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SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2127

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State of Washington

62nd Legislature

2012 Regular Session

By House Ways & Means (originally sponsored by Representative Hunter;  
by request of Governor Gregoire)

READ FIRST TIME 02/27/12.

1 AN ACT Relating to fiscal matters; amending RCW 28B.15.067,  
2 38.52.540, 41.06.560, 43.07.129, 43.17.390, 43.30.720, 43.88.110,  
3 74.48.090, 76.04.610, 77.12.201, 77.12.203, 77.95.090, 79.22.010,  
4 79.22.040, 79.64.100, 79.105.150, 79A.25.200, 86.26.007, and 90.48.390;  
5 amending 2012 c 86 (ESHB 2190) (uncodified); amending 2011 2nd sp.s. c  
6 9 ss 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113,  
7 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 128, 129, 130,  
8 131, 126, 127, 132, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,  
9 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 301, 302, 303,  
10 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504,  
11 505, 507, 508, 509, 510, 511, 513, 514, 515, 601, 602, 603, 604, 605,  
12 606, 607, 608, 609, 612, 613, 614, 615, 616, 617, 701, 702, and 801  
13 (uncodified); amending 2011 1st sp.s. c 50 ss 103, 104, 106, 105, 108,  
14 112, 115, 117, 120, 124, 128, 132, 133, 137, 136, 142, 147, 151, 149,  
15 214, 516, 616, 715, 801, 802, 803, 910, 920, 921, and 922 (uncodified);  
16 amending 2011 1st sp.s. c 7 s 11 (uncodified); amending 2010 c 23 s 205  
17 (uncodified); reenacting and amending RCW 2.68.020, 70.105D.070, and  
18 79.64.040; adding new sections to 2011 1st sp.s. c 50 (uncodified);  
19 repealing 2011 2nd sp.s. c 9 ss 610, 611, 705, 706, 707, and 708  
20 (uncodified); repealing 2011 1st sp.s. c 50 ss 709 and 710

1 (uncodified); making appropriations; and declaring an emergency.

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

3 **PART I**

4 **GENERAL GOVERNMENT**

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

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2012) . . . . .	(( \$29,934,000 ))
9		<u>\$29,734,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(( \$30,465,000 ))
11		<u>\$28,205,000</u>
12	Motor Vehicle Account--State Appropriation . . . . .	(( \$1,316,000 ))
13		<u>\$1,491,000</u>
14	TOTAL APPROPRIATION . . . . .	(( \$61,715,000 ))
15		<u>\$59,430,000</u>

16 The appropriations in this section are subject to the following  
17 conditions and limitations: \$50,000 of the general fund--state  
18 appropriation for fiscal year 2013 is provided solely for a joint  
19 select committee on junior taxing districts, municipal corporations,  
20 and local government finance. The joint select committee will be  
21 composed of two members from each caucus from the house and from the  
22 senate. The joint select committee shall review junior taxing  
23 districts and municipal corporations for the purpose of evaluating  
24 their provided services and making recommendations on the  
25 appropriateness of consolidating services into a general purpose local  
26 government. The joint select committee shall also examine new revenue  
27 options for local governments. The joint select committee shall also  
28 review the impact of the passage of Initiative Measure No. 1183 on  
29 public safety needs, and provide a sustainable plan for the use and  
30 disbursement of excess liquor revenues. In completing its review and  
31 recommendations, the joint select committee shall seek pertinent  
32 information and advice from: (a) Organizations representing counties,  
33 cities, and junior taxing districts; (b) counties, cities, and junior  
34 taxing districts; (c) the department of revenue; and (d) the state  
35 auditor.



1		<u>\$2,531,000</u>
2	Medical Aid Account--State Appropriation . . . . .	\$85,000
3	Accident Account--State Appropriation . . . . .	\$85,000
4	TOTAL APPROPRIATION . . . . .	( <del>(\$5,591,000)</del> )
5		<u>\$5,290,000</u>

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

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

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

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

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

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

35 (4) \$85,000 of the medical aid account--state appropriation and  
36 \$85,000 of the accident account--state appropriation are provided  
37 solely for the purposes of House Bill No. 2123 (workers' compensation).

1 If the bill is not enacted by June 30, 2011, the amounts provided in  
2 this subsection shall lapse.

3 (5) The joint legislative audit and review committee shall review  
4 and provide an update on the extent to which the Puget Sound  
5 partnership's 2012 action agenda, state of the sound report, and other  
6 activities implement the recommendations of the joint legislative audit  
7 and review committee's 2011 audit entitled "Processes required to  
8 measure Puget Sound restoration are not yet in place." The update must  
9 be provided to the relevant policy committees of the senate and house  
10 of representatives by January 1, 2013.

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

17 (a) The total costs to the department for producing trout at  
18 department trout production facilities, by category of trout  
19 production, to achieve the department's desired freshwater stocking  
20 objectives;

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

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

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

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

30 <b>FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE</b>	
31 General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,027,000</del> ))
	<u>\$2,025,000</u>
33 General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,193,000</del> ))
	<u>\$1,720,000</u>
35 TOTAL APPROPRIATION . . . . .	(( <del>\$4,220,000</del> ))
	<u>\$3,745,000</u>

1       **Sec. 105.** 2011 1st sp.s. c 50 s 106 (uncodified) is amended to  
2 read as follows:

3       **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

4	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$8,016,000</del> ))
5		<u>\$8,013,000</u>
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$7,911,000</del> ))
7		<u>\$7,666,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$15,927,000</del> ))
9		<u>\$15,679,000</u>

10       **Sec. 106.** 2011 1st sp.s. c 50 s 105 (uncodified) is amended to  
11 read as follows:

12       **FOR THE OFFICE OF THE STATE ACTUARY**

13	<del>((General Fund--State Appropriation (FY 2012) . . . . . \$24,000</del>	
14	<del>General Fund--State Appropriation (FY 2013) . . . . . \$24,000))</del>	
15	Department of Retirement Systems Expense	
16	Account--State Appropriation . . . . .	(( <del>\$3,344,000</del> ))
17		<u>\$3,323,000</u>
18	<del>((TOTAL APPROPRIATION . . . . . \$3,392,000))</del>	

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

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

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

36       (b) Changes to the projected contributions that might be required  
37 of members, employers, and the state based on a range of possible

1 economic and demographic experience and a variety of funding policies,  
2 including both continued application of current funding policy to the  
3 benefit obligations of each plan, and application of the law  
4 enforcement officers' and fire fighters' retirement system plan 2  
5 funding policies to the combined benefits of both plans;

6 (2) The state actuary shall solicit the input of the law  
7 enforcement officers' and fire fighters' retirement system plan 2  
8 retirement board and organizations representing members and retirees of  
9 the law enforcement officers' and fire fighters' retirement system plan  
10 1 on the issue of the merger of the two plans, and include  
11 representative submissions of the input of the organizations along with  
12 the report.

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

15 **FOR THE STATUTE LAW COMMITTEE**

16	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$4,248,000</del> ))
17		<u>\$4,245,000</u>
18	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$4,689,000</del> ))
19		<u>\$4,523,000</u>
20	TOTAL APPROPRIATION . . . . .	(( <del>\$8,937,000</del> ))
21		<u>\$8,768,000</u>

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

24 **FOR THE REDISTRICTING COMMISSION**

25	General Fund--State Appropriation (FY 2012) . . . . .	\$1,627,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$154,000
27	TOTAL APPROPRIATION . . . . .	\$1,781,000

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

30 (1) \$443,000 of the general fund--state appropriation for fiscal  
31 year 2012 is provided solely for the support of legislative  
32 redistricting efforts. The commission shall enter into an interagency  
33 agreement with the house of representatives and the senate for the  
34 expenditure of these funds.

