for the employment
22 security department. The employment security department shall support
23 the department of revenue and department of labor and industries to
24 develop a common vision to ensure technological compatibility between
25 the three agencies to facilitate a coordinated business tax system for
26 the future that improves services to business customers. The amounts
27 provided in this subsection are conditioned on the department
28 satisfying the requirements of the project management oversight
29 standards and policies established by the office of the chief
30 information officer created in Engrossed Substitute Senate Bill No.
31 5931 (information technology management).

32 (3) \$25,000 of the unemployment compensation administration
33 account--federal appropriation is from amounts made available to the
34 state by section 903 (d), (f), and (g) of the social security act (Reed
35 act). This amount is provided solely for implementation of system
36 changes to the unemployment insurance tax information system required
37 under chapter 4, Laws of 2011 (unemployment insurance program).

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

6 (5) \$60,000 of the unemployment compensation administration
7 account--federal appropriation is provided solely for costs associated
8 with the initial review and evaluation of the training benefits program
9 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment
10 insurance program). The initial review shall be developed by the joint
11 legislative audit and review committee. This appropriation is provided
12 from funds made available to the state by section 903 (d), (f), and (g)
13 of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

Sec. 301. 2011 1st sp.s. c 50 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2012)	(\$364,000)
	<u>\$402,000</u>
<u>General Fund--State Appropriation (FY 2013)</u>	<u>\$410,000</u>
General Fund--Federal Appropriation	(\$16,000)
	<u>\$31,000</u>
General Fund--Private/Local Appropriation	(\$386,000)
	<u>\$782,000</u>
TOTAL APPROPRIATION	(\$766,000)
	<u>\$1,625,000</u>

Sec. 302. 2011 1st sp.s. c 50 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2012)	(\$49,002,000)
	<u>\$47,630,000</u>
General Fund--State Appropriation (FY 2013)	(\$47,789,000)
	<u>\$46,226,000</u>
General Fund--Federal Appropriation	(\$77,467,000)
	<u>\$77,452,000</u>
General Fund--Private/Local Appropriation	(\$17,005,000)
	<u>\$16,691,000</u>
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	(\$11,475,000)
	<u>\$11,478,000</u>
State Drought Preparedness Account--State Appropriation	\$118,000

1	State and Local Improvements Revolving Account	
2	(Water Supply Facilities)--State Appropriation	\$423,000
3	Freshwater Aquatic Algae Control Account--State	
4	Appropriation	\$509,000
5	Water Rights Tracking System Account--State Appropriation	\$46,000
6	Site Closure Account--State Appropriation	(\$354,000)
7		<u>\$703,000</u>
8	Wood Stove Education and Enforcement Account--State	
9	Appropriation	\$612,000
10	Worker and Community Right-to-Know Account--State	
11	Appropriation	\$1,668,000
12	Water Rights Processing Account--State Appropriation	\$136,000
13	State Toxics Control Account--State Appropriation	(\$112,512,000)
14		<u>\$112,575,000</u>
15	State Toxics Control Account--Private/Local	
16	Appropriation	\$968,000
17	Local Toxics Control Account--State Appropriation	(\$27,384,000)
18		<u>\$27,390,000</u>
19	Water Quality Permit Account--State Appropriation	(\$37,730,000)
20		<u>\$37,748,000</u>
21	Underground Storage Tank Account--State	
22	Appropriation	(\$3,251,000)
23		<u>\$3,254,000</u>
24	Biosolids Permit Account--State Appropriation	\$1,805,000
25	Hazardous Waste Assistance Account--State	
26	Appropriation	(\$5,854,000)
27		<u>\$5,857,000</u>
28	Air Pollution Control Account--State Appropriation	\$2,468,000
29	Oil Spill Prevention Account--State Appropriation	(\$5,563,000)
30		<u>\$5,566,000</u>
31	Air Operating Permit Account--State Appropriation	(\$2,744,000)
32		<u>\$2,746,000</u>
33	Freshwater Aquatic Weeds Account--State Appropriation	\$1,700,000
34	Oil Spill Response Account--State Appropriation	\$7,076,000
35	Metals Mining Account--State Appropriation	\$14,000
36	((Pollution Liability Insurance Account--State	
37	 Appropriation	\$333,000)
38	Water Pollution Control Revolving Account--State	

1	Appropriation	\$611,000
2	Water Pollution Control Revolving Account--Federal	
3	Appropriation	\$2,517,000
4	TOTAL APPROPRIATION	(\$424,989,000)
5		<u>\$421,842,000</u>

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

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

13 (2) Pursuant to RCW 43.135.055, the department is authorized to
14 increase the following fees as necessary to meet the actual costs of
15 conducting business and the appropriation levels in this section:
16 Wastewater discharge permit, not more than 4.34 percent in fiscal year
17 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
18 more than 10 percent during the biennium; and air contaminate source
19 registration fee, not more than 36 percent during the biennium; and dam
20 safety and inspection fees, not more than 35 percent in fiscal year
21 2012 and 4.62 percent in fiscal year 2013.

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

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

32 (5) The department may not spend waste reduction, recycling, and
33 litter control account funds to support the following activities: The
34 beyond waste plan, work on national solid waste recycling issues, work
35 on construction and demolition recycling and green building
36 alternatives, education programs including the green schools
37 initiative, and management of the 1-800-recycle hotline and database on
38 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.

21 (a) The department shall consult with key stakeholders on statutory
22 barriers to efficient water rights processing and effective water
23 management, including identification of obsolete, confusing, or
24 conflicting statutory provisions. The department shall report
25 stakeholder recommendations to appropriate committees of the
26 legislature by December 1, 2011, and October 1, 2012.

27 (b) \$500,000 of the general fund--state appropriation for fiscal
28 year 2013 is provided solely for processing water right permit
29 applications only if the department of ecology issues at least five
30 hundred water right decisions in fiscal year 2012, and if the
31 department of ecology does not issue at least five hundred water right
32 decisions in fiscal year 2012 the amount provided in this subsection
33 shall lapse and remain unexpended. The department of ecology shall
34 submit a report to the office of financial management and the state
35 treasurer by June 30, 2012, that documents whether five hundred water
36 right decisions were issued in fiscal year 2012.

37 (c) The department shall maintain an ongoing accounting of water

1 right applications received and acted on and shall post that
2 information to the department's internet site.

3 (8) (~~Appropriations for fiscal year 2013 are included for~~
4 ~~consolidation of the Columbia river gorge commission and the pollution~~
5 ~~liability insurance agency into the department of ecology.~~

6 (+11)) \$1,075,000 of the general fund--state appropriation for
7 fiscal year 2012 and \$1,075,000 of the general fund--state
8 appropriation for fiscal year 2013 are provided solely for processing
9 the backlog of pending water rights permit applications in the water
10 resources program.

11 **Sec. 303.** 2011 1st sp.s. c 50 s 303 (uncodified) is amended to
12 read as follows:

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

14	General Fund--State Appropriation (FY 2012)	\$8,955,000
15	General Fund--State Appropriation (FY 2013)	\$8,379,000
16	General Fund--Federal Appropriation	\$5,905,000
17	Winter Recreation Program Account--State Appropriation . . .	\$1,761,000
18	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
19	Snowmobile Account--State Appropriation	\$4,848,000
20	Aquatic Lands Enhancement Account--State Appropriation	\$363,000
21	Parks Renewal and Stewardship Account--State	
22	Appropriation	(\$115,779,000)
23		<u>\$116,087,000</u>
24	Parks Renewal and Stewardship Account--Private/Local	
25	Appropriation	\$300,000
26	TOTAL APPROPRIATION	(\$146,514,000)
27		<u>\$146,822,000</u>

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

30 (1) \$8,876,000 of the general fund--state appropriation for fiscal
31 year 2012 and \$8,300,000 of the general fund--state appropriation for
32 fiscal year 2013 are provided solely to operate and maintain state
33 parks as the commission implements a new fee structure. The goal of
34 this structure is to make the parks system self-supporting. By August
35 1, 2012, state parks must submit a report to the office of financial
36 management detailing its progress toward this goal and outlining any
37 additional statutory changes needed for successful implementation.

1 (2) \$79,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$79,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for a grant for the operation of
4 the Northwest avalanche center.

5 (3) \$53,928,000 of the parks renewal and stewardship account--state
6 appropriation is provided solely for implementation of Second
7 Substitute Senate Bill No. 5622 (state land recreation access). If the
8 bill is not enacted by June 30, 2011, the amount provided in this
9 subsection shall lapse.

10 ((+5)) (4) Prior to closing any state park, the commission must
11 notify all affected local governments and relevant nonprofit
12 organizations of the intended closure and provide an opportunity for
13 the notified local governments and nonprofit organizations to elect to
14 acquire, or enter into, a maintenance and operating contract with the
15 commission that would allow the park to remain open.

16 **Sec. 304.** 2011 1st sp.s. c 50 s 304 (uncodified) is amended to
17 read as follows:

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

19	General Fund--State Appropriation (FY 2012)	((\$953,000))
20		<u>\$954,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$972,000))
22		<u>\$973,000</u>
23	General Fund--Federal Appropriation	\$3,299,000
24	General Fund--Private/Local Appropriation	\$274,000
25	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
26	Vessel Response Account--State Appropriation	\$100,000
27	Firearms Range Account--State Appropriation	\$37,000
28	Recreation Resources Account--State Appropriation	\$2,874,000
29	NOVA Program Account--State Appropriation	\$900,000
30	TOTAL APPROPRIATION	((\$9,687,000))
31		<u>\$9,689,000</u>

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$40,000 of the general fund--federal
34 appropriation, \$24,000 of the general fund--private/local
35 appropriation, \$100,000 of the vessel response account--state
36 appropriation, and \$12,000 of the recreation resources account--state

1 appropriation are provided solely for House Bill No. 1413 (invasive
2 species council). If the bill is not enacted by June 30, 2011, the
3 amounts provided in this subsection shall lapse.

4 **Sec. 305.** 2011 1st sp.s. c 50 s 305 (uncodified) is amended to
5 read as follows:

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

7	General Fund--State Appropriation (FY 2012)	((\$2,419,000))
8		<u>\$2,308,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$2,422,000))
10		<u>\$2,275,000</u>
11	TOTAL APPROPRIATION	((\$4,841,000))
12		<u>\$4,583,000</u>

13 **Sec. 306.** 2011 1st sp.s. c 50 s 306 (uncodified) is amended to
14 read as follows:

15 **FOR THE CONSERVATION COMMISSION**

16	General Fund--State Appropriation (FY 2012)	((\$6,790,000))
17		<u>\$6,789,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$6,793,000))
19		<u>\$6,792,000</u>
20	General Fund--Federal Appropriation	\$1,301,000
21	TOTAL APPROPRIATION	((\$14,884,000))
22		<u>\$14,882,000</u>

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

25 (1) The conservation commission, in cooperation with all
26 conservation districts, will seek to minimize conservation district
27 overhead costs. These efforts may include consolidating conservation
28 districts.

29 (2) \$122,000 of the general fund--federal appropriation is provided
30 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center
31 process). If the bill is not enacted by June 30, 2011, the amount
32 provided in this subsection shall lapse.

33 **Sec. 307.** 2011 1st sp.s. c 50 s 307 (uncodified) is amended to
34 read as follows:

1	FOR THE DEPARTMENT OF FISH AND WILDLIFE	
2	General Fund--State Appropriation (FY 2012)	((\$35,721,000))
3		<u>\$34,695,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$33,666,000))
5		<u>\$32,388,000</u>
6	General Fund--Federal Appropriation	\$105,717,000
7	General Fund--Private/Local Appropriation	((\$50,711,000))
8		<u>\$57,025,000</u>
9	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
10	Aquatic Lands Enhancement Account--State	
11	Appropriation	((\$6,856,000))
12		<u>\$8,230,000</u>
13	Recreational Fisheries Enhancement--State Appropriation . .	\$3,550,000
14	Warm Water Game Fish Account--State Appropriation	\$3,051,000
15	Eastern Washington Pheasant Enhancement Account--State	
16	Appropriation	\$849,000
17	Aquatic Invasive Species Enforcement Account--State	
18	Appropriation	\$204,000
19	Aquatic Invasive Species Prevention Account--State	
20	Appropriation	\$719,000
21	State Wildlife Account--State Appropriation	((\$100,169,000))
22		<u>\$100,424,000</u>
23	Special Wildlife Account--State Appropriation	\$2,384,000
24	Special Wildlife Account--Federal Appropriation	((\$3,428,000))
25		<u>\$500,000</u>
26	Special Wildlife Account--Private/Local Appropriation . .	((\$487,000))
27		<u>\$3,415,000</u>
28	Wildlife Rehabilitation Account--State Appropriation	\$259,000
29	Regional Fisheries Enhancement Salmonid Recovery	
30	Account--Federal Appropriation	\$5,001,000
31	Oil Spill Prevention Account--State Appropriation	\$887,000
32	Oyster Reserve Land Account--State Appropriation	\$921,000
33	TOTAL APPROPRIATION	((\$354,971,000))
34		<u>\$360,610,000</u>

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

- 37 (1) \$294,000 of the aquatic lands enhancement account--state

1 appropriation is provided solely for the implementation of hatchery
2 reform recommendations defined by the hatchery scientific review group.

3 (2) \$355,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$355,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for the department to continue a
6 pilot project with the Confederated Tribes of the Colville Reservation
7 to develop expanded recreational fishing opportunities on Lake Rufus
8 Woods and its northern shoreline and to conduct joint enforcement of
9 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to
10 state and tribal intergovernmental agreements developed under the
11 Columbia River water supply program. For the purposes of the pilot
12 project:

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

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

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

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

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

29 (3) Prior to submitting its 2013-2015 biennial operating and
30 capital budget request related to state fish hatcheries to the office
31 of financial management, the department shall contract with the
32 hatchery scientific review group (HSRG) to review this request. This
33 review shall: (a) Determine if the proposed requests are consistent
34 with HSRG recommendations; (b) prioritize the components of the
35 requests based on their contributions to protecting wild salmonid
36 stocks and meeting the recommendations of the HSRG; and (c) evaluate
37 whether the proposed requests are being made in the most cost effective

1 manner. The department shall provide a copy of the HSRG review to the
2 office of financial management with their agency budget proposal.

3 (4) \$400,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$400,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for a state match to support the
6 Puget Sound nearshore partnership between the department and the U.S.
7 army corps of engineers.

8 (5) \$50,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$50,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for removal of derelict gear in
11 Washington waters.

12 (6) \$100,000 of the eastern Washington pheasant enhancement
13 account--state appropriation is provided solely for the department to
14 support efforts to enhance permanent and temporary pheasant habitat on
15 public and private lands in Grant, Franklin, and Adams counties. The
16 department may support efforts by entities including conservation
17 districts, nonprofit organizations, and landowners, and must require
18 such entities to provide significant nonstate matching resources, which
19 may be in the form of funds, material, or labor.

20 (7) Within the amounts appropriated in this section, the department
21 shall identify additional opportunities for partnerships in order to
22 keep fish hatcheries operational. Such partnerships shall aim to
23 maintain fish production and salmon recovery with less reliance on
24 state operating funds.

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

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

34 (10) \$18,514,000 of the state wildlife account--state appropriation
35 is provided solely for the implementation of Second Substitute Senate
36 Bill No. 5385 (state wildlife account). If the bill is not enacted by
37 June 30, 2011, the amount provided in this subsection shall lapse.

1 (11) \$9,418,000 of the state wildlife account--state appropriation
2 is provided solely for the implementation of Second Substitute Senate
3 Bill No. 5622 (state land recreation access). If the bill is not
4 enacted by June 30, 2011, the amount provided in this subsection shall
5 lapse.