35 (2) The entire general fund--state appropriation for fiscal year  
36 2013 is provided solely for the payment of expenses associated with the

1 cessation of the commission's operations. The secretary of the senate  
2 and chief clerk of the house of representatives may jointly authorize  
3 the expenditure of these funds.

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

6 **FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**  
7 General Fund--State Appropriation (FY 2013) . . . . . \$3,016,000

8 NEW SECTION. Sec. 110. A new section is added to 2011 1st sp.s.  
9 c 50 (uncodified) to read as follows:

10 **LEGISLATIVE AGENCIES**  
11 In order to achieve operating efficiencies within the financial  
12 resources available to the legislative branch, the executive rules  
13 committee of the house of representatives and the facilities and  
14 operations committee of the senate by joint action may transfer funds  
15 among the house of representatives, senate, joint legislative audit and  
16 review committee, legislative evaluation and accountability program  
17 committee, legislative transportation committee, office of the state  
18 actuary, joint legislative systems committee, statute law committee,  
19 office of legislative support services, and redistricting commission.

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

22 **FOR THE SUPREME COURT**  
23 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$6,724,000~~))  
24 \$6,757,000  
25 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$6,738,000~~))  
26 \$6,561,000  
27 TOTAL APPROPRIATION . . . . . ((~~\$13,462,000~~))  
28 \$13,318,000

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

31 **FOR THE LAW LIBRARY**  
32 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$1,506,000~~))  
33 \$1,504,000  
34 ((~~General Fund--State Appropriation (FY 2013) . . . . . \$1,466,000~~))



1	<u>Judicial Information System Account--State</u>	
2	<u>Appropriation . . . . .</u>	<u>\$1,500,000</u>
3	TOTAL APPROPRIATION . . . . .	<u>((<del>\$2,972,000</del>)</u>
4		<u>\$3,004,000</u>

5     The appropriations in this section are subject to the following  
6     conditions and limitations: \$50,000 of the judicial information system  
7     account--state appropriation is provided solely to evaluate the state  
8     law library and assess its operational structure to determine the most  
9     effective delivery model for providing library services.

10        **Sec. 113.** 2011 1st sp.s. c 50 s 112 (uncodified) is amended to  
11     read as follows:

12	<b>FOR THE COMMISSION ON JUDICIAL CONDUCT</b>	
13	General Fund--State Appropriation (FY 2012) . . . . .	<u>((<del>\$1,057,000</del>)</u>
14		<u>\$1,053,000</u>
15	General Fund--State Appropriation (FY 2013) . . . . .	<u>((<del>\$991,000</del>)</u>
16		<u>\$975,000</u>
17	TOTAL APPROPRIATION . . . . .	<u>((<del>\$2,048,000</del>)</u>
18		<u>\$2,028,000</u>

19        **Sec. 114.** 2011 2nd sp.s. c 9 s 106 (uncodified) is amended to read  
20     as follows:

21	<b>FOR THE COURT OF APPEALS</b>	
22	General Fund--State Appropriation (FY 2012) . . . . .	<u>((<del>\$15,285,000</del>)</u>
23		<u>\$15,275,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	<u>((<del>\$15,290,000</del>)</u>
25		<u>\$15,168,000</u>
26	TOTAL APPROPRIATION . . . . .	<u>((<del>\$30,575,000</del>)</u>
27		<u>\$30,443,000</u>

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

30	<b>FOR THE ADMINISTRATOR FOR THE COURTS</b>	
31	General Fund--State Appropriation (FY 2012) . . . . .	<u>((<del>\$50,692,000</del>)</u>
32		<u>\$50,725,000</u>
33	General Fund--State Appropriation (FY 2013) . . . . .	<u>((<del>\$50,235,000</del>)</u>
34		<u>\$48,429,000</u>
35	General Fund--Federal Appropriation . . . . .	<u>\$2,532,000</u>

1	General Fund--Private/Local Appropriation . . . . .	\$390,000
2	Judicial Information Systems Account--State	
3	Appropriation . . . . .	(( <del>\$42,414,000</del> ))
4		<u>\$42,362,000</u>
5	Judicial Stabilization Trust Account--State	
6	Appropriation . . . . .	(( <del>\$5,414,000</del> ))
7		<u>\$5,954,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$151,677,000</del> ))
9		<u>\$150,392,000</u>

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

12       (1) \$1,800,000 of the general fund--state appropriation for fiscal  
13 year 2012 and ((~~\$1,800,000~~)) \$1,399,000 of the general fund--state  
14 appropriation for fiscal year 2013 are provided solely for school  
15 districts for petitions to juvenile court for truant students as  
16 provided in RCW 28A.225.030 and 28A.225.035. The office of the  
17 administrator for the courts shall develop an interagency agreement  
18 with the superintendent of public instruction to allocate the funding  
19 provided in this subsection. Allocation of this money to school  
20 districts shall be based on the number of petitions filed. This  
21 funding includes amounts school districts may expend on the cost of  
22 serving petitions filed under RCW 28A.225.030 by certified mail or by  
23 personal service or for the performance of service of process for any  
24 hearing associated with RCW 28A.225.030.

25       (2)(a) \$8,252,000 of the general fund--state appropriation for  
26 fiscal year 2012 and ((~~\$8,253,000~~)) \$7,313,000 of the general fund--  
27 state appropriation for fiscal year 2013 are provided solely for  
28 distribution to county juvenile court administrators to fund the costs  
29 of processing truancy, children in need of services, and at-risk youth  
30 petitions. The administrator for the courts, in conjunction with the  
31 juvenile court administrators, shall develop an equitable funding  
32 distribution formula. The formula shall neither reward counties with  
33 higher than average per-petition processing costs nor shall it penalize  
34 counties with lower than average per-petition processing costs.

35       (b) Each fiscal year during the 2011-2013 fiscal biennium, each  
36 county shall report the number of petitions processed and the total  
37 actual costs of processing truancy, children in need of services, and  
38 at-risk youth petitions. Counties shall submit the reports to the

1 administrator for the courts no later than 45 days after the end of the  
2 fiscal year. The administrator for the courts shall electronically  
3 transmit this information to the chairs and ranking minority members of  
4 the house of representatives and senate ways and means committees no  
5 later than 60 days after a fiscal year ends. These reports are deemed  
6 informational in nature and are not for the purpose of distributing  
7 funds.

8 (3) The distributions made under this subsection and distributions  
9 from the county criminal justice assistance account made pursuant to  
10 section 801 of this act constitute appropriate reimbursement for costs  
11 for any new programs or increased level of service for purposes of RCW  
12 43.135.060.

13 (4) \$265,000 of the general fund--state appropriation for fiscal  
14 year 2012 is provided solely for the office of public guardianship to  
15 provide guardianship services for low-income incapacitated persons.

16 (5) \$1,178,000 of the judicial information systems account--state  
17 appropriation is provided solely for replacing computer equipment at  
18 state courts and state judicial agencies.

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

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

1 adult superior court jurisdiction; or (c) the case was originally filed  
2 in adult superior court or transferred to adult superior court but then  
3 returned to the juvenile court.

4 (8) \$540,000 of the judicial stabilization trust account--state  
5 appropriation is provided solely for the office of public guardianship  
6 to continue guardianship services for those low-income incapacitated  
7 persons who were receiving services on June 30, 2012.