6 **Sec. 308.** 2011 1st sp.s. c 50 s 308 (uncodified) is amended to
7 read as follows:

8 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

9	General Fund--State Appropriation (FY 2012)	((\$33,856,000))
10		<u>\$31,324,000</u>
11	General Fund--State Appropriation (FY 2013)	((\$35,057,000))
12		<u>\$35,791,000</u>
13	General Fund--Federal Appropriation	\$27,919,000
14	General Fund--Private/Local Appropriation	\$2,374,000
15	Forest Development Account--State Appropriation	((\$41,507,000))
16		<u>\$41,717,000</u>
17	ORV and Nonhighway Vehicle Account--State Appropriation . .	\$4,387,000
18	Surveys and Maps Account--State Appropriation	\$2,346,000
19	Aquatic Lands Enhancement Account--State	
20	Appropriation	((\$7,218,000))
21		<u>\$7,224,000</u>
22	Resources Management Cost Account--State	
23	Appropriation	((\$81,800,000))
24		<u>\$82,097,000</u>
25	Surface Mining Reclamation Account--State	
26	Appropriation	\$3,484,000
27	Disaster Response Account--State Appropriation	\$5,000,000
28	Forest and Fish Support Account--State Appropriation	\$7,933,000
29	Aquatic Land Dredged Material Disposal Site	
30	Account--State Appropriation	\$838,000
31	Natural Resources Conservation Areas Stewardship	
32	Account--State Appropriation	\$34,000
33	State Toxics Control Account--State Appropriation	\$80,000
34	Air Pollution Control Account--State Appropriation	((\$1,319,000))
35		<u>\$669,000</u>
36	NOVA Program Account--State Appropriation	\$639,000
37	Derelict Vessel Removal Account--State Appropriation	\$1,761,000

1 (6) \$1,000,000 of the general fund--federal appropriation and
2 \$1,000,000 of the forest and fish support account--state appropriation
3 are provided solely for continuing scientific studies already underway
4 as part of the adaptive management process. Funds may not be used to
5 initiate new studies unless the department secures new federal funding
6 for the adaptive management process.

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

11 (8) \$440,000 of the state general fund--state appropriation for
12 fiscal year 2012 and \$440,000 of the state general fund--state
13 appropriation for fiscal year 2013 are provided solely for forest work
14 crews that support correctional camps and are contingent upon
15 continuing operations of Naselle youth camp.

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

21 **Sec. 309.** 2011 1st sp.s. c 50 s 309 (uncodified) is amended to
22 read as follows:

23 **FOR THE DEPARTMENT OF AGRICULTURE**

24	General Fund--State Appropriation (FY 2012)	(((\$15,729,000))
25		<u>\$15,484,000</u>
26	General Fund--State Appropriation (FY 2013)	(((\$15,371,000))
27		<u>\$14,875,000</u>
28	General Fund--Federal Appropriation	(((\$22,925,000))
29		<u>\$22,940,000</u>
30	General Fund--Private/Local Appropriation	\$190,000
31	Aquatic Lands Enhancement Account--State	
32	Appropriation	(((\$2,074,000))
33		<u>\$2,553,000</u>
34	State Toxics Control Account--State Appropriation . . .	(((\$5,116,000))
35		<u>\$5,118,000</u>
36	Water Quality Permit Account--State Appropriation	\$60,000
37	<u>Freshwater Aquatic Weeds Account--State Appropriation</u>	<u>\$280,000</u>

1 TOTAL APPROPRIATION ((~~\$61,465,000~~))
2 \$61,500,000

3 The appropriations in this section are subject to the following
4 conditions and limitations: \$5,308,445 of the general fund--state
5 appropriation for fiscal year 2012 and \$5,302,905 of the general fund--
6 state appropriation for fiscal year 2013 are provided solely for
7 implementing the food assistance program as defined in RCW 43.23.290.

8 **Sec. 310.** 2011 1st sp.s. c 50 s 310 (uncodified) is amended to
9 read as follows:

10 **FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM**
11 Pollution Liability Insurance Program Trust
12 Account--State Appropriation ((~~\$335,000~~))
13 \$668,000

14 **Sec. 311.** 2011 1st sp.s. c 50 s 311 (uncodified) is amended to
15 read as follows:

16 **FOR THE PUGET SOUND PARTNERSHIP**
17 General Fund--State Appropriation (FY 2012) ((~~\$2,545,000~~))
18 \$2,399,000
19 General Fund--State Appropriation (FY 2013) ((~~\$2,520,000~~))
20 \$2,424,000
21 General Fund--Federal Appropriation \$9,581,000
22 General Fund--Private/Local Appropriation \$25,000
23 Aquatic Lands Enhancement Account--State Appropriation \$493,000
24 State Toxics Control Account--State Appropriation \$665,000
25 TOTAL APPROPRIATION ((~~\$15,829,000~~))
26 \$15,587,000

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

29 (1) ((~~\$706,000~~)) \$665,000 of the state toxics control account--
30 state appropriation is provided solely for activities that contribute
31 to Puget Sound protection and recovery, including provision of
32 independent advice and assessment of the state's oil spill prevention,
33 preparedness, and response programs, including review of existing
34 activities and recommendations for any necessary improvements. The
35 partnership may carry out this function through an existing committee,
36 such as the ecosystem coordination board or the leadership council, or

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

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

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2011 1st sp.s. c 50 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2012)	((\$1,265,000))
	<u>\$1,167,000</u>
General Fund--State Appropriation (FY 2013)	((\$1,508,000))
	<u>\$1,307,000</u>
Architects' License Account--State Appropriation	\$1,084,000
Professional Engineers' Account--State	
Appropriation	((\$3,524,000))
	<u>\$3,518,000</u>
Real Estate Commission Account--State Appropriation	((\$9,843,000))
	<u>\$9,833,000</u>
Uniform Commercial Code Account--State	
Appropriation	((\$3,126,000))
	<u>\$3,120,000</u>
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation	\$1,687,000
Business and Professions Account--State	
Appropriation	((\$15,646,000))
	<u>\$15,592,000</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	((\$38,663,000))
	<u>\$38,288,000</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.

1 (2) \$8,000 of the business and professions account--state
2 appropriation is provided solely to implement Substitute Senate Bill
3 No. 5574 (collection agencies).

4 **Sec. 402.** 2011 1st sp.s. c 50 s 402 (uncodified) is amended to
5 read as follows:

6 **FOR THE STATE PATROL**

7	General Fund--State Appropriation (FY 2012)	((\$38,921,000))
8		<u>\$37,352,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$36,578,000))
10		<u>\$35,108,000</u>
11	General Fund--Federal Appropriation	\$16,081,000
12	General Fund--Private/Local Appropriation	\$3,021,000
13	Death Investigations Account--State Appropriation . . .	((\$5,572,000))
14		<u>\$5,551,000</u>
15	County Criminal Justice Assistance Account--State	
16	Appropriation	\$3,215,000
17	Municipal Criminal Justice Assistance Account--State	
18	Appropriation	\$1,290,000
19	Fire Service Trust Account--State Appropriation	\$131,000
20	Disaster Response Account--State Appropriation	\$8,002,000
21	Fire Service Training Account--State Appropriation . . .	((\$9,010,000))
22		<u>\$9,394,000</u>
23	Aquatic Invasive Species Enforcement Account--State	
24	Appropriation	\$54,000
25	State Toxics Control Account--State Appropriation	\$505,000
26	Fingerprint Identification Account--State	
27	Appropriation	((\$8,788,000))
28		<u>\$10,090,000</u>
29	Vehicle License Fraud Account--State Appropriation	\$339,000
30	TOTAL APPROPRIATION	((\$131,507,000))
31		<u>\$130,133,000</u>

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

34 (1) \$200,000 of the fire service training account--state
35 appropriation is provided solely for two FTEs in the office of the
36 state director of fire protection to exclusively review K-12
37 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.

(End of part)

PART V
EDUCATION

Sec. 501. 2011 1st sp.s. c 50 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	((\$25,701,000))
	<u>\$25,406,000</u>
General Fund--State Appropriation (FY 2013)	((\$23,052,000))
	<u>\$22,502,000</u>
General Fund--Federal Appropriation	((\$81,065,000))
	<u>\$77,065,000</u>
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	((\$133,818,000))
	<u>\$128,973,000</u>

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

(1) A maximum of ((~~\$16,450,000~~)) \$16,139,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,889,000~~)) \$13,335,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) ((~~\$9,365,000~~)) \$9,775,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$8,451,000~~)) \$8,532,000 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 ((~~v~~)) (iv) The office of the superintendent of public instruction
10 shall, no later than August 1, 2011, establish a standard statewide
11 definition of unexcused absence. The definition shall be reported to
12 the ways and means committees of the senate and house of
13 representatives for legislative review in the 2012 legislative session.
14 Beginning no later than January 1, 2012, districts shall report to the
15 office of the superintendent of public instruction, daily student
16 unexcused absence data by school.

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

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

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

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

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

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

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

14 (f) \$50,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$50,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the ongoing work of the
17 (~~(achievement)~~) education opportunity gap oversight and accountability
18 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 provided solely for the implementation of chapter
27 185, Laws of 2011 (bullying prevention), which requires the office of
28 the superintendent of public instruction to convene an ongoing
29 workgroup on school bullying and harassment prevention. Within the
30 amounts provided, \$140,000 is for youth suicide prevention activities.

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

37 (~~(+k)~~) (j) \$25,000 of the general fund--state appropriation for
38 fiscal year 2012 and \$25,000 of the general fund--state appropriation

1 for fiscal year 2013 are provided solely for project citizen, a program
2 sponsored by the national conference of state legislatures and the
3 center for civic education to promote participation in government by
4 middle school students.

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

10 (2) \$9,267,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$9,167,000 of the general fund--state appropriation for
12 fiscal year 2013 are for statewide programs.

13 (a) HEALTH AND SAFETY

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

21 (ii) \$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 a nonviolence and leadership
24 training program provided by the institute for community leadership.

25 (b) TECHNOLOGY

26 \$1,221,000 of the general fund--state appropriation for fiscal year
27 2012 and \$1,221,000 of the general fund--state appropriation for fiscal
28 year 2013 are provided solely for K-20 telecommunications network
29 technical support in the K-12 sector to prevent system failures and
30 avoid interruptions in school utilization of the data processing and
31 video-conferencing capabilities of the network. These funds may be
32 used to purchase engineering and advanced technical support for the
33 network.

34 (c) GRANTS AND ALLOCATIONS

35 (i) \$675,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$675,000 of the general fund--state appropriation for
37 fiscal year 2013 are provided solely for the Washington state achievers

1 scholarship program. The funds shall be used to support community
2 involvement officers that recruit, train, and match community volunteer
3 mentors with students selected as achievers scholars.

4 (ii) \$1,000,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$1,000,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for contracting with a college
7 scholarship organization with expertise in conducting outreach to
8 students concerning eligibility for the Washington college bound
9 scholarship consistent with chapter 405, Laws of 2007.

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

23 (iv) \$337,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$337,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for implementation of the building
26 bridges statewide program for comprehensive dropout prevention,
27 intervention, and reengagement strategies.

28 (v) \$135,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$135,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for dropout prevention programs at
31 the office of the superintendent of public instruction, including the
32 jobs for America's graduates (JAG) program.

33 (vi) \$500,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$400,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for the implementation of chapter
36 340, Laws of 2011 (assessment of students in state-funded full-day
37 kindergarten classrooms), including the development and implementation
38 of the Washington kindergarten inventory of developing skills (WaKIDS).

1 28A.335.160 and 28A.225.250 who do not reside within the servicing
2 school district. Any school district concluding its basic education
3 program in May must report the enrollment of the last school day held
4 in May in lieu of a June enrollment. The reported monthly district
5 enrollment must exclude any student absent without excuse as required
6 under RCW 28A.225.010 on the enrollment count day and for the four
7 consecutive school days preceding the count day.

8 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

9 Allocations for certificated instructional staff salaries for the
10 2011-12 and 2012-13 school years are determined using formula-generated
11 staff units calculated pursuant to this subsection.

12 (a) Certificated instructional staff units, as defined in RCW
13 28A.150.410, shall be allocated to reflect the minimum class size
14 allocations, requirements, and school prototypes assumptions as
15 provided in RCW 28A.150.260. The superintendent shall (~~adjust~~) make
16 allocations to school districts based on the district's annual average
17 full-time equivalent student enrollment in each grade.

18 (b) Additional certificated instructional staff units provided in
19 this subsection (2) that exceed the minimum requirements in RCW
20 28A.150.260 are enhancements outside the program of basic education,
21 except as otherwise provided in this section.

22 (c)(i) The superintendent shall base allocations for each level of
23 prototypical school on the following regular education average class
24 size of full-time equivalent students per teacher, except as provided
25 in (c)(ii) of this subsection:

26 General education class size:

27 Grade	RCW 28A.150.260
28 Grades K-3	25.23
29 Grade 4	27.00
30 Grades 5-6	27.00
31 Grades 7-8	28.53
32 Grades 9-12	28.74

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

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

6	General education class size in high poverty	
7	school:	
8	Grades K-3	24.10
9	Grade 4	27.00
10	Grades 5-6	27.00
11	Grades 7-8	28.53
12	Grades 9-12	28.74

13 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher
 14 planning period, expressed as a percentage of a teacher work day, is
 15 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

16 (iv) Laboratory science, advanced placement, and international
 17 baccalaureate courses are funded at the same class size assumptions as
 18 general education schools in the same grade; and

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

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

29	Career and Technical Education	
30	students	2.02 per 1000 student FTE's
31	Skill Center students	2.36 per 1000 student FTE's

32 (3) ADMINISTRATIVE STAFF ALLOCATIONS

33 (a) Allocations for school building-level certificated
 34 administrative staff salaries for the 2011-12 and 2012-13 school years
 35 for general education students are determined using the formula-

1 generated staff units provided in RCW 28A.150.260, and adjusted based
2 on a district's annual average full-time equivalent student enrollment
3 in each grade.

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

- 8 Career and Technical Education students 2.5 percent
- 9 Skill Center students 19.75 percent

10 (4) CLASSIFIED STAFF ALLOCATIONS

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

16
17 (5) CENTRAL OFFICE ALLOCATIONS

18 In addition to classified and administrative staff units allocated
19 in subsections (3) and (4) of this section, classified and
20 administrative staff units are provided for the 2011-12 and 2012-13
21 school year for the central office administrative costs of operating a
22 school district, at the following rates:

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

28 (b) Of the central office staff units calculated in (a) of this
29 subsection, 74.53 percent are allocated as classified staff units, as
30 generated in subsection (4) of this section, and 25.47 percent shall be
31 allocated as administrative staff units, as generated in subsection (3)
32 of this section.

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

1 (d) For students in approved career-technical and skill center
2 programs, central office classified units are allocated at the same
3 staff unit per student rate as those generated for general education
4 students of the same grade in this subsection (5), and central office
5 administrative staff units are allocated at staff unit per student
6 rates that exceed the general education rate established for students
7 in the same grade in this subsection (5) by 3.69 percent for career and
8 technical education students, and 21.92 percent for skill center
9 students.

10 (6) FRINGE BENEFIT ALLOCATIONS

11 Fringe benefit allocations shall be calculated at a rate of
12 ((~~16.49~~)) 16.33 percent in the 2011-12 school year and ((~~16.50~~)) 16.33
13 percent in the 2012-13 school year for certificated salary allocations
14 provided under subsections (2), (3), and (5) of this section, and a
15 rate of ((~~18.86~~)) 18.73 percent in the 2011-12 school year and
16 ((~~18.88~~)) 18.73 percent in the 2012-13 school year for classified
17 salary allocations provided under subsections (4) and (5) of this
18 section.

19
20 (7) INSURANCE BENEFIT ALLOCATIONS

21 Insurance benefit allocations shall be calculated at the
22 maintenance rate specified in section 504 of this act, based on the
23 number of benefit units determined as follows:

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

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

33 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

34 Funding is allocated per annual average full-time equivalent
35 student for the materials, supplies, and operating costs (MSOC)
36 incurred by school districts, consistent with the requirements of RCW
37 28A.150.260.

1 (a) MSOC funding for general education students are allocated at
 2 the following per student rates:

3 MSOC RATES/STUDENT FTE

4 MSOC Component	5 2011-12	6 2012-13
	7 SCHOOL YEAR	8 SCHOOL YEAR
9 Technology	10 (\$57.02) <u>\$57.42</u>	11 (\$57.99) <u>\$58.17</u>
12 Utilities and Insurance	13 (\$154.93)	14 (\$157.56)
	15 <u>\$156.03</u>	16 <u>\$158.05</u>
17 Curriculum and Textbooks	18 (\$61.22) <u>\$61.65</u>	19 (\$62.26) <u>\$62.45</u>
20 Other Supplies and Library Materials	21 (\$129.97)	22 (\$132.18)
	23 <u>\$130.89</u>	24 <u>\$132.59</u>
25 Instructional Professional Development for Certificated and Classified Staff	26 (\$9.47) <u>\$9.53</u>	27 (\$9.63) <u>\$9.66</u>
28 Facilities Maintenance	29 (\$76.75) <u>\$77.30</u>	30 (\$78.06) <u>\$78.30</u>
31 Security and Central Office	32 (\$53.17) <u>\$53.55</u>	33 (\$54.08) <u>\$54.25</u>
34 TOTAL BASIC EDUCATION MSOC/STUDENT FTE	(\$542.53)	(\$551.76)
	<u>\$546.37</u>	<u>\$553.47</u>

19 (b) Students in approved skill center programs generate per student
 20 FTE MSOC allocations which equal the rate for general education
 21 students calculated in (a) of this subsection, multiplied by a factor
 22 of ~~((2.187))~~ 2.171.

23 (c) Students in approved exploratory and preparatory career and
 24 technical education programs generate a per student MSOC allocation
 25 that is equal to the rate for general education students calculated in
 26 (a) of this subsection, multiplied by a factor of ~~((2.459))~~ 2.442.

27 (d) Students in laboratory science courses generate per student FTE
 28 MSOC allocations which equal the per student FTE rate for general
 29 education students established in (a) of this subsection.

30 (9) SUBSTITUTE TEACHER ALLOCATIONS

31 For the 2011-12 and 2012-13 school years, funding for substitute
 32 costs for classroom teachers is based on four (4) funded substitute
 33 days per classroom teacher unit generated under subsection (2) of this
 34 section, at a daily substitute rate of \$151.86.

1 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

2 (a) Amounts provided in this section are adjusted to reflect
3 provisions of House Bill No. 2065 (allocation of funding for funding
4 for students enrolled in alternative learning experiences).

5 (b) The superintendent of public instruction shall require all
6 districts receiving general apportionment funding for alternative
7 learning experience (ALE) programs as defined in WAC 392-121-182 to
8 provide separate financial accounting of expenditures for the ALE
9 programs offered in district or with a provider, including but not
10 limited to private companies and multidistrict cooperatives, as well as
11 accurate, monthly headcount and FTE enrollment claimed for basic
12 education, including separate counts of resident and nonresident
13 students.

14 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

15 Funding in this section is sufficient to fund voluntary full day
16 kindergarten programs in qualifying high poverty schools, pursuant to
17 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls
18 for the voluntary full-day program in a qualifying school shall count
19 as one-half of one full-time equivalent student for purpose of making
20 allocations under this section. Funding in this section provides full-
21 day kindergarten programs for 21 percent of kindergarten enrollment in
22 the 2011-12 school year, and 22 percent in the 2012-13 school year.
23 Funding priority shall be given to schools with the highest poverty
24 levels, as measured by prior year free and reduced price lunch
25 eligibility rates in each school. Funding in this section is
26 sufficient to fund voluntary full day kindergarten programs for July
27 and August of the 2010-11 school year.

28 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
29 NECESSARY PLANTS

30 For small school districts and remote and necessary school plants
31 within any district which have been judged to be remote and necessary
32 by the superintendent of public instruction, additional staff units are
33 provided to ensure a minimum level of staffing support. Additional
34 administrative and certificated instructional staff units provided to
35 districts in this subsection shall be reduced by the general education
36 staff units, excluding career and technical education and skills center

1 enhancement units, otherwise provided in subsections (2) through (5) of
2 this section on a per district basis.

3 (a) For districts enrolling not more than twenty-five average
4 annual full-time equivalent students in grades K-8, and for small
5 school plants within any school district which have been judged to be
6 remote and necessary by the superintendent of public instruction and
7 enroll not more than twenty-five average annual full-time equivalent
8 students in grades K-8:

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

14 (ii) For those enrolling students in grades 7 or 8, 1.68
15 certificated instructional staff units and 0.32 certificated
16 administrative staff units for enrollment of not more than five
17 students, plus one-tenth of a certificated instructional staff unit for
18 each additional student enrolled;

19 (b) For specified enrollments in districts enrolling more than
20 twenty-five but not more than one hundred average annual full-time
21 equivalent students in grades K-8, and for small school plants within
22 any school district which enroll more than twenty-five average annual
23 full-time equivalent students in grades K-8 and have been judged to be
24 remote and necessary by the superintendent of public instruction:

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

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

31 (c) For districts operating no more than two high schools with
32 enrollments of less than three hundred average annual full-time
33 equivalent students, for enrollment in grades 9-12 in each such school,
34 other than alternative schools:

35 (i) For remote and necessary schools enrolling students in any
36 grades 9-12 but no more than twenty-five average annual full-time
37 equivalent students in grades K-12, four and one-half certificated

1 instructional staff units and one-quarter of a certificated
2 administrative staff unit;

3 (ii) For all other small high schools under this subsection, nine
4 certificated instructional staff units and one-half of a certificated
5 administrative staff unit for the first sixty average annual full-time
6 equivalent students, and additional staff units based on a ratio of
7 0.8732 certificated instructional staff units and 0.1268 certificated
8 administrative staff units per each additional forty-three and one-half
9 average annual full-time equivalent students;

10 (d) For each nonhigh school district having an enrollment of more
11 than seventy annual average full-time equivalent students and less than
12 one hundred eighty students, operating a grades K-8 program or a grades
13 1-8 program, an additional one-half of a certificated instructional
14 staff unit;

15 (e) For each nonhigh school district having an enrollment of more
16 than fifty annual average full-time equivalent students and less than
17 one hundred eighty students, operating a grades K-6 program or a grades
18 1-6 program, an additional one-half of a certificated instructional
19 staff unit;

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

24 (ii) For each nonhigh school district with an enrollment of more
25 than fifty annual average full-time equivalent students and less than
26 one hundred eighty students, an additional one-half of a classified
27 staff unit; and

28 (g) School districts receiving additional staff units to support
29 small student enrollments and remote and necessary plants under
30 subsection (12) of this section shall generate additional MSOC
31 allocations consistent with the nonemployee related costs (NERC)
32 allocation formula in place for the 2010-11 school year as provided
33 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
34 budget), adjusted annually for inflation.

35 (13) Any school district board of directors may petition the
36 superintendent of public instruction by submission of a resolution
37 adopted in a public meeting to reduce or delay any portion of its basic
38 education allocation for any school year. The superintendent of public

1 instruction shall approve such reduction or delay if it does not impair
2 the district's financial condition. Any delay shall not be for more
3 than two school years. Any reduction or delay shall have no impact on
4 levy authority pursuant to RCW 84.52.0531 and local effort assistance
5 pursuant to chapter 28A.500 RCW.

6 (14) The superintendent may distribute funding for the following
7 programs outside the basic education formula during fiscal years 2012
8 and 2013 as follows:

9 (a) \$589,000 of the general fund--state appropriation for fiscal
10 year 2012 and (~~(\$599,000)~~) \$597,000 of the general fund--state
11 appropriation for fiscal year 2013 are provided solely for fire
12 protection for school districts located in a fire protection district
13 as now or hereafter established pursuant to chapter 52.04 RCW.

14 (b) \$436,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$436,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for programs providing skills
17 training for secondary students who are enrolled in extended day
18 school-to-work programs, as approved by the superintendent of public
19 instruction. The funds shall be allocated at a rate not to exceed \$500
20 per full-time equivalent student enrolled in those programs.

21 (c) Funding in this section is sufficient to fund adjustments to
22 school districts' allocations resulting from the implementation of the
23 prototypical school funding formula, pursuant to chapter 236, Laws of
24 2010 (K-12 education funding). The funding in this section is intended
25 to hold school districts harmless in total for funding changes
26 resulting from conversion to the prototypical school formula in the
27 general apportionment program, the learning assistance program, the
28 transitional bilingual program, and the highly capable program, after
29 adjustment for changes in enrollment and other caseload adjustments.

30 (15) \$208,000 of the general fund--state appropriation for fiscal
31 year 2012 and \$211,000 of the general fund--state appropriation for
32 fiscal year 2013 are provided solely for school district emergencies as
33 certified by the superintendent of public instruction. At the close of
34 the fiscal year the superintendent of public instruction shall report
35 to the office of financial management and the appropriate fiscal
36 committees of the legislature on the allocations provided to districts
37 and the nature of the emergency.

1 (16) (~~Amounts in this section include adjustments made by the~~
2 ~~superintendent of public instruction for the repayment of financial~~
3 ~~contingency funds allocated in fiscal year 2011, as specified in~~
4 ~~section 501 of the 2011 supplemental budget. For any amount allocated~~
5 ~~to a district in state fiscal year 2011, the superintendent of public~~
6 ~~instruction shall deduct in state fiscal year 2012 from the district's~~
7 ~~general apportionment the amount of the emergency contingency~~
8 ~~allocation and any earnings by the school district on the investment of~~
9 ~~a temporary cash surplus due to the emergency contingency allocation.~~
10 ~~Repayments or advances will be accomplished by a reduction in the~~
11 ~~school district's apportionment payments on or before June 30th of the~~
12 ~~school year following the distribution of the emergency contingency~~
13 ~~allocation. All disbursements, repayments, and outstanding allocations~~
14 ~~to be repaid of the emergency contingency pool shall be reported to the~~
15 ~~office of financial management and the appropriate fiscal committees of~~
16 ~~the legislature on July 1st and January 1st of each year.~~

17 ~~(17))~~ Funding in this section is sufficient to fund a maximum of
18 1.6 FTE enrollment for skills center students pursuant to chapter 463,
19 Laws of 2007.

20 ~~((18))~~ (17) Beginning in the 2011-12 school year, students
21 participating in running start programs may be funded up to a combined
22 maximum enrollment of 1.2 FTE including school district and institution
23 of higher education enrollment. In calculating the combined 1.2 FTE,
24 the office of the superintendent of public instruction may average the
25 participating student's September through June enrollment to account
26 for differences in the start and end dates for courses provided by the
27 high school and higher education institution. Additionally, the office
28 of the superintendent of public instruction, in consultation with the
29 state board for community and technical colleges, the higher education
30 coordinating board, and the education data center, shall annually track
31 and report to the fiscal committees of the legislature on the combined
32 FTE experience of students participating in the running start program,
33 including course load analyses at both the high school and community
34 and technical college system.

35 ~~((19))~~ (18) If two or more school districts consolidate and each
36 district was receiving additional basic education formula staff units
37 pursuant to subsection (12) of this section, the following apply:

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

5 (b) For the fourth through eighth school years following
6 consolidation, the difference between the basic education formula staff
7 units received by the districts for the school year prior to
8 consolidation and the basic education formula staff units after
9 consolidation pursuant to subsection (12) of this section shall be
10 reduced in increments of twenty percent per year.

11 ~~((+20))~~ (19)(a) Indirect cost charges by a school district to
12 approved career and technical education middle and secondary programs
13 shall not exceed 15 percent of the combined basic education and career
14 and technical education program enhancement allocations of state funds.
15 Middle and secondary career and technical education programs are
16 considered separate programs for funding and financial reporting
17 purposes under this section.

18 (b) Career and technical education program full-time equivalent
19 enrollment shall be reported on the same monthly basis as the
20 enrollment for students eligible for basic support, and payments shall
21 be adjusted for reported career and technical education program
22 enrollments on the same monthly basis as those adjustments for
23 enrollment for students eligible for basic support.

24 **Sec. 503.** 2011 1st sp.s. c 50 s 503 (uncodified) is amended to
25 read as follows:

26 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**
27 **COMPENSATION**

28 (1) The following calculations determine the salaries used in the
29 state allocations for certificated instructional, certificated
30 administrative, and classified staff units as provided in RCW
31 28A.150.280 and under section 503 of this act:

32 (a) Salary allocations for certificated instructional staff units
33 are determined for each district by multiplying the district's
34 certificated instructional total base salary shown on LEAP Document 2
35 by the district's average staff mix factor for certificated
36 instructional staff in that school year, computed using LEAP document
37 1; and

1 (b) Salary allocations for certificated administrative staff units
 2 and classified staff units for each district are determined based on
 3 the district's certificated administrative and classified salary
 4 allocation amounts shown on LEAP Document 2.

5 (2) For the purposes of this section:

6 (a) "LEAP Document 1" means the staff mix factors for certificated
 7 instructional staff according to education and years of experience, as
 8 developed by the legislative evaluation and accountability program
 9 committee on May 23, 2011, at 16:10 hours; and

10 (b) "LEAP Document 2" means the school year salary allocations for
 11 certificated administrative staff and classified staff and derived and
 12 total base salaries for certificated instructional staff as developed
 13 by the legislative evaluation and accountability program committee on
 14 May 23, 2011, at 16:10 hours.

15 (3) Incremental fringe benefit factors are applied to salary
 16 adjustments at a rate of ((15.85)) 15.69 percent for school year
 17 2011-12 and ((15.86)) 15.69 percent for school year 2012-13 for
 18 certificated instructional and certificated administrative staff and
 19 ((15.36)) 15.23 percent for school year 2011-12 and ((15.38)) 15.23
 20 percent for the 2012-13 school year for classified staff.

21 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary
 22 allocation schedules for certificated instructional staff are
 23 established for basic education salary allocations:

24 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

25 ***Education Experience***

27	Years									MA+90
28	of									OR
29	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
30	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
31	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
32	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
33	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
34	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
35	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
36	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797

1	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
2	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
3	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
4	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
5	11				45,883	49,169	51,558	49,295	52,581	54,969
6	12				47,332	50,777	53,238	50,850	54,188	56,650
7	13					52,425	54,959	52,460	55,836	58,370
8	14					54,081	56,745	54,117	57,600	60,157
9	15					55,488	58,221	55,523	59,098	61,721
10	16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

Education Experience

15	Years									MA+90
16	of									OR
17	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
18	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
19	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
20	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
21	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
22	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
23	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
24	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
25	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
26	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
27	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
28	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
29	11				45,883	49,169	51,558	49,295	52,581	54,969
30	12				47,332	50,777	53,238	50,850	54,188	56,650
31	13					52,425	54,959	52,460	55,836	58,370
32	14					54,081	56,745	54,117	57,600	60,157
33	15					55,488	58,221	55,523	59,098	61,721
34	16 or more					56,597	59,385	56,634	60,279	62,955

1 (b) As used in this subsection, the column headings "BA+(N)" refer
2 to the number of credits earned since receiving the baccalaureate
3 degree.

4 (c) For credits earned after the baccalaureate degree but before
5 the masters degree, any credits in excess of forty-five credits may be
6 counted after the masters degree. Thus, as used in this subsection,
7 the column headings "MA+(N)" refer to the total of:

- 8 (i) Credits earned since receiving the masters degree; and
- 9 (ii) Any credits in excess of forty-five credits that were earned
10 after the baccalaureate degree but before the masters degree.

- 11 (5) For the purposes of this section:
 - 12 (a) "BA" means a baccalaureate degree.
 - 13 (b) "MA" means a masters degree.
 - 14 (c) "PHD" means a doctorate degree.
 - 15 (d) "Years of service" shall be calculated under the same rules
16 adopted by the superintendent of public instruction.

17 (e) "Credits" means college quarter hour credits and equivalent
18 in-service credits computed in accordance with RCW 28A.415.020 and
19 28A.415.023.

20 (6) No more than ninety college quarter-hour credits received by
21 any employee after the baccalaureate degree may be used to determine
22 compensation allocations under the state salary allocation schedule and
23 LEAP documents referenced in this part V, or any replacement schedules
24 and documents, unless:

- 25 (a) The employee has a masters degree; or
- 26 (b) The credits were used in generating state salary allocations
27 before January 1, 1992.

28 (7) The salary allocation schedules established in this section are
29 for allocation purposes only except as provided in RCW 28A.400.200(2).

30 **Sec. 504.** 2011 1st sp.s. c 50 s 504 (uncodified) is amended to
31 read as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
33 **COMPENSATION ADJUSTMENTS**

34 General Fund--Federal Appropriation \$2,000

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

1 (1)(a) Additional salary adjustments as necessary to fund the base
2 salaries for certificated instructional staff as listed for each
3 district in LEAP Document 2, defined in section 504(2)(b) of this act.
4 Allocations for these salary adjustments shall be provided to all
5 districts that are not grandfathered to receive salary allocations
6 above the statewide salary allocation schedule, and to certain
7 grandfathered districts to the extent necessary to ensure that salary
8 allocations for districts that are currently grandfathered do not fall
9 below the statewide salary allocation schedule.

10 (b) Additional salary adjustments to certain districts as necessary
11 to fund the per full-time-equivalent salary allocations for
12 certificated administrative staff as listed for each district in LEAP
13 Document 2, defined in section 504(2)(b) of this act.