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

22 **Sec. 116.** 2011 2nd sp.s. c 9 s 108 (uncodified) is amended to read  
23 as follows:

24 **FOR THE OFFICE OF PUBLIC DEFENSE**

25	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$25,030,000</del> ))
26		<u>\$25,025,000</u>
27	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$24,972,000</del> ))
28		<u>\$29,138,000</u>
29	Judicial Stabilization Trust Account--State	
30	Appropriation . . . . .	(( <del>\$2,490,000</del> ))
31		<u>\$4,368,000</u>
32	TOTAL APPROPRIATION . . . . .	(( <del>\$52,492,000</del> ))
33		<u>\$58,531,000</u>

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

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

1 (2) By December 1, 2011, the office of public defense shall submit  
2 to the appropriate policy and fiscal committees of the legislature a  
3 proposal for office of public defense to assume the effective and  
4 efficient administration of defense services for indigent persons  
5 throughout the state who are involved in proceedings under chapter  
6 71.09 RCW. In developing its proposal, the office of public defense  
7 should consult with interested stakeholders, including the King county  
8 public defender, the Washington defender association, the Washington  
9 association of criminal defense lawyers, the administrative office of  
10 the courts, the superior court judges association, the office of the  
11 attorney general, the King county prosecuting attorney, the Washington  
12 association of counties, and the department of social and health  
13 services. At a minimum, the proposal should identify:

14 (a) Procedures to control costs and require accountability,  
15 consistent with the state's obligation to ensure the right to counsel  
16 under both the United States Constitution and the Washington  
17 Constitution;

18 (b) Appropriate practice standards for trial-level defense of  
19 indigent persons involved in proceedings under chapter 71.09 RCW, an  
20 estimated number of attorneys statewide who are qualified to provide  
21 such representation, and reasonable compensation for such defense  
22 services;

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

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

27 (3) \$6,065,000 of the general fund--state appropriation for fiscal  
28 year 2013 is provided solely to implement Substitute Senate Bill No.  
29 6493 (sexual predator commitment). If the bill is not enacted by June  
30 30, 2012, the amount provided in this subsection shall lapse.

31 **Sec. 117.** 2011 1st sp.s. c 50 s 115 (uncodified) is amended to  
32 read as follows:

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

34 General Fund--State Appropriation (FY 2012) . . . . .	(\$11,038,000)
	<u>\$11,037,000</u>
36 General Fund--State Appropriation (FY 2013) . . . . .	(\$11,048,000)
	<u>\$10,555,000</u>

37





1		<u>\$7,074,000</u>
2	Charitable Organization Education Account--State	
3	Appropriation . . . . .	(( <del>\$452,000</del> ))
4		<u>\$362,000</u>
5	Local Government Archives Account--State	
6	Appropriation . . . . .	(( <del>\$10,557,000</del> ))
7		<u>\$8,516,000</u>
8	Election Account--Federal Appropriation . . . . .	(( <del>\$17,288,000</del> ))
9		<u>\$17,284,000</u>
10	Washington State Heritage Center Account--State	
11	Appropriation . . . . .	(( <del>\$1,028,000</del> ))
12		<u>\$5,028,000</u>
13	TOTAL APPROPRIATION . . . . .	(( <del>\$73,489,000</del> ))
14		<u>\$70,249,000</u>

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

17       (1) \$3,898,000 of the general fund--state appropriation for fiscal  
18 year 2012 is provided solely to reimburse counties for the state's  
19 share of primary and general election costs and the costs of conducting  
20 mandatory recounts on state measures. Counties shall be reimbursed  
21 only for those odd-year election costs that the secretary of state  
22 validates as eligible for reimbursement.

23       (2)(a) \$1,847,000 of the general fund--state appropriation for  
24 fiscal year 2012 and \$1,926,000 of the general fund--state  
25 appropriation for fiscal year 2013 are provided solely for contracting  
26 with a nonprofit organization to produce gavel-to-gavel television  
27 coverage of state government deliberations and other events of  
28 statewide significance during the 2011-2013 biennium. The funding  
29 level for each year of the contract shall be based on the amount  
30 provided in this subsection. The nonprofit organization shall be  
31 required to raise contributions or commitments to make contributions,  
32 in cash or in kind, in an amount equal to forty percent of the state  
33 contribution. The office of the secretary of state may make full or  
34 partial payment once all criteria in this subsection have been  
35 satisfactorily documented.

36       (b) The legislature finds that the commitment of on-going funding  
37 is necessary to ensure continuous, autonomous, and independent coverage



1 of public affairs. For that purpose, the secretary of state shall  
2 enter into a contract with the nonprofit organization to provide public  
3 affairs coverage.

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

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

10 (i) Attempting to influence the passage or defeat of any  
11 legislation by the legislature of the state of Washington, by any  
12 county, city, town, or other political subdivision of the state of  
13 Washington, or by the congress, or the adoption or rejection of any  
14 rule, standard, rate, or other legislative enactment of any state  
15 agency;

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

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

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

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

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

25	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$259,000</del> ))
26		<u>\$257,000</u>
27	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$267,000</del> ))
28		<u>\$260,000</u>
29	TOTAL APPROPRIATION . . . . .	(( <del>\$526,000</del> ))
30		<u>\$517,000</u>

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

1 participants of each session. The department of enterprise services  
2 shall be responsible for all of the administrative aspects of the  
3 training, including the billing and collection of the fees for the  
4 training.

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

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

8	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$236,000</del> ))
9		<u>\$234,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$219,000</del> ))
11		<u>\$212,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$455,000</del> ))
13		<u>\$446,000</u>

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

16 **FOR THE STATE TREASURER**

17	State Treasurer's Service Account--State	
18	Appropriation . . . . .	(( <del>\$14,994,000</del> ))
19		<u>\$13,706,000</u>

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

22 **FOR THE STATE AUDITOR**

23	State Auditing Services Revolving Account--State	
24	Appropriation . . . . .	(( <del>\$10,293,000</del> ))
25		<u>\$9,209,000</u>
26	Performance Audit of Government Account--State	
27	Appropriation . . . . .	\$1,461,000
28	TOTAL APPROPRIATION . . . . .	(( <del>\$11,754,000</del> ))
29		<u>\$10,670,000</u>

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

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

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

3 (2) \$1,461,000 of the performance audits of government account  
4 appropriation is provided solely for staff and related costs to verify  
5 the accuracy of reported school district data submitted for state  
6 funding purposes; conduct school district program audits of state  
7 funded public school programs; establish the specific amount of state  
8 funding adjustments whenever audit exceptions occur and the amount is  
9 not firmly established in the course of regular public school audits;  
10 and to assist the state special education safety net committee when  
11 requested.

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

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

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

23	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$158,000</del> ))
24		<u>\$141,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$195,000</del> ))
26		<u>\$186,000</u>
27	TOTAL APPROPRIATION . . . . .	(( <del>\$353,000</del> ))
28		<u>\$327,000</u>

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

31 **FOR THE ATTORNEY GENERAL**

32	General Fund--State Appropriation (FY 2012) . . . . .	\$4,758,000
33	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,727,000</del> ))
34		<u>\$7,690,000</u>
35	General Fund--Federal Appropriation . . . . .	(( <del>\$8,819,000</del> ))
36		<u>\$10,015,000</u>

1	New Motor Vehicle Arbitration Account--State	
2	Appropriation . . . . .	(( <del>\$972,000</del> ))
3		<u>\$968,000</u>
4	Legal Services Revolving Account--State	
5	Appropriation . . . . .	(( <del>\$206,617,000</del> ))
6		<u>\$194,305,000</u>
7	Tobacco Prevention and Control Account--State	
8	Appropriation . . . . .	\$270,000
9	<u>Medicaid Fraud Penalty Account--State Appropriation . . . . .</u>	<u>\$1,129,000</u>
10	TOTAL APPROPRIATION . . . . .	(( <del>\$224,163,000</del> ))
11		<u>\$219,135,000</u>

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

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

24       (2) Prior to entering into any negotiated settlement of a claim  
25 against the state that exceeds five million dollars, the attorney  
26 general shall notify the director of financial management and the  
27 chairs of the senate committee on ways and means and the house of  
28 representatives committee on ways and means.