14 (c) Additional salary adjustments to certain districts as necessary
15 to fund the per full-time-equivalent salary allocations for classified
16 staff as listed for each district in LEAP Document 2, defined in
17 section 504(2)(b) of this act.

18 (d) The appropriations in this subsection (1) include associated
19 incremental fringe benefit allocations at (~~(15.85)~~) 15.69 percent for
20 the 2011-12 school year and (~~(15.86)~~) 15.69 percent for the 2012-13
21 school year for certificated instructional and certificated
22 administrative staff and (~~(15.36)~~) 15.23 percent for the 2011-12 school
23 year and (~~(15.38)~~) 15.23 percent for the 2012-13 school year for
24 classified staff.

25 (e) The appropriations in this section include the increased or
26 decreased portion of salaries and incremental fringe benefits for all
27 relevant state-funded school programs in part V of this act. Changes
28 for general apportionment (basic education) are based on the salary
29 allocation schedules and methodology in sections 503 and 504 of this
30 act. Changes for special education result from changes in each
31 district's basic education allocation per student. Changes for
32 educational service districts and institutional education programs are
33 determined by the superintendent of public instruction using the
34 methodology for general apportionment salaries and benefits in sections
35 503 and 504 of this act.

36 (f) The appropriations in this section include no salary
37 adjustments for substitute teachers.

1 (2) The maintenance rate for insurance benefit allocations is
2 \$768.00 per month for the 2011-12 and 2012-13 school years. The
3 appropriations in this section reflect the incremental change in cost
4 of allocating rates of \$768.00 per month for the 2011-12 school year
5 and \$768.00 per month for the 2012-13 school year.

6 (3) The rates specified in this section are subject to revision
7 each year by the legislature.

8 **Sec. 505.** 2011 1st sp.s. c 50 s 505 (uncodified) is amended to
9 read as follows:

10 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

11 General Fund--State Appropriation (FY 2012)	((\$323,759,000))
	<u>\$322,033,000</u>
13 General Fund--State Appropriation (FY 2013)	((\$326,054,000))
	<u>\$273,380,000</u>
15 TOTAL APPROPRIATION	((\$649,813,000))
	<u>\$595,413,000</u>

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

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

22 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
23 shall allocate funding to school district programs for the
24 transportation of students as provided in RCW 28A.160.192.

25 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
26 allocate funding to school districts programs for the transportation of
27 students as provided in section 505, chapter 564, Laws of 2009, as
28 amended through section 1404 of this act.

29 (3) Any amounts appropriated for maintenance level funding for
30 pupil transportation that exceed actual maintenance level expenditures
31 as calculated under the funding formula that takes effect September 1,
32 2011, shall be distributed to districts according to RCW
33 28A.160.192(2)(b).

34 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation
35 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be
36 expended for regional transportation coordinators and related
37 activities. The transportation coordinators shall ensure that data

1 submitted by school districts for state transportation funding shall,
2 to the greatest extent practical, reflect the actual transportation
3 activity of each district.

4 (5) The office of the superintendent of public instruction shall
5 provide reimbursement funding to a school district for school bus
6 purchases only after the superintendent of public instruction
7 determines that the school bus was purchased from the list established
8 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process
9 based on the lowest price quote based on similar bus categories to
10 those used to establish the list pursuant to RCW 28A.160.195.

11 (6) The superintendent of public instruction shall base
12 depreciation payments for school district buses on the pre-sales tax
13 five-year average of lowest bids in the appropriate category of bus.
14 In the final year on the depreciation schedule, the depreciation
15 payment shall be based on the lowest bid in the appropriate bus
16 category for that school year.

17 (7) Funding levels in this section reflect waivers granted by the
18 state board of education for four-day school weeks as allowed under RCW
19 28A.305.141.

20 (8) Starting with the 2012-13 school year, the office of the
21 superintendent of public instruction shall disburse payments for bus
22 depreciation in August.

23 **Sec. 506.** 2011 1st sp.s. c 50 s 506 (uncodified) is amended to
24 read as follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**
26 **PROGRAMS**

27	General Fund--State Appropriation (FY 2012)	\$7,111,000
28	General Fund--State Appropriation (FY 2013)	\$7,111,000
29	General Fund--Federal Appropriation	(\$437,988,000)
30		<u>\$436,400,000</u>
31	TOTAL APPROPRIATION	(\$452,210,000)
32		<u>\$450,622,000</u>

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

35 (1) \$7,111,000 of the general fund--state appropriation for fiscal
36 year 2012 and \$7,111,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for state matching money for
2 federal child nutrition programs, and may support the meals for kids
3 program through the following allowable uses:

4 (a) Elimination of breakfast copays for eligible public school
5 students and lunch copays for eligible public school students in grades
6 kindergarten through third grade who are eligible for reduced price
7 lunch;

8 (b) Assistance to school districts and authorized public and
9 private nonprofit organizations for supporting summer food service
10 programs, and initiating new summer food service programs in low-income
11 areas;

12 (c) Reimbursements to school districts for school breakfasts served
13 to students eligible for free and reduced price lunch, pursuant to
14 chapter 287, Laws of 2005; and

15 (d) Assistance to school districts in initiating and expanding
16 school breakfast programs.

17 The office of the superintendent of public instruction shall report
18 annually to the fiscal committees of the legislature on annual
19 expenditures in (a), (b), and (c) of this subsection.

20 **Sec. 507.** 2011 1st sp.s. c 50 s 507 (uncodified) is amended to
21 read as follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
23 **PROGRAMS**

24	General Fund--State Appropriation (FY 2012)	((\$659,950,000))
25		<u>\$653,904,000</u>
26	General Fund--State Appropriation (FY 2013)	((\$689,480,000))
27		<u>\$694,237,000</u>
28	General Fund--Federal Appropriation	((\$691,796,000))
29		<u>\$486,936,000</u>
30	Education Legacy Trust Account--State Appropriation	\$756,000
31	TOTAL APPROPRIATION	((\$2,041,982,000))
32		<u>\$1,835,833,000</u>

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

35 (1) Funding for special education programs is provided on an excess
36 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
37 that special education students as a class receive their full share of

1 the general apportionment allocation accruing through sections 502 and
2 504 of this act. To the extent a school district cannot provide an
3 appropriate education for special education students under chapter
4 28A.155 RCW through the general apportionment allocation, it shall
5 provide services through the special education excess cost allocation
6 funded in this section.

7 (2)(a) The superintendent of public instruction shall ensure that:

8 (i) Special education students are basic education students first;

9 (ii) As a class, special education students are entitled to the
10 full basic education allocation; and

11 (iii) Special education students are basic education students for
12 the entire school day.

13 (b) The superintendent of public instruction shall continue to
14 implement the full cost method of excess cost accounting, as designed
15 by the committee and recommended by the superintendent, pursuant to
16 section 501(1)(k), chapter 372, Laws of 2006.

17 (c) Beginning with the 2010-11 school year award cycle, the office
18 of the superintendent of public instruction shall make award
19 determinations for state safety net funding in August of each school
20 year. Determinations on school district eligibility for state safety
21 net awards shall be based on analysis of actual expenditure data from
22 the current school year.

23 (3) Each fiscal year appropriation includes such funds as are
24 necessary to complete the school year ending in the fiscal year and for
25 prior fiscal year adjustments.

26 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent
27 shall allocate funding to school district programs for special
28 education students as provided in RCW 28A.150.390.

29 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
30 allocate funding to school district programs for special education
31 students as provided in section 507, chapter 564, Laws of 2009, as
32 amended through section 1406 of this act.

33 (5) The following applies throughout this section: The definitions
34 for enrollment and enrollment percent are as specified in RCW
35 28A.150.390(3). Each district's general fund--state funded special
36 education enrollment shall be the lesser of the district's actual
37 enrollment percent or 12.7 percent.

1 (6) At the request of any interdistrict cooperative of at least 15
2 districts in which all excess cost services for special education
3 students of the districts are provided by the cooperative, the maximum
4 enrollment percent shall be calculated in accordance with RCW
5 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate
6 rather than individual district units. For purposes of this
7 subsection, the average basic education allocation per full-time
8 equivalent student shall be calculated in the aggregate rather than
9 individual district units.

10 (7) (~~(\$16,404,000)~~) \$8,914,000 of the general fund--state
11 appropriation for fiscal year 2012, (~~(\$30,807,000)~~) \$34,200,000 of the
12 general fund--state appropriation for fiscal year 2013, and \$29,574,000
13 of the general fund--federal appropriation are provided solely for
14 safety net awards for districts with demonstrated needs for special
15 education funding beyond the amounts provided in subsection (4) of this
16 section. If the federal safety net awards based on the federal
17 eligibility threshold exceed the federal appropriation in this
18 subsection (7) in any fiscal year, the superintendent shall expend all
19 available federal discretionary funds necessary to meet this need. At
20 the conclusion of each school year, the superintendent shall recover
21 safety net funds that were distributed prospectively but for which
22 districts were not subsequently eligible.

23 (a) For the 2011-12 and 2012-13 school years, safety net funds
24 shall be awarded by the state safety net oversight committee as
25 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

26 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
27 operate the safety net oversight committee and shall award safety net
28 funds as provided in section 507, chapter 564, Laws of 2009, as amended
29 through section 1406 of this act.

30 (8) A maximum of \$678,000 may be expended from the general fund--
31 state appropriations to fund 5.43 full-time equivalent teachers and 2.1
32 full-time equivalent aides at children's orthopedic hospital and
33 medical center. This amount is in lieu of money provided through the
34 home and hospital allocation and the special education program.

35 (9) The superintendent shall maintain the percentage of federal
36 flow-through to school districts at 85 percent. In addition to other
37 purposes, school districts may use increased federal funds for high-

1 cost students, for purchasing regional special education services from
2 educational service districts, and for staff development activities
3 particularly relating to inclusion issues.

4 (10) A school district may carry over from one year to the next
5 year up to 10 percent of the general fund--state funds allocated under
6 this program; however, carryover funds shall be expended in the special
7 education program.

8 (11) \$251,000 of the general fund--state appropriation for fiscal
9 year 2012 and \$251,000 of the general fund--state appropriation for
10 fiscal year 2013 are provided solely for two additional full-time
11 equivalent staff to support the work of the safety net committee and to
12 provide training and support to districts applying for safety net
13 awards.

14 (12) \$50,000 of the general fund--state appropriation for fiscal
15 year 2012, \$50,000 of the general fund--state appropriation for fiscal
16 year 2013, and \$100,000 of the general fund--federal appropriation
17 shall be expended to support a special education ombudsman program
18 within the office of superintendent of public instruction.

19 **Sec. 508.** 2011 1st sp.s. c 50 s 508 (uncodified) is amended to
20 read as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**
22 **DISTRICTS**

23	General Fund--State Appropriation (FY 2012)	(((\$7,898,000)))
24		<u>\$7,889,000</u>
25	General Fund--State Appropriation (FY 2013)	(((\$7,917,000)))
26		<u>\$7,904,000</u>
27	TOTAL APPROPRIATION	(((\$15,815,000)))
28		<u>\$15,793,000</u>

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

31 (1) The educational service districts shall continue to furnish
32 financial services required by the superintendent of public instruction
33 and RCW 28A.310.190 (3) and (4).

34 (2) Funding within this section is provided for regional
35 professional development related to mathematics and science curriculum
36 and instructional strategies. Funding shall be distributed among the
37 educational service districts in the same proportion as distributions

1 in the 2007-2009 biennium. Each educational service district shall use
2 this funding solely for salary and benefits for a certificated
3 instructional staff with expertise in the appropriate subject matter
4 and in professional development delivery, and for travel, materials,
5 and other expenditures related to providing regional professional
6 development support.

7 (3) The educational service districts, at the request of the state
8 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may
9 receive and screen applications for school accreditation, conduct
10 school accreditation site visits pursuant to state board of education
11 rules, and submit to the state board of education post-site visit
12 recommendations for school accreditation. The educational service
13 districts may assess a cooperative service fee to recover actual plus
14 reasonable indirect costs for the purposes of this subsection.

15 **Sec. 509.** 2011 1st sp.s. c 50 s 509 (uncodified) is amended to
16 read as follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
18 **ASSISTANCE**

19	General Fund--State Appropriation (FY 2012)	((\$303,337,000))
20		<u>\$300,761,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$308,445,000))
22		<u>\$299,276,000</u>
23	TOTAL APPROPRIATION	((\$611,782,000))
24		<u>\$600,037,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: For purposes of RCW 84.52.0531, the
27 increase per full-time equivalent student is 3 percent from the 2010-11
28 school year to the 2011-12 school year and 5 percent from the 2011-12
29 school year to the 2012-13 school year.
30

31 **Sec. 510.** 2011 1st sp.s. c 50 s 510 (uncodified) is amended to
32 read as follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
34 **EDUCATION PROGRAMS**

35	General Fund--State Appropriation (FY 2012)	((\$16,420,000))
36		<u>\$17,507,000</u>
37	General Fund--State Appropriation (FY 2013)	((\$16,190,000))

1 \$16,969,000
2 TOTAL APPROPRIATION ((~~\$32,610,000~~))
3 \$34,476,000

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

6 (1) Each general fund--state fiscal year appropriation includes
7 such funds as are necessary to complete the school year ending in the
8 fiscal year and for prior fiscal year adjustments.

9 (2) State funding provided under this section is based on salaries
10 and other expenditures for a 220-day school year. The superintendent
11 of public instruction shall monitor school district expenditure plans
12 for institutional education programs to ensure that districts plan for
13 a full-time summer program.

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) ((~~\$509,000~~)) \$669,000 of the general fund--state appropriation
22 for fiscal year 2012 and ((~~\$509,000~~)) \$669,000 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. 511.** 2011 1st sp.s. c 50 s 511 (uncodified) is amended to
37 read as follows:

1 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

2	General Fund--State Appropriation (FY 2012)((\$8,741,000))
3		<u>\$8,759,000</u>
4	General Fund--State Appropriation (FY 2013)((\$8,794,000))
5		<u>\$8,842,000</u>
6	TOTAL APPROPRIATION((\$17,535,000))
7		<u>\$17,601,000</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. 512.** 2011 1st sp.s. c 50 s 512 (uncodified) is amended to
32 read as follows:

33 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO**
34 **CHILD LEFT BEHIND ACT**

35	General Fund--Federal Appropriation((\$7,352,000))
36		<u>\$6,152,000</u>

1 including instructional material purchases, teacher and principal
2 professional development, and school and community engagement events.

3 (3) \$980,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$980,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for improving technology
6 infrastructure, monitoring and reporting on school district technology
7 development, promoting standards for school district technology,
8 promoting statewide coordination and planning for technology
9 development, and providing regional educational technology support
10 centers, including state support activities, under chapter 28A.650 RCW.

11 (4) \$3,852,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$2,624,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for continued implementation of
14 chapter 235, Laws of 2010 (education reform) including development of
15 new performance-based evaluation systems for certificated educators.

16 (5)(a) (~~(\$40,863,000)~~) \$40,681,000 of the general fund--state
17 appropriation for fiscal year 2013 is provided solely for the following
18 bonuses for teachers who hold valid, unexpired certification from the
19 national board for professional teaching standards and who are teaching
20 in a Washington public school, subject to the following conditions and
21 limitations:

22 (i) For national board certified teachers, a bonus of \$5,090 per
23 teacher in the 2011-12 and 2012-13 school years, adjusted for inflation
24 in each school year in which Initiative 732 cost of living adjustments
25 are provided;

26 (ii) An additional \$5,000 annual bonus shall be paid to national
27 board certified teachers who teach in either: (A) High schools where
28 at least 50 percent of student headcount enrollment is eligible for
29 federal free or reduced price lunch, (B) middle schools where at least
30 60 percent of student headcount enrollment is eligible for federal free
31 or reduced price lunch, or (C) elementary schools where at least 70
32 percent of student headcount enrollment is eligible for federal free or
33 reduced price lunch;

34 (iii) The superintendent of public instruction shall adopt rules to
35 ensure that national board certified teachers meet the qualifications
36 for bonuses under (a)(ii) of this subsection for less than one full
37 school year receive bonuses in a pro-rated manner. Beginning in the
38 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection

1 will be paid in July of each school year. Bonuses in (a)(i) and (ii)
2 of this subsection shall be reduced by a factor of 40 percent for first
3 year NBPTS certified teachers, to reflect the portion of the
4 instructional school year they are certified; and

5 (iv) During the 2011-12 and 2012-13 school years, and within
6 available funds, certificated instructional staff who have met the
7 eligibility requirements and have applied for certification from the
8 national board for professional teaching standards may receive a
9 conditional loan of two thousand dollars or the amount set by the
10 office of the superintendent of public instruction to contribute toward
11 the current assessment fee, not including the initial up-front
12 candidacy payment. The fee shall be an advance on the first annual
13 bonus under RCW 28A.405.415. The conditional loan is provided in
14 addition to compensation received under a district's salary schedule
15 and shall not be included in calculations of a district's average
16 salary and associated salary limitation under RCW 28A.400.200.
17 Recipients who fail to receive certification after three years are
18 required to repay the conditional loan. The office of the
19 superintendent of public instruction shall adopt rules to define the
20 terms for initial grant of the assessment fee and repayment, including
21 applicable fees. To the extent necessary, the superintendent may use
22 revenues from the repayment of conditional loan scholarships to ensure
23 payment of all national board bonus payments required by this section
24 in each school year.