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

36       (4) The attorney general shall enter into an interagency agreement  
37 with the department of social and health services for expenditure of

1 the state's proceeds from the *cy pres* settlement in *State of Washington*  
2 *v. AstraZeneca* (Seroquel) for the purposes set forth in sections 204  
3 and 213 of this act.

4 (5) \$62,000 of the legal services revolving fund--state  
5 appropriation is provided solely to implement House Bill No. 1770  
6 (state purchasing). If the bill is not enacted by June 30, 2011, the  
7 amount provided in this subsection shall lapse.

8 (6) \$5,924,000 of the legal services revolving account--state  
9 appropriation is provided solely to implement House Bill No. 2123  
10 (workers' compensation). If the bill is not enacted by June 30, 2011,  
11 the amount provided in this subsection shall lapse.

12 (7) The office of the attorney general is authorized to expend  
13 \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer  
14 protection costs in accordance with uses authorized in the court  
15 orders.

16 (8) \$96,000 of the legal services revolving fund--state  
17 appropriation is provided solely to implement Senate Bill No. 5076  
18 (financial institutions). If the bill is not enacted by June 30, 2011,  
19 the amount provided in this subsection shall lapse.

20 (9) \$99,000 of the legal services revolving fund--state  
21 appropriation is provided solely to implement Engrossed Second  
22 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill  
23 is not enacted by June 30, 2011, the amount provided in this subsection  
24 shall lapse.

25 (10) \$416,000 of the legal services revolving fund--state  
26 appropriation is provided solely to implement Substitute Senate Bill  
27 No. 5801 (industrial insurance system). If the bill is not enacted by  
28 June 30, 2011, the amount provided in this subsection shall lapse.

29 (11) \$31,000 of the legal services revolving fund--state  
30 appropriation is provided solely to implement Engrossed Substitute  
31 Senate Bill No. 5021 (election campaign disclosure). If the bill is  
32 not enacted by June 30, 2011, the amount provided in this subsection  
33 shall lapse.

34 (12) The executive ethics board shall: (a) Develop a statewide  
35 plan, with performance measures, to provide overall direction and  
36 accountability in all executive branch agencies and statewide elected  
37 offices; (b) coordinate and work with the commission on judicial  
38 conduct and the legislative ethics board; (c) assess and evaluate each

1 agency's ethical culture through employee and stakeholder surveys,  
2 review Washington state quality award feedback reports, and publish an  
3 annual report on the results to the public; and (d) solicit outside  
4 evaluations, studies, and recommendations for improvements from  
5 academics, nonprofit organizations, the public disclosure commission,  
6 or other entities with expertise in ethics, integrity, and the public  
7 sector.

8 (13) \$11,000 of the legal services revolving fund--state  
9 appropriation is provided solely to implement House Bill No. 2301  
10 (boxing, martial arts, wrestling). If the bill is not enacted by June  
11 30, 2012, the amount provided in this subsection shall lapse.

12 (14) \$56,000 of the legal services revolving fund--state  
13 appropriation is provided solely to implement House Bill No. 2319  
14 (affordable care act). If the bill is not enacted by June 30, 2012,  
15 the amount provided in this subsection shall lapse.

16 (15) \$5,743,000 of the general fund--state appropriation for fiscal  
17 year 2013 is provided solely for the legal costs associated with the  
18 evaluation, filing, prosecution, response to petitions for release, and  
19 appeal of sexually violent predator civil commitment cases, as provided  
20 in chapter 71.09 RCW. Within the amount provided in this subsection,  
21 the attorney general may enter into an interagency agreement with a  
22 county prosecutor to perform prosecution services pursuant to chapter  
23 71.09 RCW.

24 (16) \$94,000 of the legal services revolving fund--state  
25 appropriation is provided solely to implement Senate Bill No. 6103  
26 (reflexology and massage therapy). If the bill is not enacted by June  
27 30, 2012, the amount provided in this subsection shall lapse.

28 (17) \$57,000 of the legal services revolving fund--state  
29 appropriation is provided solely for implementation of Engrossed  
30 Substitute Senate Bill No. 6237 (medical assistants). If the bill is  
31 not enacted by June 30, 2012, the amount provided in this subsection  
32 shall lapse.

33 (18) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud)  
34 is not enacted by June 30, 2012, the amounts appropriated in this  
35 section from the medicaid fraud penalty account--state appropriation  
36 shall lapse and an additional \$730,000 shall be appropriated from the  
37 general fund--state for fiscal year 2013 for fraud detection and

1 prevention activities, recovery of improper payments, and for other  
2 medicaid fraud enforcement activities.

3 (19) \$56,000 of the legal services revolving fund--state  
4 appropriation is provided solely to implement House Bill No. 2592  
5 (extended foster care). If the bill is not enacted by June 30, 2012,  
6 the amount provided in this subsection shall lapse.

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

9 **FOR THE CASELOAD FORECAST COUNCIL**

10	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,310,000</del> ))
11		<u>\$1,277,000</u>
12	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,309,000</del> ))
13		<u>\$1,180,000</u>
14	TOTAL APPROPRIATION . . . . .	(( <del>\$2,619,000</del> ))
15		<u>\$2,457,000</u>

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

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

27 (2) \$57,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$57,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the implementation of Senate  
30 Bill No. 5304 (college bound scholarship).

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

33 **FOR THE DEPARTMENT OF COMMERCE**

34	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$57,261,000</del> ))
35		<u>\$51,799,000</u>
36	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$72,459,000</del> ))

1		<u>\$72,839,000</u>
2	General Fund--Federal Appropriation . . . . .	(( <del>\$282,185,000</del> ))
3		<u>\$340,184,000</u>
4	General Fund--Private/Local Appropriation . . . . .	(( <del>\$4,989,000</del> ))
5		<u>\$5,036,000</u>
6	Public Works Assistance Account--State	
7	Appropriation . . . . .	(( <del>\$2,764,000</del> ))
8		<u>\$2,733,000</u>
9	Drinking Water Assistance Administrative	
10	Account--State Appropriation . . . . .	\$437,000
11	Lead Paint Account--State Appropriation . . . . .	\$65,000
12	Building Code Council Account--State Appropriation . . . . .	\$13,000
13	Home Security Fund Account--State Appropriation . . . . .	(( <del>\$16,652,000</del> ))
14		<u>\$21,007,000</u>
15	Affordable Housing for All Account--State	
16	Appropriation . . . . .	(( <del>\$11,902,000</del> ))
17		<u>\$11,899,000</u>
18	County Research Services Account--State	
19	Appropriation . . . . .	(( <del>\$1,081,000</del> ))
20		<u>\$540,000</u>
21	Financial Fraud and Identity Theft Crimes Investigation	
22	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
23	Low-Income Weatherization Assistance Account--State	
24	Appropriation . . . . .	(( <del>\$5,778,000</del> ))
25		<u>\$2,427,000</u>
26	City and Town Research Services Account--State	
27	Appropriation . . . . .	(( <del>\$5,166,000</del> ))
28		<u>\$2,577,000</u>
29	<del>((Manufacturing Innovation and Modernization</del>	
30	<del>    Account--State Appropriation . . . . .</del>	<del>\$61,000))</del>
31	Community and Economic Development Fee Account--State	
32	Appropriation . . . . .	(( <del>\$6,488,000</del> ))
33		<u>\$6,781,000</u>
34	Washington Housing Trust Account--State	
35	Appropriation . . . . .	(( <del>\$17,498,000</del> ))
36		<u>\$17,444,000</u>
37	Prostitution Prevention and Intervention Account--	
38	State Appropriation . . . . .	\$86,000