25 (6) \$477,000 of the general fund--state appropriation for fiscal
26 year 2012 and \$477,000 of the general fund--state appropriation for
27 fiscal year 2013 are provided solely for the leadership internship
28 program for superintendents, principals, and program administrators.

29 (7) \$950,000 of the general fund--state appropriation for fiscal
30 year 2012 and \$950,000 of the general fund--state appropriation for
31 fiscal year 2013 are provided solely for the Washington reading corps.
32 The superintendent shall allocate reading corps members to low-
33 performing schools and school districts that are implementing
34 comprehensive, proven, research-based reading programs. Two or more
35 schools may combine their Washington reading corps programs.

36 (8) \$810,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$810,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for the development of a

1 leadership academy for school principals and administrators. The
2 superintendent of public instruction shall contract with an independent
3 organization to design, field test, and implement a state-of-the-art
4 education leadership academy that will be accessible throughout the
5 state. Initial development of the content of the academy activities
6 shall be supported by private funds. Semiannually the independent
7 organization shall report on amounts committed by foundations and
8 others to support the development and implementation of this program.
9 Leadership academy partners shall include the state level organizations
10 for school administrators and principals, the superintendent of public
11 instruction, the professional educator standards board, and others as
12 the independent organization shall identify.

13 (9) \$3,234,000 of the general fund--state appropriation for fiscal
14 year 2012 and \$3,234,000 of the general fund--state appropriation for
15 fiscal year 2013 are provided solely for grants to school districts to
16 provide a continuum of care for children and families to help children
17 become ready to learn. Grant proposals from school districts shall
18 contain local plans designed collaboratively with community service
19 providers. If a continuum of care program exists in the area in which
20 the school district is located, the local plan shall provide for
21 coordination with existing programs to the greatest extent possible.

22 (10) \$1,500,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$1,500,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for the implementation of chapter
25 288, Laws of 2011 (actual student success program), including
26 allocations to the opportunity internship program, the jobs for
27 America's graduates program, the building bridges program, services
28 provided by a college scholarship organization. Funding shall not be
29 used in the 2011-2013 fiscal biennium to provide awards for schools and
30 school districts.

31 (11) (~~(\$843,000)~~) \$859,000 of the general fund--state appropriation
32 for fiscal year 2012, (~~(\$848,000)~~) \$846,000 of the general fund--state
33 appropriation for fiscal year 2013, and (~~(\$247,000)~~) \$248,000 of the
34 education legacy trust account--state appropriation are for
35 administrative support of education reform programs.

36 (12) \$2,000,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$2,000,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for a statewide information

1 technology (IT) academy program. This public-private partnership will
2 provide educational software, as well as IT certification and software
3 training opportunities for students and staff in public schools.

4 (13) \$977,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$977,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for secondary career and technical
7 education grants pursuant to chapter 170, Laws of 2008. If equally
8 matched by private donations, \$300,000 of the 2012 appropriation and
9 \$300,000 of the 2013 appropriation shall be used to support FIRST
10 robotics programs.

11 (14) \$125,000 of the general fund--state appropriation for fiscal
12 year 2012 and \$125,000 of the general fund--state appropriation for
13 fiscal year 2013 are provided solely for (a) staff at the office of the
14 superintendent of public instruction to coordinate and promote efforts
15 to develop integrated math, science, technology, and engineering
16 programs in schools and districts across the state; and (b) grants of
17 \$2,500 to provide twenty middle and high school teachers each year with
18 professional development training for implementing integrated math,
19 science, technology, and engineering programs in their schools.

20 (15) \$135,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$135,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for science, technology,
23 engineering and mathematics lighthouse projects, consistent with
24 chapter 238, Laws of 2010.

25 (16) \$1,000,000 of the general fund--state appropriation for fiscal
26 year 2012 and \$1,000,000 of the general fund--state appropriation for
27 fiscal year 2013 are provided solely for a beginning educator support
28 program. School districts and/or regional consortia may apply for
29 grant funding. The superintendent shall implement this program in 5 to
30 15 school districts and/or regional consortia. The program provided by
31 a district and/or regional consortia shall include: A paid
32 orientation; assignment of a qualified mentor; development of a
33 professional growth plan for each beginning teacher aligned with
34 professional certification; release time for mentors and new teachers
35 to work together; and teacher observation time with accomplished peers.
36 \$250,000 may be used to provide statewide professional development
37 opportunities for mentors and beginning educators.

1 RCW 28A.180.090 (1) and (2) up to the following amounts: 2.79 percent
2 for school year 2011-12 and 2.09 percent for school year 2012-13.

3 (4) The general fund--federal appropriation in this section is for
4 migrant education under Title I Part C and English language
5 acquisition, and language enhancement grants under Title III of the
6 elementary and secondary education act.

7 (5)(a) The office of the superintendent of public instruction shall
8 implement a funding model for the transitional bilingual program,
9 beginning in school year 2012-13, that is scaled to provide more
10 support to students requiring most intensive intervention, (students
11 with beginning levels of English language proficiency) and less support
12 to students requiring less intervention. The funding model shall also
13 provide up to two years of bonus funding upon successful exit from the
14 bilingual program to facilitate successful transition to a standard
15 program of education.

16 (b) It is expected that per-pupil funding for level 2 proficiency
17 will be set at the same level as would have been provided statewide
18 prior to establishing differential per-pupil amounts; level 1 will be
19 125 percent of level 2; level 3 through the level prior to exit will be
20 75 percent of level 2; and two bonus years upon successful
21 demonstration of proficiency will be 100 percent of level 2. Prior to
22 implementing in school year 2012-13, the office of the superintendent
23 of public instruction shall provide to the senate and house of
24 representatives ways and means committees recommended rates based on
25 the results of proficiency test procurement, expressed as both per-
26 pupil rates and hours of instruction as provided in RCW
27 28A.150.260(10)(b).

28 (c) Each bilingual student shall be tested for proficiency level
29 and, therefore, eligibility for the transitional bilingual program each
30 year. The bonus payments for up to two school years following
31 successful exit from the transitional bilingual program shall be
32 allocated to the exiting school district. If the student graduates or
33 transfers to another district prior to the district receiving both
34 years' bonuses, the district shall receive the bonus for only the
35 length of time the student remains enrolled in the exiting district.

36 (d) The quality education council shall examine the revised
37 funding model developed under this subsection and provide a report to

1 the education and fiscal committees of the legislature by December 1,
2 2011, that includes recommendations for:

3 (i) Changing the prototypical school funding formula for the
4 transitional bilingual program to align with the revised model in an
5 accurate and transparent manner;

6 (ii) Reconciling the revised model with statutory requirements for
7 categorical funding of the transitional bilingual instructional program
8 that is restricted to students eligible for and enrolled in that
9 program;

10 (iii) Clarifying the elements of the transitional bilingual
11 instructional program that fall under the definition of basic education
12 and the impact of the revised model on them; and

13 (iv) The extent that the disparate financial impact of the revised
14 model on different school districts should be addressed and options for
15 addressing it.

16 (e) The office of the superintendent of public instruction shall
17 report to the senate and house of representatives ways and means
18 committees and education committees annually by December 31st of each
19 year, through 2018, regarding any measurable changes in proficiency,
20 time-in-program, and transition experience.

21 (6) \$35,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$35,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely to track current and former
24 transitional bilingual program students.

25 **Sec. 515.** 2011 1st sp.s. c 50 s 515 (uncodified) is amended to
26 read as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
28 **ASSISTANCE PROGRAM**

29	General Fund--State Appropriation (FY 2012)	((\$102,104,000))
30		<u>\$102,470,000</u>
31	General Fund--State Appropriation (FY 2013)	((\$102,137,000))
32		<u>\$103,666,000</u>
33	General Fund--Federal Appropriation	((\$581,207,000))
34		<u>\$492,207,000</u>
35	Education Legacy Trust Account--State Appropriation	\$47,980,000
36	TOTAL APPROPRIATION	((\$833,428,000))
37		<u>\$746,323,000</u>

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

3 (1) The general fund--state appropriations in this section are
4 subject to the following conditions and limitations:

5 (a) The appropriations include such funds as are necessary to
6 complete the school year ending in the fiscal year and for prior fiscal
7 year adjustments.

8 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
9 shall allocate funding to school districts for learning assistance
10 programs as provided in RCW 28A.150.260(10)(a). In calculating the
11 allocations, the superintendent shall assume the following averages:
12 (A) Additional instruction of 1.51560 hours per week per funded
13 learning assistance program student; (B) fifteen learning assistance
14 program students per teacher; (C) 36 instructional weeks per year; (D)
15 900 instructional hours per teacher; and (E) the district's average
16 staff mix and compensation rates as provided in sections 503 and 504 of
17 this act.

18 (ii) From July 1, 2011, to August 31, 2011, the superintendent
19 shall allocate funding to school districts for learning assistance
20 programs as provided in section 515, chapter 564, Laws of 2009, as
21 amended through section 1412 of this act.

22 (c) A school district's funded students for the learning assistance
23 program shall be the sum of the district's full-time equivalent
24 enrollment in grades K-12 for the prior school year multiplied by the
25 district's percentage of October headcount enrollment in grades K-12
26 eligible for free or reduced price lunch in the prior school year.

27 (2) Allocations made pursuant to subsection (1) of this section
28 shall be adjusted to reflect ineligible applications identified through
29 the annual income verification process required by the national school
30 lunch program, as recommended in the report of the state auditor on the
31 learning assistance program dated February, 2010.

32 (3) The general fund--federal appropriation in this section is
33 provided for Title I Part A allocations of the no child left behind act
34 of 2001.

35 (4) A school district may carry over from one year to the next up
36 to 10 percent of the general fund-state or education legacy trust funds
37 allocated under this program; however, carryover funds shall be
38 expended for the learning assistance program.

1 (5) The office of the superintendent of public instruction shall
2 research and recommend options for an adjustment factor for middle
3 school and high school free and reduced price lunch eligibility
4 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report
5 to the fiscal committees of the legislature by June 1, 2012. For the
6 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

7 **Sec. 516.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to
8 read as follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

10 (1) Amounts distributed to districts by the superintendent through
11 part V of this act are for allocations purposes only and do not entitle
12 a particular district, district employee, or student to a specific
13 service, beyond what has been expressly provided in statute. Part V of
14 this act restates the requirements of various sections of Title 28A
15 RCW. If any conflict exists, the provisions of Title 28A RCW control
16 unless this act explicitly states that it is providing an enhancement.

17 Any amounts provided in part V of this act in excess of the amounts
18 required by Title 28A RCW provided in statute, are not within the
19 program of basic education.

20 (2) To the maximum extent practicable, when adopting new or revised
21 rules or policies relating to the administration of allocations in part
22 V of this act that result in fiscal impact, the office of the
23 superintendent of public instruction shall attempt to seek legislative
24 approval through the budget request process.

25 (3) Appropriations made in this act to the office of the
26 superintendent of public instruction shall initially be allotted as
27 required by this act. Subsequent allotment modifications shall not
28 include transfers of moneys between sections of this act except as
29 expressly provided in subsection (4) of this section.

30 (4) The appropriations to the office of the superintendent of
31 public instruction in this act shall be expended for the programs and
32 amounts specified in this act. However, after May 1, 2012, unless
33 specifically prohibited by this act and after approval by the director
34 of financial management, the superintendent of public instruction may
35 transfer state general fund appropriations for fiscal year 2012 among
36 the following programs to meet the apportionment schedule for a
37 specified formula in another of these programs: General apportionment;

1 employee compensation adjustments; pupil transportation; special
2 education programs; institutional education programs; transitional
3 bilingual programs; and learning assistance programs.

4 (5) The director of financial management shall notify the
5 appropriate legislative fiscal committees in writing prior to approving
6 any allotment modifications or transfers under this section.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2011 1st sp.s. c 50 s 605 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2012)	((\$533,355,000))
	<u>\$533,009,000</u>
General Fund--State Appropriation (FY 2013)	((\$525,998,000))
	<u>\$525,644,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation	\$8,037,000
Education Legacy Trust Account--State Appropriation	\$95,370,000
TOTAL APPROPRIATION	((\$1,162,760,000))
	<u>\$1,162,060,000</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.

~~((4))~~ (3) \$4,500,000 of the general fund--state appropriation for fiscal year 2012 and \$4,500,000 of the general fund--state

1 appropriation for fiscal year 2013 is provided solely for worker
2 retraining.

3 ~~((+5))~~ (4) Of the amounts appropriated in this section, \$5,000,000
4 is provided solely for the student achievement initiative.

5 ~~((+6))~~ (5) When implementing the appropriations in this section,
6 the state board and the trustees of the individual community and
7 technical 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 ~~((+7))~~ (6) Community and technical colleges are not required to
13 send mass mailings of course catalogs to residents of their districts.
14 Community and technical colleges shall consider lower cost
15 alternatives, such as mailing postcards or brochures that direct
16 individuals to online information and other ways of acquiring print
17 catalogs.

18 ~~((+8))~~ (7) Bellevue college is authorized to offer applied
19 baccalaureate degrees in information technology, health care services
20 and management, biotechnology, and preprofessional preparation for
21 medical fields. These degrees shall be directed at high school
22 graduates and transfer-oriented degree and professional and technical
23 degree holders. In fiscal year 2012, Bellevue college will develop a
24 two-year plan for offering these new degrees. The plan will assume
25 funding for these new degrees shall come through redistribution of its
26 current per full-time enrollment funding. The plan shall be delivered
27 to the legislature by June 30, 2012.

28 ~~((+9))~~ (8) The Seattle community college district is authorized to
29 offer applied baccalaureate degree programs in business/international
30 business and technology management, interactive and artistic digital
31 media, sustainability, building science technology, and allied and
32 global health. These degrees shall be directed at high school
33 graduates and professional and technical degree holders. In fiscal
34 year 2012, Seattle community colleges shall develop a two-year plan for
35 offering these new degrees. The plan will assume that funding for
36 these new degrees comes through redistribution of its current per full-
37 time enrollment funding. The plan shall be delivered to the
38 legislature by June 30, 2012.

1 (5) \$143,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$144,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for the ongoing management of the
4 Washington park arboretum.

5 **Sec. 603.** 2011 1st sp.s. c 50 s 607 (uncodified) is amended to
6 read as follows:

7 **FOR WASHINGTON STATE UNIVERSITY**

8	General Fund--State Appropriation (FY 2012)	((\$134,912,000))
9		<u>\$134,512,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$135,389,000))
11		<u>\$136,087,000</u>
12	((Washington State University Building Account--State	
13	Appropriation \$5,364,000))	
14	Education Legacy Trust Account--State Appropriation	\$33,065,000
15	TOTAL APPROPRIATION	((\$308,730,000))
16		<u>\$303,664,000</u>

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

19 (1) In implementing the appropriations in this section, the
20 president and regents shall seek to minimize impacts on student
21 services and instructional programs by maximizing reductions in
22 administration and other noninstructional activities.

23 (2) Within available funds, Washington State University shall serve
24 an additional cohort of fifteen full-time equivalent students in the
25 mechanical engineering program located at Olympic College.

26 (3) \$300,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$300,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely for the expansion of health
29 sciences capacity through 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 the
32 University of Washington for integrated medical curriculum development
33 for WWAMI.

34 **Sec. 604.** 2011 1st sp.s. c 50 s 608 (uncodified) is amended to
35 read as follows:

1 **FOR EASTERN WASHINGTON UNIVERSITY**

2	General Fund--State Appropriation (FY 2012)	((\$26,281,000))
3		<u>\$26,257,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$26,589,000))
5		<u>\$26,541,000</u>
6	Education Legacy Trust Account--State Appropriation	\$16,087,000
7	TOTAL APPROPRIATION	((\$68,957,000))
8		<u>\$68,885,000</u>

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

11 (1) In implementing the appropriations in this section, the
12 president and governing board shall seek to minimize impacts on student
13 services and instructional programs by maximizing reductions in
14 administration and other noninstructional activities.

15 (2) At least \$200,000 of the general fund--state appropriation for
16 fiscal year 2012 and at least \$200,000 of the general fund--state
17 appropriation for fiscal year 2013 shall be expended on the Northwest
18 autism center.

19 **Sec. 605.** 2011 1st sp.s. c 50 s 609 (uncodified) is amended to
20 read as follows:

21 **FOR CENTRAL WASHINGTON UNIVERSITY**

22	General Fund--State Appropriation (FY 2012)	((\$22,492,000))
23		<u>\$22,468,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$22,573,000))
25		<u>\$22,525,000</u>
26	Education Legacy Trust Account--State Appropriation	\$19,076,000
27	TOTAL APPROPRIATION	((\$64,141,000))
28		<u>\$64,069,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations: In implementing the appropriations in this
31 section, the president and governing board shall seek to minimize
32 impacts on student services and instructional programs by maximizing
33 reductions in administration and other noninstructional activities.

34 **Sec. 606.** 2011 1st sp.s. c 50 s 610 (uncodified) is amended to
35 read as follows:

1 **FOR THE EVERGREEN STATE COLLEGE**

2	General Fund--State Appropriation (FY 2012)	((\$15,698,000))
3		<u>\$15,595,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$15,366,000))
5		<u>\$15,339,000</u>
6	Education Legacy Trust Account--State Appropriation	\$5,450,000
7	TOTAL APPROPRIATION	((\$36,514,000))
8		<u>\$36,384,000</u>

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

11 (1) In implementing the appropriations in this section, the
12 president and governing board shall seek to minimize impacts on student
13 services and instructional programs by maximizing reductions in
14 administration and other noninstructional activities.

15 (2) \$50,000 of the general fund--state appropriation for fiscal
16 year 2012 and \$25,000 of the general fund--state appropriation for
17 fiscal year 2013 are provided solely for the Washington state institute
18 for public policy to conduct a detailed study of the commitment of
19 sexually violent predators to the special commitment center pursuant to
20 chapter 71.09 RCW and the subsequent release of those persons to
21 less-restrictive alternatives.

22 (a) Specifically, the institute's study shall examine:

23 (i) The projected future demand for the special commitment center,
24 including profiles and characteristics of persons referred and
25 committed to the special commitment center since its inception, whether
26 the profiles of those persons have changed over time, and, given
27 current trends, the likelihood of the continuing rate of referral;

28 (ii) Residents' participation in treatment over time and the impact
29 of treatment on eventual release to a less-restrictive alternative;

30 (iii) The annual review process and the process for a committed
31 person to petition for conditional or unconditional release,
32 specifically:

33 (A) The time frames for conducting mandatory reviews;

34 (B) The role of the special commitment center clinical team;

35 (C) Options and standards utilized by other jurisdictions or
36 similar processes to conduct periodic reviews, including specialized
37 courts, parole boards, independent review boards, and other commitment
38 proceedings;

1 (iv) The capacity and future demand for appropriate less
2 restrictive alternatives for moving residents out of the special
3 commitment center, including:

4 (A) The capacity and demand for secure community transition
5 facilities;

6 (B) Options for specialized populations such as the elderly or
7 those with developmental disabilities and whether more cost-efficient
8 options might be used to house those populations while keeping the
9 public safe;

10 (C) Prospects for moving residents to noninstitutionalized settings
11 beyond a secure community transition facility.

12 (b) The department of social and health services shall cooperate
13 with the institute in conducting its examination and must provide the
14 institute with requested data and records in a timely manner.

15 (c) The institute shall provide a status report to the governor and
16 the legislature no later than November 1, 2011, with a final report due
17 no later than November 1, 2012.

18 ((+4)) (3) \$50,000 of the general fund--state appropriation for
19 fiscal year 2012 and \$50,000 of the general fund--state appropriation
20 for fiscal year 2013 are provided solely for the institute for public
21 policy to provide research support to the council on quality education.

22 ((+5)) (4) To the extent federal or private funding is available
23 for this purpose, the Washington state institute for public policy and
24 the center for reinventing public education at the University of
25 Washington shall examine the relationship between participation in
26 pension systems and teacher quality and mobility patterns in the state.
27 The department of retirement systems shall facilitate researchers'
28 access to necessary individual-level data necessary to effectively
29 conduct the study. The researchers shall ensure that no individually
30 identifiable information will be disclosed at any time. An interim
31 report on project findings shall be completed by November 15, 2010, and
32 a final report shall be submitted to the governor and to the relevant
33 committees of the legislature by October 15, 2011.

34 ((+6)) (5) Funding provided in this section is sufficient for The
35 Evergreen State College to continue operations of the Longhouse Center
36 and the Northwest Indian applied research institute.

37 ((+7)) (6) If, and to the extent that private funding is available
38 for this purpose, the Washington state institute for public policy

1 shall study and report on the child welfare and educational
 2 characteristics and outcomes for foster youth who are served by
 3 educational advocates. The department of social and health services
 4 and the office of the superintendent of public instruction shall
 5 facilitate researchers' access to data necessary to effectively
 6 complete the study. The institute shall submit an interim report with
 7 baseline characteristics of youth served by educational advocates by
 8 December 2011 and a final report by October 31, 2012, to the governor
 9 and to the appropriate committees of the legislature.

10 ~~((+8))~~ (7) \$75,000 of the general fund--state appropriation for
 11 fiscal year 2012 is provided to the Washington state institute for
 12 public policy (WSIPP) to conduct a review of state investments in the
 13 family caregiver and support program. Funding for this program is
 14 provided by assumed savings from diverting seniors from entering into
 15 long-term care medicaid placements by supporting informal caregivers.
 16 WSIPP shall work with the department of social and health services to
 17 establish and review outcome data for this investment. A preliminary
 18 report on the outcomes of the investment into this program is due to
 19 the appropriate legislative committees by December 15, 2011, and a
 20 final report is due to the appropriate legislative committees by August
 21 30, 2012.

22 **Sec. 607.** 2011 1st sp.s. c 50 s 611 (uncodified) is amended to
 23 read as follows:

24 **FOR WESTERN WASHINGTON UNIVERSITY**

25	General Fund--State Appropriation (FY 2012)	(((\$33,709,000))
26		<u>\$33,754,000</u>
27	General Fund--State Appropriation (FY 2013)	(((\$33,654,000))
28		<u>\$33,743,000</u>
29	Education Legacy Trust Account--State Appropriation	\$13,266,000
30	TOTAL APPROPRIATION	(((\$80,629,000))
31		<u>\$80,763,000</u>

32 The appropriations in this section are subject to the following
 33 conditions and limitations: In implementing the appropriations in this
 34 section, the president and governing board shall seek to minimize
 35 impacts on student services and instructional programs by maximizing
 36 reductions in administration and other noninstructional activities.

1 adjusted for family size, and shall include students enrolled in three
2 to five credit-bearing quarter credits, or the equivalent semester
3 credits. The higher education coordinating board shall report to the
4 legislature by December 1, 2013, regarding the number of students
5 enrolled in three to five credit-bearing quarter credits, or the
6 equivalent semester credits, and their academic progress including
7 degree completion. Awards for all students shall be adjusted by the
8 estimated amount by which Pell grant increases exceed projected
9 increases in the noninstructional costs of attendance. Awards for
10 students with incomes between 51 and 70 percent of the state median
11 shall be prorated at the following percentages of the award amount
12 granted to those with incomes below 51 percent of the MFI: 70 percent
13 for students with family incomes between 51 and 55 percent MFI; 65
14 percent for students with family incomes between 56 and 60 percent MFI;
15 60 percent for students with family incomes between 61 and 65 percent
16 MFI; and 50 percent for students with family incomes between 66 and 70
17 percent MFI.

18 (3) For fiscal year 2012, the board shall defer loan or conditional
19 scholarship repayments to the future teachers conditional scholarship
20 and loan repayment program for up to one year for each participant if
21 the participant has shown evidence of efforts to find a teaching job
22 but has been unable to secure a teaching job per the requirements of
23 the program.

24 ~~((+5))~~ (4) \$500,000 of the general fund--state appropriation for
25 fiscal year 2012 is provided solely for the leadership 1000 program.

26 ~~((+6))~~ (5) \$2,436,000 of the general fund--state appropriation for
27 fiscal year 2012 is provided solely for the passport to college
28 program. The maximum scholarship award shall be \$5,000. The board
29 shall contract with a nonprofit organization to provide support
30 services to increase student completion in their postsecondary program
31 and shall, under this contract provide a minimum of \$500,000 in fiscal
32 year 2012.

33 ~~((+7))~~ (6) \$250,000 of the general fund--state appropriation for
34 fiscal year 2012 is provided solely for implementation of the aerospace
35 training scholarship and student loan program as specified in Engrossed
36 Substitute House Bill No. 1846 (aerospace student loans). If this bill
37 is not enacted by June 30, 2011, the amount provided in this subsection
38 shall lapse.

1 family size, and shall include students enrolled in three to five
2 credit-bearing quarter credits, or the equivalent semester credits.
3 The office of student financial assistance shall report to the
4 legislature by December 1, 2013, regarding the number of students
5 enrolled in three to five credit-bearing quarter credits, or the
6 equivalent semester credits, and their academic progress including
7 degree completion. Awards for all students shall be adjusted by the
8 estimated amount by which Pell grant increases exceed projected
9 increases in the noninstructional costs of attendance. Awards for
10 students with incomes between 51 and 70 percent of the state median
11 shall be prorated at the following percentages of the award amount
12 granted to those with incomes below 51 percent of the MFI: 70 percent
13 for students with family incomes between 51 and 55 percent MFI; 65
14 percent for students with family incomes between 56 and 60 percent MFI;
15 60 percent for students with family incomes between 61 and 65 percent
16 MFI; and 50 percent for students with family incomes between 66 and 70
17 percent MFI.

18 (3) \$250,000 of the general fund--state appropriation for fiscal
19 year 2013 is provided solely for implementation of the aerospace
20 training scholarship and student loan program as specified in Engrossed
21 Substitute House Bill No. 1846 (aerospace student loans). If this bill
22 is not enacted by June 30, 2011, the amount provided in this subsection
23 shall lapse.

24 (4) For fiscal year 2013, the board shall defer loan or conditional
25 scholarship repayments to the future teachers conditional scholarship
26 and loan repayment program for up to one year for each participant if
27 the participant has shown evidence of efforts to find a teaching job
28 but has been unable to secure a teaching job per the requirements of
29 the program.

30 (5) \$1,000,000 of the education legacy trust account--state
31 appropriation is provided solely for the gaining early awareness and
32 readiness for undergraduate programs project.

33 (6) \$500,000 of the general fund--state appropriation for fiscal
34 year 2013 is provided solely for the leadership 1000 program.

35 (7) \$2,436,000 of the general fund--state appropriation for fiscal
36 year 2013 is provided solely for the passport to college program. The
37 maximum scholarship award shall be \$5,000. The board shall contract
38 with a nonprofit organization to provide support services to increase

1 student completion in their postsecondary program and shall, under this
2 contract provide a minimum of \$500,000 in fiscal year 2013 for this
3 purpose.

4 **Sec. 612.** 2011 1st sp.s. c 50 s 617 (uncodified) is amended to
5 read as follows:

6 **FOR THE DEPARTMENT OF EARLY LEARNING**

7	General Fund--State Appropriation (FY 2012)	((\$27,570,000))
8		<u>\$27,571,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$27,557,000))
10		<u>\$27,558,000</u>
11	General Fund--Federal Appropriation	((\$253,530,000))
12		<u>\$261,753,000</u>
13	Opportunity Pathways Account--State Appropriation	\$80,000,000
14	TOTAL APPROPRIATION	((\$388,657,000))
15		<u>\$396,882,000</u>

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

18 (1) \$16,028,000 of the general fund--state appropriation for fiscal
19 year 2012, \$16,028,000 of the general fund--state appropriation of
20 fiscal year 2013, \$80,000,000 of the opportunity pathways account
21 appropriation, and \$2,256,000 of the general fund--federal
22 appropriation are provided solely for the early childhood education
23 assistance program services. Of these amounts, \$10,284,000 is a
24 portion of the biennial amount of state maintenance of effort dollars
25 required to receive federal child care and development fund grant
26 dollars.

27 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the
28 department is authorized to increase child care center and child care
29 family home licensure fees in fiscal years 2012 and 2013 for costs to
30 the department for the licensure activity, including costs of necessary
31 inspection. These increases are necessary to support expenditures
32 authorized in this section.

33 (3) \$638,000 of the general fund--state appropriation for fiscal
34 year 2012 and \$638,000 of the general fund--state appropriation for
35 fiscal year 2013 are provided solely for child care resource and
36 referral network services.

1 (4) \$200,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$200,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely to develop and provide culturally
4 relevant supports for parents, family, and other caregivers.

5 (5) The department is the lead agency for and recipient of the
6 federal child care and development fund grant. Amounts within this
7 grant shall be used to fund child care licensing, quality initiatives,
8 agency administration, and other costs associated with child care
9 subsidies. The department shall transfer a portion of this grant to
10 the department of social and health services to fund the child care
11 subsidies paid by the department of social and health services on
12 behalf of the department of early learning.

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

19 ~~((+8))~~ (7) \$934,000 of the general fund--state appropriation for
20 fiscal year 2012, \$934,000 of the general fund--state appropriation for
21 fiscal year 2013, and \$2,400,000 of the general fund--federal
22 appropriation are provided solely for expenditure into the home
23 visiting services account. This funding is intended to meet federal
24 maintenance of effort requirements and to secure private matching
25 funds.

26 ~~((+9))~~ (8) In addition to groups that were given prioritized
27 access to the working connections child care program effective March 1,
28 2011, the department shall also give prioritized access into the
29 program to families in which a parent of a child in care is a minor who
30 is not living with a parent or guardian and who is a full-time student
31 in a high school that has a school-sponsored on-site child care center.

32 ~~((+10))~~ (9) Within available amounts, the department in
33 consultation with the office of financial management and the department
34 of social and health services shall report quarterly enrollments and
35 active caseload for the working connections child care program to the
36 legislative fiscal committees. The report shall also identify the
37 number of cases participating in both temporary assistance for needy
38 families and working connections child care.

1 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
2 **LOSS**

3	General Fund--State Appropriation (FY 2012)	((\$8,451,000))
4		<u>\$8,449,000</u>
5	General Fund--State Appropriation (FY 2013)	((\$8,449,000))
6		<u>\$8,446,000</u>
7	General Fund--Private/Local Appropriation	\$526,000
8	TOTAL APPROPRIATION	((\$17,426,000))
9		<u>\$17,421,000</u>

10 **Sec. 615.** 2011 1st sp.s. c 50 s 620 (uncodified) is amended to
11 read as follows:

12 **FOR THE WASHINGTON STATE ARTS COMMISSION**

13	General Fund--Federal Appropriation	((\$1,961,000))
14		<u>\$2,065,000</u>
15	General Fund--Private/Local Appropriation	\$1,056,000
16	Washington State Heritage Center Account--State	
17	Appropriation	\$2,213,000
18	TOTAL APPROPRIATION	((\$5,230,000))
19		<u>\$5,334,000</u>

20 **Sec. 616.** 2011 1st sp.s. c 50 s 621 (uncodified) is amended to
21 read as follows:

22 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

23	Washington State Heritage Center Account--State	
24	Appropriation	((\$4,249,000))
25		<u>\$4,241,000</u>

26 **Sec. 617.** 2011 1st sp.s. c 50 s 622 (uncodified) is amended to
27 read as follows:

28 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

29	Washington State Heritage Center Account--State	
30	Appropriation	((\$2,965,000))
31		<u>\$2,962,000</u>

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2011 1st sp.s. c 50 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.