1	Public Facility Construction Loan Revolving	
2	Account--State Appropriation . . . . .	(( <del>\$755,000</del> ))
3		<u>\$748,000</u>
4	Washington Community Technology Opportunity Account--	
5	State Appropriation . . . . .	\$713,000
6	<u>Liquor Revolving Account--State Appropriation . . . . .</u>	<u>\$2,802,000</u>
7	TOTAL APPROPRIATION . . . . .	(( <del>\$487,519,000</del> ))
8		<u>\$541,296,000</u>

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

11 (1) Repayments of outstanding mortgage and rental assistance  
12 program loans administered by the department under RCW 43.63A.640 shall  
13 be remitted to the department, including any current revolving account  
14 balances. The department shall collect payments on outstanding loans,  
15 and deposit them into the state general fund. Repayments of funds owed  
16 under the program shall be remitted to the department according to the  
17 terms included in the original loan agreements.

18 (2) \$500,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$500,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for a grant to resolution  
21 Washington to building statewide capacity for alternative dispute  
22 resolution centers and dispute resolution programs that guarantee that  
23 citizens have access to low-cost resolution as an alternative to  
24 litigation.

25 (3) \$306,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$306,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for a grant to the retired senior  
28 volunteer program.

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

32 (5) \$1,800,000 of the home security fund--state appropriation is  
33 provided for transitional housing assistance or partial payments for  
34 rental assistance under the independent youth housing program.

35 (6) \$5,000,000 of the home security fund--state appropriation is  
36 for the operation, repair, and staffing of shelters in the homeless  
37 family shelter program.

1 (7) \$198,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$198,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the Washington new Americans  
4 program.

5 (8) \$2,949,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$2,949,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for associate development  
8 organizations.

9 (9) \$127,000 of the general fund--federal appropriation is provided  
10 solely for implementation of Substitute House Bill No. 1886  
11 (Ruckelshaus center process). If the bill is not enacted by June 30,  
12 2011, the amount provided in this subsection shall lapse.

13 (10) Up to \$200,000 of the general fund--private/local  
14 appropriation is for a grant to the Washington tourism alliance for the  
15 maintenance of the Washington state tourism web site  
16 www.experiencewa.com and its related sub-sites. The department may  
17 transfer ownership of the web site and other tourism promotion assets  
18 and assign obligations to the Washington tourism alliance for purposes  
19 of tourism promotion throughout the state. The alliance may use the  
20 assets only in a manner consistent with the purposes for which they  
21 were created. Any revenue generated from these assets must be used by  
22 the alliance for the sole purposes of statewide Washington tourism  
23 promotion. The legislature finds that the Washington tourism alliance,  
24 a not-for-profit, 501.c.6 organization established, funded, and  
25 governed by Washington tourism industry stakeholders to sustain  
26 destination tourism marketing across Washington, is an appropriate body  
27 to receive funding and assets from and assume obligations of the  
28 department for the purposes described in this section.

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

32 (12) \$2,000,000 of the community and economic development fee  
33 account appropriation is provided solely for the department of commerce  
34 for services to homeless families through the Washington families fund.

35 (13) (~~(\$260,000)~~) \$234,000 of the general fund--state appropriation  
36 for fiscal year 2012 and (~~(\$259,000)~~) \$233,000 of the general fund--  
37 state appropriation for fiscal year 2013 are provided solely for the  
38 Washington asset building coalitions.

1 (14) \$1,859,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$1,859,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for innovative research teams,  
4 also known as entrepreneurial STARS, at higher education research  
5 institutions, and for entrepreneurs-in-residence programs at higher  
6 education research institutions and entrepreneurial assistance  
7 organizations. Of these amounts no more than \$50,000 in fiscal year  
8 2012 and no more than \$50,000 in fiscal year 2013 may be provided for  
9 the operation of entrepreneurs-in-residence programs at entrepreneurial  
10 assistance organizations external to higher education research  
11 institutions.

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

17 (16) \$16,000 of the general fund--state appropriation for fiscal  
18 year 2012 is provided solely to implement section 503 of Substitute  
19 House Bill No. 1277 (licensed settings for vulnerable adults). The  
20 long-term care ombudsman shall convene an adult family home quality  
21 assurance panel to review problems concerning the quality of care for  
22 residents in adult family homes. If Substitute House Bill No. 1277  
23 (licensed settings for vulnerable adults) is not enacted by June 30,  
24 2011, the amount provided in this subsection shall lapse.

25 (17) (~~(\$24,605,000)~~) \$19,605,000 of the general fund--state  
26 appropriation for fiscal year 2012 and \$39,527,000 of the general  
27 fund--state appropriation for fiscal year 2013 are provided solely for  
28 establishment of the essential needs and housing support program  
29 created in Engrossed Substitute House Bill No. 2082 (essential needs  
30 and assistance program). The department of commerce shall contract for  
31 these services with counties or community-based organizations involved  
32 in providing essential needs and housing supports to low-income persons  
33 who meet eligibility pursuant to Engrossed Substitute House Bill No.  
34 2082. The department shall limit the funding used for administration  
35 of the program to no more than five percent. Counties and community  
36 providers shall limit the funding used for administration of the  
37 program to no more than seven percent.

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

9 (b) Of the amounts provided in this subsection, ~~(( \$30,000,000 ))~~  
10 \$55,000,000 is provided solely for housing support services to  
11 individuals who are homeless or who may become homeless, and are  
12 eligible for services under this program pursuant to Engrossed  
13 Substitute House Bill No. 2082.

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

19 (18) \$4,380,000 of the home security fund--state appropriation is  
20 provided solely for the department to provide homeless housing services  
21 in accordance with Engrossed Substitute House Bill No. 2048 (housing  
22 assistance surcharges). If Engrossed Substitute House Bill No. 2048  
23 (housing assistance surcharges) is not enacted by June 30, 2012, the  
24 amounts provided in this subsection shall lapse.

25 (19) \$85,000 of the general fund--state appropriation for fiscal  
26 year 2013 is provided solely for the developmental disabilities council  
27 to contract for a family-to-family mentor program to provide  
28 information and support to families and guardians of persons who are  
29 transitioning out of residential habilitation centers. To the maximum  
30 extent allowable under federal law, these funds shall be matched under  
31 medicaid through the department of social and health services and  
32 federal funds shall be transferred to the department for the purposes  
33 stated in this subsection.

34 (20) \$2,802,000 of the liquor revolving account--state  
35 appropriation is provided solely for the department to contract with  
36 the municipal research and services center of Washington.

37 (21) \$1,000,000 of the general fund--state appropriation for fiscal  
38 year 2013 is provided solely for deposit in the shelter to housing

1 project account, hereby created in the custody of the state treasurer  
 2 as a nonappropriated account. The department may expend funds from the  
 3 account solely for a two-year pilot project to enable young adults to  
 4 move from temporary emergency shelter housing to transitional and  
 5 permanent housing throughout King county. The pilot project will be  
 6 administered under contract with the YMCA of greater Seattle in  
 7 collaboration with the rising out of the shadows young adult shelter.  
 8 Funding may be used for case management, housing subsidy,  
 9 transportation, shelter services, training and evaluation. The pilot  
 10 project and the shelter to housing project account expire December 31,  
 11 2014.

12 (22) \$12,000 of the general fund--state appropriation for fiscal  
 13 year 2013 is provided solely to implement Engrossed Second Substitute  
 14 Senate Bill No. 5292 (irrigation and port districts). If the bill is  
 15 not enacted by June 30, 2012, the amount provided in this subsection  
 16 shall lapse.

17 (23) \$100,000 of the general fund--private/local appropriation is  
 18 provided solely for the department to provide analysis and an advisory  
 19 opinion on whether a proposed electric generation project or  
 20 conservation resource qualifies to meet mandatory conservation targets  
 21 in accordance with Substitute Senate Bill No. 6414 (review  
 22 process/utilities). The department is authorized to require an  
 23 applicant to pay an application fee to cover the cost of reviewing the  
 24 project and preparing an advisory opinion. If Substitute Senate Bill  
 25 No. 6414 (review process/utilities) is not enacted by June 30, 2012,  
 26 the amount provided in this subsection shall lapse.

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

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

30	General Fund--State Appropriation (FY 2012) . . . . .	(( \$674,000 ))
31		\$648,000
32	General Fund--State Appropriation (FY 2013) . . . . .	(( \$728,000 ))
33		\$789,000
34	Lottery Administrative Account--State Appropriation . . . . .	\$50,000
35	TOTAL APPROPRIATION . . . . .	(( \$1,452,000 ))
36		\$1,487,000

1       The appropriations in this section are subject to the following  
 2 conditions and limitations: \$90,000 of the general fund--state  
 3 appropriation for fiscal year 2013 is provided solely to implement  
 4 House Bill No. 2827 (balanced budget). If the bill is not enacted by  
 5 June 30, 2012, the amount provided in this subsection shall lapse.

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

8       **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

9	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$18,627,000</del> ))
10		<u>\$18,369,000</u>
11	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$18,851,000</del> ))
12		<u>\$18,584,000</u>
13	General Fund--Federal Appropriation . . . . .	(( <del>\$31,534,000</del> ))
14		<u>\$31,530,000</u>
15	General Fund--Private/Local Appropriation . . . . .	(( <del>\$1,270,000</del> ))
16		<u>\$1,370,000</u>
17	Performance Audits of Government Account--State	
18	Appropriation . . . . .	(( <del>\$25,000</del> ))
19		<u>\$198,000</u>
20	Economic Development Strategic Reserve Account--State	
21	Appropriation . . . . .	\$280,000
22	Department of Personnel Services--State	
23	Appropriation . . . . .	(( <del>\$7,827,000</del> ))
24		<u>\$8,551,000</u>
25	Data Processing Revolving Account--State	
26	Appropriation . . . . .	(( <del>\$5,208,000</del> ))
27		<u>\$5,910,000</u>
28	Higher Education Personnel Services Account--State	
29	Appropriation . . . . .	\$1,537,000
30	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$100,000
31	TOTAL APPROPRIATION . . . . .	(( <del>\$85,259,000</del> ))
32		<u>\$86,429,000</u>

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

- 35       (1) \$1,210,000 of the general fund--state appropriation for fiscal  
 36 year 2012 and \$1,210,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for implementation of House Bill  
2 No. 1178 (regulatory assistance office). If the bill is not enacted by  
3 June 30, 2011, the amounts provided in this subsection shall lapse.

4 (2) \$150,000 of the general fund--state appropriation for fiscal  
5 year 2012 is provided solely for the office of financial management to  
6 contract with an independent consultant to evaluate and recommend the  
7 most cost-effective provision of services required to support the  
8 department of social and health services special commitment center on  
9 McNeil Island. The evaluation shall include island operation services  
10 that include, but are not limited to: (a) Marine transport of  
11 passengers and goods; (b) wastewater treatment; (c) fire protection and  
12 suppression; (d) electrical supply; (e) water supply; and (f) road  
13 maintenance.

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

19 (3) \$100,000 of the aquatic lands enhancement account--state  
20 appropriation is provided solely for the office of financial management  
21 to prepare a report to be used to initiate a comprehensive, long-range  
22 planning process for the future of McNeil Island during the 2013-2015  
23 fiscal biennium.

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

25 (i) Ownership issues, including consultation with the federal  
26 government about its current legal requirements associated with the  
27 island;

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

30 (iii) Tribal treaty interests;

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

32 (v) Land use and public safety needs;

33 (vi) Recreational opportunities for the general public;

34 (vii) Historic and archaeological resources; and

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

37 (b) The report shall develop and recommend a comprehensive, long-

1 range planning process for the future of the island and associated  
2 aquatic resources, addressing the items in (a) of this subsection.

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

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

9 (i) Federal agencies with relevant responsibilities;

10 (ii) Tribal governments;

11 (iii) State agencies;

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

14 (v) Interested private organizations and individuals.

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

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

26 (5) \$23,000 of the general fund--state appropriation for fiscal  
27 year 2013 is provided solely for the office of regulatory assistance to  
28 implement the following:

29 (a) Coordination of an agency small business liaison team to assist  
30 small businesses with permitting and regulatory issues. The small  
31 business liaison team, as part of the biennial report submitted by the  
32 office of regulatory assistance, must provide recommendations for  
33 improvements to inspection and compliance practices and ways to improve  
34 customer service for regulatory agencies. The office must work with  
35 regulatory agencies to: (i) Assure that additional violations or  
36 corrective actions that could have been discovered and noted in the  
37 original violation or correction notice are not subsequently added and  
38 to provide a single list of any violations discovered during the



1 regulatory visit or inspection; (ii) provide notice about when the  
2 business may expect the results of a technical assistance or regulatory  
3 visit; (iii) provide information about how the business may provide  
4 anonymous feedback regarding a technical assistance or other regulatory  
5 visit; and (iv) provide information regarding the role of the agency's  
6 small business liaison as a neutral party within the agency, as well as  
7 contact information for the liaison.

8 (b) In coordination with regulatory agencies, development of an  
9 anonymous customer service survey that regulated entities may complete  
10 after an inspection or a technical assistance visit under chapter 43.05  
11 RCW, or a consultative visit under RCW 49.17.250. The survey must  
12 include questions addressing the points in this subsection (b) but may  
13 be designed in a way that best serves the needs of the multiple  
14 agencies and customers that will be using the survey. The survey must  
15 provide a way of identifying the agency that performed the inspection,  
16 and if possible within the resources allowed, provide a means of  
17 identifying the inspector who provided services. Questions should  
18 address the following topics:

19 (i) Whether staff were helpful, friendly, listened to the regulated  
20 party, used professional judgment, and communicated clearly;

21 (ii) Whether the inspector viewed the customer as a partner, worked  
22 on a cooperative relationship, and worked on innovative solutions;

23 (iii) Whether the inspector informed the customer why the customer  
24 received a site visit or inspection, described the site visit or  
25 inspection process, answered questions about the process, and explained  
26 regulatory requirements; and

27 (iv) Whether the inspector was knowledgeable about the businesses  
28 operations and provided useful technical information.

29 The survey must be available on the office web site. The results  
30 of the surveys must be summarized, by agency, in a report and forwarded  
31 to the agency director, the governor, and the appropriate committees of  
32 the legislature. Each agency shall receive a copy of all relevant  
33 survey information. No identifying information may be included that  
34 would reveal the identity of the respondent.

35 (6) \$115,000 of the general fund--state appropriation for fiscal  
36 year 2013 is provided solely for implementation of Engrossed Substitute  
37 House Bill No. 2483 (higher education coordination). If the bill is

1 not enacted by June 30, 2012, the amount provided in this subsection  
2 shall lapse.