1 \$2,000
 2 TOTAL APPROPRIATION ((~~\$4,056,000~~))
 3 \$3,119,000

4 **Sec. 704.** 2011 1st sp.s. c 50 s 713 (uncodified) is amended to
 5 read as follows:

6 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**
 7 **SYSTEMS**

8 The appropriations in this section are subject to the following
 9 conditions and limitations: The appropriations for the law enforcement
 10 officers' and firefighters' retirement system shall be made on a
 11 monthly basis beginning July 1, 2011, consistent with chapter 41.45
 12 RCW, and the appropriations for the judges and judicial retirement
 13 systems shall be made on a quarterly basis consistent with chapters
 14 2.10 and 2.12 RCW.

15 (1) There is appropriated for state contributions to the law
 16 enforcement officers' and firefighters' retirement system:

17	General Fund--State Appropriation (FY 2012)	\$54,547,000
18	General Fund--State Appropriation (FY 2013)	\$56,729,000
19	TOTAL APPROPRIATION	\$111,276,000

20 (2) There is appropriated for contributions to the judicial
 21 retirement system:

22	General Fund--State Appropriation (FY 2012)	((\$9,100,000))
23		<u>\$8,100,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$13,100,000))
25		<u>\$10,100,000</u>
26	TOTAL APPROPRIATION	((\$22,200,000))
27		<u>\$18,200,000</u>

28 NEW SECTION. **Sec. 705.** A new section is added to 2011 1st sp.s.
 29 c 50 (uncodified) to read as follows:

30 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICES EFFICIENCIES**

31 From appropriations to state agencies for the 2011-2013 fiscal
 32 biennium, the office of financial management shall reduce general
 33 fund--state allotments by \$1,850,000 for fiscal year 2012 and
 34 \$3,792,000 for fiscal year 2013 to reflect reduced central service
 35 billings and related charges to client agencies for legal services,
 36 audits, and records management, pursuant to allotment schedules

1 prepared by the office of financial management. The allotment
2 reductions under this section shall be placed in unallotted status and
3 remain unexpended.

4 NEW SECTION. **Sec. 706.** 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--AGENCY SELF-INSURANCE**
7 **LIABILITY PREMIUMS**

8 From appropriations to state agencies for the 2011-2013 fiscal
9 biennium, the office of financial management shall reduce general
10 fund--state allotments by \$1,664,000 for fiscal year 2012 and
11 \$9,284,000 for fiscal year 2013 to reflect reduced billings and related
12 charges to client agencies for self-insurance premiums for liability
13 coverage under RCW 4.92.130, pursuant to allotment schedules prepared
14 by the office of financial management. The allotment reductions under
15 this section shall be placed in unallotted status and remain
16 unexpended.

17 NEW SECTION. **Sec. 707.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONNEL SERVICES**

20 From appropriations to state agencies for the 2011-2013 fiscal
21 biennium, the office of financial management shall reduce general
22 fund--state allotments by \$9,537,000 for fiscal year 2013 to reflect
23 reduced billings and related charges to client agencies for central
24 personnel services, pursuant to allotment schedules prepared by the
25 office of financial management. The allotment reductions under this
26 section shall be placed in unallotted status and remain unexpended.

27 NEW SECTION. **Sec. 708.** A new section is added to 2011 1st sp.s.
28 c 50 (uncodified) to read as follows:

29 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PROCUREMENT SERVICES**

30 From appropriations to state agencies for the 2011-2013 fiscal
31 biennium, the office of financial management shall reduce general
32 fund--state allotments by \$394,000 for fiscal year 2012 and \$792,000
33 for fiscal year 2013 to reflect reduced billings and related charges to
34 client agencies for central procurement of goods and services, pursuant

1 to allotment schedules prepared by the office of financial management.
2 The allotment reductions under this section shall be placed in
3 unallotted status and remain unexpended.

4 NEW SECTION. **Sec. 709.** 2011 1st sp.s. c 50 s 722 (uncodified) is
5 repealed.

6 NEW SECTION. **Sec. 710.** 2011 1st sp.s. c 50 s 725 (uncodified) is
7 repealed.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 805 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, ((~~\$10,000,000~~)) \$16,300,000 for fiscal year 2012 and ((~~\$15,000,000~~)) \$21,300,000 for fiscal year 2013 ((~~\$25,000,000~~)) \$37,600,000

Waste Reduction, Recycling, and Litter Control Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000

Aquatics Lands Enhancement Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000

Savings Incentive Account: For transfer to the state general fund, \$44,618,000 for fiscal year 2012 \$44,618,000

Distinguished Professorship Trust Fund: For transfer to the state general fund for fiscal year 2012, an amount not to exceed the actual cash balance of the fund \$3,024,000

Washington Graduate Fellowship Trust Fund: For transfer to the state general fund for fiscal year 2012, an amount not to exceed the actual cash balance of the fund \$1,028,000

College Faculty Awards Trust Fund: For transfer to the state general fund for fiscal year 2012, an amount not to exceed the actual cash balance of the fund \$1,996,000

Data Processing Revolving Account: For transfer to the state general fund, \$5,960,000 for fiscal year 2012 \$5,960,000

Drinking Water Assistance Account: For transfer to the drinking water assistance repayment account \$38,000,000

Economic Development Strategic Reserve Account: For transfer to the state general fund, \$2,100,000

1 for fiscal year 2012 and \$2,100,000 for fiscal
 2 year 2013 \$4,200,000
 3 General Fund: For transfer to the streamlined sales
 4 and use tax account, \$24,846,000 for fiscal year
 5 2012 and \$24,789,000 for fiscal year 2013 \$49,635,000
 6 Public Works Assistance Account: For transfer to the
 7 water pollution control revolving account,
 8 \$7,750,000 for fiscal year 2012 and \$7,750,000 for
 9 fiscal year 2013 \$15,500,000
 10 The Charitable, Educational, Penal, and Reformatory
 11 Institutions Account: For transfer to the state
 12 general fund, \$4,500,000 for fiscal year 2012 and
 13 \$4,500,000 for fiscal year 2013 \$9,000,000
 14 Thurston County Capital Facilities Account: For
 15 transfer to the state general fund, \$4,000,000
 16 for fiscal year 2012 and \$4,000,000 for fiscal
 17 year 2013 \$8,000,000
 18 Public Works Assistance Account: For transfer to the
 19 drinking water assistance account, \$10,000,000 for
 20 fiscal year 2012 and \$5,000,000 for fiscal year
 21 2013 \$15,000,000
 22 Liquor Control Board Construction and Maintenance
 23 Account: For transfer to the state general fund,
 24 \$500,000 for fiscal year 2012 and \$500,000 for
 25 fiscal year 2013 \$1,000,000
 26 Education Savings Account: For transfer to the state
 27 general fund, (~~(\$22,500,000)~~) \$54,431,000 for fiscal
 28 year 2012 and \$22,500,000 for fiscal year 2013 . . (~~(\$45,000,000)~~)
 29 \$76,931,000
 30 Department of Retirement Systems Expense Account:
 31 For transfer to the state general fund, \$250,000
 32 for fiscal year 2012 and \$250,000 for fiscal year
 33 2013 \$500,000
 34 Education Construction Account: For transfer to the
 35 state general fund, \$102,000,000 for fiscal year
 36 2012 and \$102,000,000 for fiscal year 2013 \$204,000,000
 37 Public Works Assistance Account: For transfer to the
 38 state general fund, \$25,000,000 for fiscal year 2012

1 and \$25,000,000 for fiscal year 2013 \$50,000,000
2 Foster Care Endowed Scholarship Trust Fund: For transfer
3 to the state general fund, \$200,000 for fiscal year
4 2012 and \$200,000 for fiscal year 2013 \$400,000
5 Affordable Housing For All Account: For transfer to
6 the home security fund, \$1,000,000 for fiscal year
7 2012 and \$1,000,000 for fiscal year 2013 \$2,000,000
8 Tobacco Settlement Account: For transfer to the state
9 general fund, in an amount not to exceed the actual
10 amount of the annual base payment to the tobacco
11 settlement account \$158,205,000
12 Tobacco Settlement Account: For transfer to the basic
13 health plan stabilization account from the amounts
14 deposited in the account that are attributable to the
15 annual strategic contribution payment received in
16 fiscal year 2012 \$22,000,000
17 Tobacco Settlement Account: For transfer to the basic
18 health plan stabilization account from the amounts
19 deposited in the account that are attributable to the
20 annual strategic contribution payment received in
21 fiscal year 2013 \$22,000,000
22 Tobacco Settlement Account: For transfer to the life
23 sciences discovery fund, in an amount not to exceed
24 the actual remaining amount of the annual strategic
25 contribution payment to the tobacco settlement account
26 for fiscal year 2012 \$6,000,000
27 Tobacco Settlement Account: For transfer to the life
28 sciences discovery fund, in an amount not to exceed
29 the actual remaining amount of the annual strategic
30 contribution payment to the tobacco settlement account
31 for fiscal year 2013 \$6,000,000

32 The transfer to the life sciences discovery fund is subject to the
33 following conditions: ((+1+)) All new grants awarded during the 2011-
34 2013 fiscal biennium shall support and accelerate the commercialization
35 of an identifiable product((+))_

(End of part)

1 professorship program shall be deposited in the distinguished
2 professorship trust fund. At the request of the office under RCW
3 28B.76.575, the treasurer shall release the state matching funds to the
4 designated institution's local endowment fund. No appropriation is
5 required for expenditures from the fund. During the ((2009-2011))
6 2011-2013 fiscal biennium, the legislature may transfer from the
7 distinguished professorship trust fund to the state general fund such
8 amounts as reflect the excess fund balance in the account.

9 **Sec. 904.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
10 read as follows:

11 The Washington graduate fellowship trust fund program is
12 established. The program shall be administered by the higher education
13 coordinating board. The trust fund shall be administered by the state
14 treasurer. During the 2011-2013 fiscal biennium, the legislature may
15 transfer from the Washington graduate fellowship trust fund to the
16 state general fund such amounts as reflect the excess fund balance in
17 the account.

18 **Sec. 905.** RCW 28B.76.605 and 2011 1st sp.s. c 11 s 116 are each
19 amended to read as follows:

20 The Washington graduate fellowship trust fund program is
21 established. The program shall be administered by the office. The
22 trust fund shall be administered by the state treasurer. During the
23 2011-2013 fiscal biennium, the legislature may transfer from the
24 Washington graduate fellowship trust fund to the state general fund
25 such amounts as reflect the excess fund balance in the account.

26 **Sec. 906.** RCW 43.19.791 and 2011 1st sp.s. c 43 s 601 and 2011 c
27 5 s 912 are each reenacted and amended to read as follows:

28 There is created a revolving fund to be known as the data
29 processing revolving fund in the custody of the state treasurer. The
30 revolving fund shall be used for the acquisition of equipment,
31 software, supplies, and services and the payment of salaries, wages,
32 and other costs incidental to the acquisition, development, operation,
33 and administration of information services, telecommunications,
34 systems, software, supplies and equipment, including the payment of
35 principal and interest on bonds issued for capital projects, by the

1 department, Washington State University's computer services center, the
2 department of enterprise services' personnel information systems group
3 and financial systems management group, and other users as determined
4 by the office of financial management. The revolving fund is subject
5 to the allotment procedure provided under chapter 43.88 RCW. The chief
6 information officer or the chief information officer's designee, with
7 the approval of the technology services board, is authorized to expend
8 up to one million dollars per fiscal biennium for the technology
9 services board to conduct independent technical and financial analysis
10 of proposed information technology projects, and such an expenditure
11 does not require an appropriation. Disbursements from the revolving
12 fund for the services component of the department are not subject to
13 appropriation. Disbursements for the strategic planning and policy
14 component of the department are subject to appropriation. All
15 disbursements from the fund are subject to the allotment procedures
16 provided under chapter 43.88 RCW. The department shall establish and
17 implement a billing structure to assure all agencies pay an equitable
18 share of the costs.

19 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
20 may transfer from the data processing revolving account to the state
21 general fund such amounts as reflect the excess fund balance.

22 As used in this section, the word "supplies" shall not be
23 interpreted to delegate or abrogate the division of purchasing's
24 responsibilities and authority to purchase supplies as described in RCW
25 43.19.190 and 43.19.200.

26 **Sec. 907.** RCW 43.21A.660 and 2011 c 5 s 907 are each amended to
27 read as follows:

28 Funds in the freshwater aquatic weeds account may be appropriated
29 to the department of ecology to develop a freshwater aquatic weeds
30 management program. Funds shall be expended as follows:

31 (1) No less than two-thirds of the appropriated funds shall be
32 issued as grants to (a) cities, counties, tribes, special purpose
33 districts, and state agencies to prevent, remove, reduce, or manage
34 excessive freshwater aquatic weeds; (b) fund demonstration or pilot
35 projects consistent with the purposes of this section; and (c) fund
36 hydrilla eradication activities in waters of the state. Except for
37 hydrilla eradication activities, such grants shall only be issued for

1 lakes, rivers, or streams with a public boat launching ramp or which
2 are designated by the department of fish and wildlife for fly-fishing.
3 The department shall give preference to projects having matching funds
4 or in-kind services;

5 (2) No more than one-third of the appropriated funds shall be
6 expended to:

7 (a) Develop public education programs relating to preventing the
8 propagation and spread of freshwater aquatic weeds; and

9 (b) Provide technical assistance to local governments and citizen
10 groups; and

11 (3) During the 2009-2011 fiscal biennium, the legislature may
12 transfer from the freshwater aquatic weeds account to the state general
13 fund such amounts as reflect the excess fund balance of the account.

14 (4) During the 2011-2013 fiscal biennium, excess funds in the
15 freshwater aquatic weeds account may be appropriated to the department
16 of agriculture to support the invasive knotweed program.

17 **Sec. 908.** RCW 43.79.460 and 2011 c 5 s 909 are each amended to
18 read as follows:

19 (1) The savings incentive account is created in the custody of the
20 state treasurer. The account shall consist of all moneys appropriated
21 to the account by the legislature. The account is subject to the
22 allotment procedures under chapter 43.88 RCW, but no appropriation is
23 required for expenditures from the account.

24 (2) Within the savings incentive account, the state treasurer may
25 create subaccounts to be credited with incentive savings attributable
26 to individual state agencies, as determined by the office of financial
27 management in consultation with the legislative fiscal committees.
28 Moneys deposited in the subaccounts may be expended only on the
29 authorization of the agency's executive head or designee and only for
30 the purpose of one-time expenditures to improve the quality,
31 efficiency, and effectiveness of services to customers of the state,
32 such as one-time expenditures for employee training, employee
33 incentives, technology improvements, new work processes, or performance
34 measurement. Funds may not be expended from the account to establish
35 new programs or services, expand existing programs or services, or
36 incur ongoing costs that would require future expenditures.

1 (3) For purposes of this section, "incentive savings" means state
2 general fund appropriations that are unspent as of June 30th of a
3 fiscal year, excluding any amounts included in across-the-board
4 reductions under RCW 43.88.110 and excluding unspent appropriations
5 for:

6 (a) Caseload and enrollment in entitlement programs, except to the
7 extent that an agency has clearly demonstrated that efficiencies have
8 been achieved in the administration of the entitlement program.
9 "Entitlement program," as used in this section, includes programs for
10 which specific sums of money are appropriated for pass-through to third
11 parties or other entities;

12 (b) Enrollments in state institutions of higher education;

13 (c) Except for fiscal year 2011, a specific amount contained in a
14 condition or limitation to an appropriation in the biennial
15 appropriations act, if the agency did not achieve the specific purpose
16 or objective of the condition or limitation;

17 (d) Debt service on state obligations; and

18 (e) State retirement system obligations.

19 (4) The office of financial management, after consulting with the
20 legislative fiscal committees, shall report the amount of savings
21 incentives achieved.

22 (5) For fiscal year 2010, the legislature may transfer from the
23 savings incentive account to the state general fund such amounts as
24 reflect the fund balance of the account attributable to unspent state
25 general fund appropriations for fiscal year 2009. For fiscal year
26 2011, the legislature may transfer from the savings incentive account
27 to the state general fund such amounts as reflect the fund balance of
28 the account attributable to unspent state general fund appropriations
29 for fiscal year 2010. For fiscal year 2011, the legislature may
30 transfer from the savings incentive account to the state general fund
31 eight million dollars or as much as reflects the fund balance of the
32 account attributable to unspent agency credits prior to fiscal year
33 2009. Credits for legislative and judicial agencies are not included
34 in this action, with the exception and upon consent of the supreme
35 court, court of appeals, office of public defense, and office of civil
36 legal aid.