3 (7)(a) The office of financial management shall determine if cost  
4 savings can be achieved by the state through contracting for  
5 interpreter services more effectively. The office of financial  
6 management must work with all state agencies that use interpreter  
7 services to determine:

8 (i) How agencies currently procure interpreter services;

9 (ii) To what degree brokers or foreign language agencies are used  
10 in the acquisition of interpreter services; and

11 (iii) The cost of interpreter services as currently provided.

12 (b) The office of financial management, in consultation with the  
13 department of enterprise services, must also examine approaches to  
14 procuring interpreter services, including using the department of  
15 enterprise services' master contract, limiting overhead costs  
16 associated with interpreter contracts, and direct scheduling of  
17 interpreters. The report must include recommendations for the state to  
18 procure services in a more consistent and cost-effective manner.

19 (c) The office of financial management, in consultation with the  
20 department of labor and industries, must determine the impact that any  
21 alternative approach to procuring interpreter services will have on  
22 medical providers.

23 (d) The report must include:

24 (i) Analysis of the current process for procuring interpreter  
25 services;

26 (ii) Recommendations regarding options to make obtaining  
27 interpreter services more consistent and cost-effective; and

28 (iii) Estimates for potential cost savings.

29 (e) The office of financial management must report to the fiscal  
30 committees of the legislature by December 1, 2012.

31 (8) \$25,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$225,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for implementation of House Bill  
34 No. 2824 (education funding). If the bill is not enacted by June 30,  
35 2012, the amount provided in this subsection shall lapse.

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

1 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

2 Administrative Hearings Revolving Account--State  
3 Appropriation . . . . . ((~~\$34,043,000~~))  
4 \$35,713,000

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

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

13 **FOR THE WASHINGTON STATE LOTTERY**

14 Lottery Administrative Account--State  
15 Appropriation . . . . . ((~~\$25,709,000~~))  
16 \$24,664,000

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

19 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

20 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$246,000~~))  
21 \$244,000  
22 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$250,000~~))  
23 \$244,000  
24 TOTAL APPROPRIATION . . . . . ((~~\$496,000~~))  
25 \$488,000

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

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

29 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$239,000~~))  
30 \$237,000  
31 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$238,000~~))  
32 \$232,000  
33 TOTAL APPROPRIATION . . . . . ((~~\$477,000~~))  
34 \$469,000

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

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

4	Department of Retirement Systems Expense	
5	Account--State Appropriation . . . . .	(( <del>\$47,049,000</del> ))
6		<u>\$46,511,000</u>

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

9       (1) \$146,000 of the department of retirement systems--state  
10 appropriation is provided solely for the administrative costs  
11 associated with implementation of House Bill No. 2070 (state and local  
12 government employees). If the bill is not enacted by June 30, 2011,  
13 the amount provided in this subsection shall lapse.

14       (2) \$65,000 of the department of retirement systems--state  
15 appropriation is provided solely for the administrative costs  
16 associated with implementation of House Bill No. 1625 (plan 3 default  
17 investment option). If the bill is not enacted by June 30, 2011, the  
18 amount provided in this subsection shall lapse.

19       (3) \$133,000 of the department of retirement systems--state  
20 appropriation is provided solely for the administrative costs  
21 associated with implementation of Engrossed House Bill No. 1981 as  
22 amended (post-retirement employment). If the bill is not enacted by  
23 June 30, 2011, the amount provided in this subsection shall lapse.

24       (4) \$15,000 of the department of retirement systems expense  
25 account--state appropriation is provided solely for the administrative  
26 costs associated with implementation of Substitute House Bill No. 2021  
27 (plan 1 annual increase amounts). If the bill is not enacted by June  
28 30, 2011, the amount provided in this section shall lapse.

29       (5) \$32,000 of the department of retirement systems--state  
30 appropriation is provided solely for the administrative costs  
31 associated with implementation of Engrossed Senate Bill No. 5159 (state  
32 patrol retirement system service credit). If the bill is not enacted  
33 by June 30, 2012, the amount provided in this subsection shall lapse.

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

36       **FOR THE DEPARTMENT OF REVENUE**

37	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$100,927,000</del> ))
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1		<u>\$100,691,000</u>
2	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$100,801,000</del> ))
3		<u>\$99,207,000</u>
4	Timber Tax Distribution Account--State Appropriation . . . . .	(( <del>\$5,940,000</del> ))
5		<u>\$5,900,000</u>
6	Waste Reduction/Recycling/Litter Control--State	
7	Appropriation . . . . .	\$129,000
8	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
9	State Toxics Control Account--State Appropriation . . . . .	\$87,000
10	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
11	Master License Fund--State Appropriation . . . . .	(( <del>\$14,012,000</del> ))
12		<u>\$13,922,000</u>
13	Vehicle License Fraud Account--State Appropriation . . . . .	\$5,000
14	Performance Audits of Government Account--State	
15	Appropriation . . . . .	\$3,188,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$225,110,000</del> ))
17		<u>\$223,150,000</u>

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

20       **FOR THE BOARD OF TAX APPEALS**

21	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,241,000</del> ))
22		<u>\$1,189,000</u>
23	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,219,000</del> ))
24		<u>\$1,150,000</u>
25	TOTAL APPROPRIATION . . . . .	(( <del>\$2,460,000</del> ))
26		<u>\$2,339,000</u>

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

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

30	OMWBE Enterprises Account--State Appropriation . . . . .	(( <del>\$3,264,000</del> ))
31		<u>\$3,654,000</u>

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

34       **FOR THE INSURANCE COMMISSIONER**

35	<u>General Fund--State Appropriation (FY 2013) . . . . .</u>	<u>\$650,000</u>
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1 General Fund--Federal Appropriation . . . . . ((\$4,452,000))  
2 \$4,450,000  
3 Insurance Commissioners Regulatory Account--State  
4 Appropriation . . . . . ((\$47,514,000))  
5 \$47,987,000  
6 TOTAL APPROPRIATION . . . . . ((\$51,966,000))  
7 \$53,087,000

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

10 (1) \$75,000 of the insurance commissioner's regulatory  
11 account--state appropriation is provided solely for the implementation  
12 of Substitute Senate Bill No. 5445 (health benefit exchange).

13 (2) \$42,000 of the insurance commissioner's regulatory  
14 account--state appropriation is provided solely for the implementation  
15 of Senate Bill No. 5213 (insurance statutes).

16 (3) \$758,000 of the insurance commissioners regulatory account--  
17 state appropriation is provided solely to implement Engrossed Second  
18 Substitute House Bill No. 2319 (affordable care act). If the bill is  
19 not enacted by June 30, 2012, the amount provided in this subsection  
20 shall lapse.

21 (4) \$650,000 of the general fund--state appropriation for fiscal  
22 year 2013 is provided solely to implement House Bill No. 2829 (public  
23 school employees' insurance benefits). If the bill is not enacted by  
24 June 30, 2012, the amount provided in this subsection shall lapse.