37 (6) For fiscal years 2012 and 2013, the legislature may transfer

1 from the savings incentive account to the state general fund such
2 amounts as reflect the fund balance of the account attributable to
3 unspent general fund appropriations for fiscal years 2011 and 2012.

4 **Sec. 909.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each
5 amended to read as follows:

6 There is created a local fund known as the "financial services
7 regulation fund" which shall consist of all moneys received by the
8 divisions of the department of financial institutions, except for the
9 division of securities which shall deposit thirteen percent of all
10 moneys received, except as provided in RCW 43.320.115, and which shall
11 be used for the purchase of supplies and necessary equipment; the
12 payment of salaries, wages, and utilities; the establishment of
13 reserves; and other incidental costs required for the proper regulation
14 of individuals and entities subject to regulation by the department.
15 The state treasurer shall be the custodian of the fund. Disbursements
16 from the fund shall be on authorization of the director of financial
17 institutions or the director's designee. In order to maintain an
18 effective expenditure and revenue control, the fund shall be subject in
19 all respects to chapter 43.88 RCW, but no appropriation is required to
20 permit expenditures and payment of obligations from the fund.

21 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
22 may transfer from the financial services regulation fund to the state
23 general fund such amounts as reflect the excess fund balance of the
24 fund.

25 **Sec. 910.** RCW 70.96A.350 and 2011 1st sp.s. c 40 s 34 are each
26 amended to read as follows:

27 (1) The criminal justice treatment account is created in the state
28 treasury. Moneys in the account may be expended solely for: (a)
29 Substance abuse treatment and treatment support services for offenders
30 with an addiction or a substance abuse problem that, if not treated,
31 would result in addiction, against whom charges are filed by a
32 prosecuting attorney in Washington state; (b) the provision of drug and
33 alcohol treatment services and treatment support services for
34 nonviolent offenders within a drug court program; (c) the
35 administrative and overhead costs associated with the operation of a
36 drug court; and (d) during the ((2007-2009 biennium, operation of the

1 ~~integrated crisis response and intensive case management pilots~~
2 ~~contracted with the department of social and health services division~~
3 ~~of alcohol and substance abuse))~~ 2011-2013 biennium, the legislature
4 may appropriate up to three million dollars from the account in order
5 to offset reductions in the state general fund for treatment services
6 provided by counties. This amount is not subject to the requirements
7 of subsections (5) through (9) of this section. Moneys in the account
8 may be spent only after appropriation.

9 (2) For purposes of this section:

10 (a) "Treatment" means services that are critical to a participant's
11 successful completion of his or her substance abuse treatment program,
12 but does not include the following services: Housing other than that
13 provided as part of an inpatient substance abuse treatment program,
14 vocational training, and mental health counseling; and

15 (b) "Treatment support" means transportation to or from inpatient
16 or outpatient treatment services when no viable alternative exists, and
17 child care services that are necessary to ensure a participant's
18 ability to attend outpatient treatment sessions.

19 (3) Revenues to the criminal justice treatment account consist of:

20 (a) Funds transferred to the account pursuant to this section; and (b)
21 any other revenues appropriated to or deposited in the account.

22 (4)(a) For the fiscal biennium beginning July 1, 2003, the state
23 treasurer shall transfer eight million nine hundred fifty thousand
24 dollars from the general fund into the criminal justice treatment
25 account, divided into eight equal quarterly payments. For the fiscal
26 year beginning July 1, 2005, and each subsequent fiscal year, the state
27 treasurer shall transfer eight million two hundred fifty thousand
28 dollars from the general fund to the criminal justice treatment
29 account, divided into four equal quarterly payments. For the fiscal
30 year beginning July 1, 2006, and each subsequent fiscal year, the
31 amount transferred shall be increased on an annual basis by the
32 implicit price deflator as published by the federal bureau of labor
33 statistics.

34 (b) In each odd-numbered year, the legislature shall appropriate
35 the amount transferred to the criminal justice treatment account in (a)
36 of this subsection to the division of alcohol and substance abuse for
37 the purposes of subsection (5) of this section.

1 (5) Moneys appropriated to the division of alcohol and substance
2 abuse from the criminal justice treatment account shall be distributed
3 as specified in this subsection. The department shall serve as the
4 fiscal agent for purposes of distribution. Until July 1, 2004, the
5 department may not use moneys appropriated from the criminal justice
6 treatment account for administrative expenses and shall distribute all
7 amounts appropriated under subsection (4)(b) of this section in
8 accordance with this subsection. Beginning in July 1, 2004, the
9 department may retain up to three percent of the amount appropriated
10 under subsection (4)(b) of this section for its administrative costs.

11 (a) Seventy percent of amounts appropriated to the division from
12 the account shall be distributed to counties pursuant to the
13 distribution formula adopted under this section. The division of
14 alcohol and substance abuse, in consultation with the department of
15 corrections, the Washington state association of counties, the
16 Washington state association of drug court professionals, the superior
17 court judges' association, the Washington association of prosecuting
18 attorneys, representatives of the criminal defense bar, representatives
19 of substance abuse treatment providers, and any other person deemed by
20 the division to be necessary, shall establish a fair and reasonable
21 methodology for distribution to counties of moneys in the criminal
22 justice treatment account. County or regional plans submitted for the
23 expenditure of formula funds must be approved by the panel established
24 in (b) of this subsection.

25 (b) Thirty percent of the amounts appropriated to the division from
26 the account shall be distributed as grants for purposes of treating
27 offenders against whom charges are filed by a county prosecuting
28 attorney. The division shall appoint a panel of representatives from
29 the Washington association of prosecuting attorneys, the Washington
30 association of sheriffs and police chiefs, the superior court judges'
31 association, the Washington state association of counties, the
32 Washington defender's association or the Washington association of
33 criminal defense lawyers, the department of corrections, the Washington
34 state association of drug court professionals, substance abuse
35 treatment providers, and the division. The panel shall review county
36 or regional plans for funding under (a) of this subsection and grants
37 approved under this subsection. The panel shall attempt to ensure that
38 treatment as funded by the grants is available to offenders statewide.

1 (6) The county alcohol and drug coordinator, county prosecutor,
2 county sheriff, county superior court, a substance abuse treatment
3 provider appointed by the county legislative authority, a member of the
4 criminal defense bar appointed by the county legislative authority,
5 and, in counties with a drug court, a representative of the drug court
6 shall jointly submit a plan, approved by the county legislative
7 authority or authorities, to the panel established in subsection (5)(b)
8 of this section, for disposition of all the funds provided from the
9 criminal justice treatment account within that county. The funds shall
10 be used solely to provide approved alcohol and substance abuse
11 treatment pursuant to RCW 70.96A.090, treatment support services, and
12 for the administrative and overhead costs associated with the operation
13 of a drug court.

14 (a) No more than ten percent of the total moneys received under
15 subsections (4) and (5) of this section by a county or group of
16 counties participating in a regional agreement shall be spent on the
17 administrative and overhead costs associated with the operation of a
18 drug court.

19 (b) No more than ten percent of the total moneys received under
20 subsections (4) and (5) of this section by a county or group of
21 counties participating in a regional agreement shall be spent for
22 treatment support services.

23 (7) Counties are encouraged to consider regional agreements and
24 submit regional plans for the efficient delivery of treatment under
25 this section.

26 (8) Moneys allocated under this section shall be used to
27 supplement, not supplant, other federal, state, and local funds used
28 for substance abuse treatment.

29 (9) Counties must meet the criteria established in RCW
30 2.28.170(3)(b).

31 (10) The authority under this section to use funds from the
32 criminal justice treatment account for the administrative and overhead
33 costs associated with the operation of a drug court expires June 30,
34 2013.

35 **Sec. 911.** RCW 79.105.150 and 2011 1st sp.s. c 50 s 967 are each
36 amended to read as follows:

37 (1) After deduction for management costs as provided in RCW

1 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
2 received by the state from the sale or lease of state-owned aquatic
3 lands and from the sale of valuable material from state-owned aquatic
4 lands shall be deposited in the aquatic lands enhancement account which
5 is hereby created in the state treasury. After appropriation, these
6 funds shall be used solely for aquatic lands enhancement projects; for
7 the purchase, improvement, or protection of aquatic lands for public
8 purposes; for providing and improving access to the lands; and for
9 volunteer cooperative fish and game projects. During the 2009-2011 and
10 2011-2013 fiscal biennia, the aquatic lands enhancement account may
11 also be used for scientific research as part of the adaptive management
12 process and for developing a planning report for McNeil Island. During
13 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may
14 transfer from the aquatic lands enhancement account to the state
15 general fund such amounts as reflect excess fund balance of the
16 account. During the 2011-2013 fiscal biennium, the aquatic lands
17 enhancement account may be used to support the shellfish program, the
18 ballast water program, and the Puget Sound toxic sampling program at
19 the department of fish and wildlife, and the knotweed program at the
20 department of agriculture.

21 (2) In providing grants for aquatic lands enhancement projects, the
22 recreation and conservation funding board shall:

23 (a) Require grant recipients to incorporate the environmental
24 benefits of the project into their grant applications;

25 (b) Utilize the statement of environmental benefits, consideration,
26 except as provided in RCW 79.105.610, of whether the applicant is a
27 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
28 referenced in the action agenda developed by the Puget Sound
29 partnership under RCW 90.71.310, and except as otherwise provided in
30 RCW 79.105.630, and effective one calendar year following the
31 development and statewide availability of model evergreen community
32 management plans and ordinances under RCW 35.105.050, whether the
33 applicant is an entity that has been recognized, and what gradation of
34 recognition was received, in the evergreen community recognition
35 program created in RCW 35.105.030 in its prioritization and selection
36 process; and

37 (c) Develop appropriate outcome-focused performance measures to be
38 used both for management and performance assessment of the grants.

1 (3) To the extent possible, the department should coordinate its
2 performance measure system with other natural resource-related agencies
3 as defined in RCW 43.41.270.

4 (4) The department shall consult with affected interest groups in
5 implementing this section.

6 (5) After January 1, 2010, any project designed to address the
7 restoration of Puget Sound may be funded under this chapter only if the
8 project is not in conflict with the action agenda developed by the
9 Puget Sound partnership under RCW 90.71.310.

10 NEW SECTION. **Sec. 912.** Section 902 of this act expires July 1,
11 2012.

12 NEW SECTION. **Sec. 913.** Section 903 of this act takes effect July
13 1, 2012.

14 NEW SECTION. **Sec. 914.** Section 904 of this act expires July 1,
15 2012.

16 NEW SECTION. **Sec. 915.** Section 905 of this act takes effect July
17 1, 2012.

18 NEW SECTION. **Sec. 916.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. **Sec. 917.** Except for sections 903 and 905 of this
23 act which take effect July 1, 2012, this act is necessary for the
24 immediate preservation of the public peace, health, or safety, or
25 support of the state government and its existing public institutions,
26 and takes effect immediately.

(End of bill)

INDEX	PAGE #
ADMINISTRATOR FOR THE COURTS	3
ATTORNEY GENERAL	11
BOARD OF ACCOUNTANCY	23
BOARD OF INDUSTRIAL INSURANCE APPEALS	77
CASELOAD FORECAST COUNCIL	13
CENTRAL WASHINGTON UNIVERSITY	156
COLUMBIA RIVER GORGE COMMISSION	93
COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS	10
CONSERVATION COMMISSION	99
COUNCIL FOR HIGHER EDUCATION	162
COURT OF APPEALS	3
CRIMINAL JUSTICE TRAINING COMMISSION	78
DEPARTMENT OF AGRICULTURE	105
DEPARTMENT OF COMMERCE	14
DEPARTMENT OF CORRECTIONS	87
DEPARTMENT OF EARLY LEARNING	164
DEPARTMENT OF ECOLOGY	93
DEPARTMENT OF ENTERPRISE SERVICES	26
DEPARTMENT OF FISH AND WILDLIFE	100
DEPARTMENT OF HEALTH	83
DEPARTMENT OF LABOR AND INDUSTRIES	79
DEPARTMENT OF LICENSING	108
DEPARTMENT OF NATURAL RESOURCES	103
DEPARTMENT OF RETIREMENT SYSTEMS	
CONTRIBUTIONS TO RETIREMENT SYSTEMS	170
DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS	21
DEPARTMENT OF REVENUE	22
DEPARTMENT OF SERVICES FOR THE BLIND	90
DEPARTMENT OF SOCIAL AND HEALTH SERVICES	29
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM	62
AGING AND ADULT SERVICES PROGRAM	51
ALCOHOL AND SUBSTANCE ABUSE PROGRAM	60
CHILDREN AND FAMILY SERVICES PROGRAM	31
DEVELOPMENTAL DISABILITIES PROGRAM	45
ECONOMIC SERVICES PROGRAM	57
JUVENILE REHABILITATION PROGRAM	34

MENTAL HEALTH PROGRAM	39
PAYMENTS TO OTHER AGENCIES PROGRAM	63
SPECIAL COMMITMENT PROGRAM	61
VOCATIONAL REHABILITATION PROGRAM	61
DEPARTMENT OF VETERANS AFFAIRS	82
EASTERN WASHINGTON STATE HISTORICAL SOCIETY	167
EASTERN WASHINGTON UNIVERSITY	156
EMPLOYMENT SECURITY DEPARTMENT	90
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE	99
EVERGREEN STATE COLLEGE	157
HIGHER EDUCATION COORDINATING BOARD	
FINANCIAL AID AND GRANTS	160
POLICY COORDINATION AND ADMIN	160
HORSE RACING COMMISSION	24
HOUSE OF REPRESENTATIVES	2
INSURANCE COMMISSIONER	23
LAW LIBRARY	3
LIQUOR CONTROL BOARD	24
MILITARY DEPARTMENT	25
OFFICE OF ADMINISTRATIVE HEARINGS	21
OFFICE OF FINANCIAL MANAGEMENT	18
AGENCY SELF-INSURANCE LIABILITY PREMIUMS	171
CENTRAL SERVICES EFFICIENCIES	170
PERSONNEL SERVICES	171
PROCUREMENT SERVICES	171
OFFICE OF MINORITY AND WOMEN' S BUSINESS ENTERPRISES	23
OFFICE OF PUBLIC DEFENSE	6
OFFICE OF STUDENT FINANCIAL ASSISTANCE	162
OFFICE OF THE GOVERNOR	7
PROGRAMS FOR HIGHLY CAPABLE STUDENTS	140
PUBLIC DISCLOSURE COMMISSION	7
PUBLIC EMPLOYMENT RELATIONS COMMISSION	26
PUGET SOUND PARTNERSHIP	106
RECREATION AND CONSERVATION FUNDING BOARD	98
SECRETARY OF STATE	8
SENATE	2
STATE AUDITOR	10
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES	152
STATE HEALTH CARE AUTHORITY	63

STATE PARKS AND RECREATION COMMISSION	97
STATE PATROL	109
STATE SCHOOL FOR THE BLIND	166
STATE TREASURER	10
BOND RETIREMENT AND INTEREST: DEBT REIMBURSED AS PRESCRIBED BY STATUTE	169
BOND RETIREMENT AND INTEREST: DEBT SUBJECT TO THE DEBT LIMIT	168
BOND RETIREMENT AND INTEREST: FOR BOND SALE EXPENSES	169
TRANSFERS	173
STATUTE LAW COMMITTEE	2
SUPERINTENDENT OF PUBLIC INSTRUCTION	111, 150
BASIC EDUCATION EMPLOYEE COMPENSATION	127
EDUCATION REFORM PROGRAMS	141
EDUCATIONAL SERVICE DISTRICTS	137
GENERAL APPORTIONMENT	116
INSTITUTIONAL EDUCATION PROGRAMS	138
LEARNING ASSISTANCE PROGRAM	148
LOCAL EFFORT ASSISTANCE	138
MISCELLANEOUS PURPOSES--NO CHILD LEFT BEHIND ACT	140
PUPIL TRANSPORTATION	132
SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS	130
SCHOOL FOOD SERVICE PROGRAMS	133
SPECIAL EDUCATION PROGRAMS	134
TRANSITIONAL BILINGUAL PROGRAMS	146
SUPREME COURT	2
UNIVERSITY OF WASHINGTON	154
UTILITIES AND TRANSPORTATION COMMISSION	24
WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM	106
WASHINGTON STATE ARTS COMMISSION	167
WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS	167
WASHINGTON STATE HISTORICAL SOCIETY	167
WASHINGTON STATE LOTTERY	21
WASHINGTON STATE UNIVERSITY	155
WESTERN WASHINGTON UNIVERSITY	159

--- END ---