25 **Sec. 141.** 2011 1st sp.s. c 50 s 136 (uncodified) is amended to  
26 read as follows:

27 **FOR THE STATE INVESTMENT BOARD**

28 State Investment Board Expense Account--State  
29 Appropriation . . . . . ((\$29,256,000))  
30 \$29,075,000

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

33 **FOR THE LIQUOR CONTROL BOARD**

34 Liquor Control Board Construction and Maintenance  
35 Account--State Appropriation . . . . . ((\$10,081,000))  
36 \$3,063,000

1	Liquor Revolving Account--State Appropriation . . . . .	(( <del>\$176,238,000</del> ))
2		<u>\$171,838,000</u>
3	General Fund--Federal Appropriation . . . . .	(( <del>\$120,000</del> ))
4		<u>\$945,000</u>
5	<u>General Fund--Private/Local Appropriation . . . . .</u>	<u>\$25,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$186,439,000</del> ))
7		<u>\$175,871,000</u>

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

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

16       (2) Within the amounts appropriated in this section from the liquor  
17       revolving account--state appropriation, liquor control board employees  
18       who: (a) Occupy positions in the job classifications provided in  
19       subsection (3)(c) of this section that will be eliminated after the  
20       liquor control board ceases to distribute liquor; and (b) remain as  
21       liquor control board employees through June 15, 2012, and who separate  
22       from service due to lay off by October 1, 2012, may elect to receive  
23       remuneration for their entire sick leave balance at a rate equal to one  
24       day's current monetary compensation of the employee for each four full  
25       days of accrued sick leave.

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

28       (a) The rate of monetary compensation for the purposes of this  
29       subsection shall not be reduced by any temporary salary reduction;

30       (b) Remuneration or benefits received under this subsection shall  
31       not be included for the purpose of computing a retirement allowance  
32       under any public retirement system in this state;

33       (c) The following job classifications are eligible:

34       (i) Liquor store clerk;

35       (ii) Retail assistant store manager 1;

36       (iii) Retail assistant store manager 2;

37       (iv) Retail store manager 3;

38       (v) Retail store manager 4;





1 provided solely for the implementation of Engrossed Second Substitute  
2 House Bill No. 1634 (underground utilities).

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

6 (4) \$169,000 of the public service revolving account--state  
7 appropriation is provided solely for the implementation of Second  
8 Substitute Senate Bill No. 5034 (private infrastructure).

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

11 **FOR THE MILITARY DEPARTMENT**

12	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$7,175,000</del> ))
13		<u>\$7,116,000</u>
14	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$7,175,000</del> ))
15		<u>\$6,872,000</u>
16	General Fund--Federal Appropriation . . . . .	(( <del>\$159,181,000</del> ))
17		<u>\$159,075,000</u>
18	Enhanced 911 Account--State Appropriation . . . . .	(( <del>\$46,556,000</del> ))
19		<u>\$48,620,000</u>
20	Disaster Response Account--State Appropriation . . . . .	(( <del>\$17,933,000</del> ))
21		<u>\$23,119,000</u>
22	Disaster Response Account--Federal Appropriation . . . . .	(( <del>\$66,266,000</del> ))
23		<u>\$91,368,000</u>
24	Military Department Rent and Lease Account--State	
25	Appropriation . . . . .	\$615,000
26	Worker and Community Right-to-Know Account--State	
27	Appropriation . . . . .	(( <del>\$2,165,000</del> ))
28		<u>\$2,163,000</u>
29	TOTAL APPROPRIATION . . . . .	(( <del>\$307,066,000</del> ))
30		<u>\$338,948,000</u>

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

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

1 management and the legislative fiscal committees on October 1st and  
2 February 1st of each year detailing information on the disaster  
3 response account, including: (a) The amount and type of deposits into  
4 the account; (b) the current available fund balance as of the reporting  
5 date; and (c) the projected fund balance at the end of the 2011-2013  
6 biennium based on current revenue and expenditure patterns.

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

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

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

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

21 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

22	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,346,000</del> ))
23		<u>\$2,104,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,400,000</del> ))
25		<u>\$2,130,000</u>
26	Higher Education Personnel Services Account--State	
27	Appropriation . . . . .	(( <del>\$251,000</del> ))
28		<u>\$276,000</u>
29	Department of Personnel Service Account--State	
30	Appropriation . . . . .	(( <del>\$3,309,000</del> ))
31		<u>\$3,290,000</u>
32	TOTAL APPROPRIATION . . . . .	(( <del>\$8,306,000</del> ))
33		<u>\$7,800,000</u>

34 **Sec. 146.** 2011 2nd sp.s. c 9 s 126 (uncodified) is amended to read  
35 as follows:

1 **FOR THE BOARD OF ACCOUNTANCY**

2 Certified Public Accountants' Account--State  
3 Appropriation . . . . . ((~~\$2,808,000~~))  
4 \$2,642,000

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

7 **FOR THE FORENSIC INVESTIGATION COUNCIL**

8 Death Investigations Account--State Appropriation . . . . . ((~~\$286,000~~))  
9 \$490,000

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

12 (1) \$250,000 of the death investigations account appropriation is  
13 provided solely for providing financial assistance to local  
14 jurisdictions in multiple death investigations. The forensic  
15 investigation council shall develop criteria for awarding these funds  
16 for multiple death investigations involving an unanticipated,  
17 extraordinary, and catastrophic event or those involving multiple  
18 jurisdictions.

19 (2) \$210,000 of the death investigations account appropriation is  
20 provided solely for providing financial assistance to local  
21 jurisdictions in identifying human remains.

22 **Sec. 148.** 2011 2nd sp.s. c 9 s 127 (uncodified) is amended to read  
23 as follows:

24 **FOR THE HORSE RACING COMMISSION**

25 Horse Racing Commission Operating Account--State  
26 Appropriation . . . . . ((~~\$4,007,000~~))  
27 \$3,923,000

28 **Sec. 149.** 2011 2nd sp.s. c 9 s 132 (uncodified) is amended to read  
29 as follows:

30 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

31 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$3,501,000~~))  
32 \$3,401,000  
33 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$3,495,000~~))  
34 \$3,309,000  
35 General Fund--Federal Appropriation . . . . . \$177,000

1	General Fund--Private/Local Appropriation . . . . .	\$368,000
2	Building Code Council Account--State Appropriation . . . . .	<del>(\$1,187,000)</del>
3		<u>\$1,186,000</u>
4	Department of Personnel Service Account--State	
5	Appropriation . . . . .	<del>(\$11,119,000)</del>
6		<u>\$11,117,000</u>
7	Enterprise Services Account--State Appropriation . . . . .	<del>(\$26,540,000)</del>
8		<u>\$26,336,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$46,387,000)</del>
10		<u>\$45,894,000</u>

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

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

23       (2) ~~(\$3,090,000)~~ \$3,028,000 of the general fund--state  
24 appropriation for fiscal year 2012 and ~~(\$3,090,000)~~ \$2,967,000 of the  
25 general fund--state appropriation for fiscal year 2013 are provided  
26 solely for the payment of facilities and services charges, utilities  
27 and contracts charges, public and historic facilities charges, and  
28 capital projects surcharges allocable to the senate, house of  
29 representatives, statute law committee, and joint legislative systems  
30 committee. The department shall allocate charges attributable to these  
31 agencies among the affected revolving funds. The department shall  
32 maintain an interagency agreement with these agencies to establish  
33 performance standards, prioritization of preservation and capital  
34 improvement projects, and quality assurance provisions for the delivery  
35 of services under this subsection. The legislative agencies named in  
36 this subsection shall continue to enjoy all of the same rights of  
37 occupancy and space use on the capitol campus as historically  
38 established.

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

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

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

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

19 (7) The department of enterprise services shall purchase flags  
20 needed for ceremonial occasions on the capitol campus in order to fully  
21 represent the countries that have an international consulate in  
22 Washington state.

23 (8) Before any agency may purchase a passenger motor vehicle as  
24 defined in RCW 43.19.560, the agency must have written approval from  
25 the director of the department of enterprise services.

26 (9) The department shall adjust billings for self-insurance  
27 premiums to transportation agencies to reflect rate reductions assumed  
28 in this act.

29 **Sec. 150.** 2011 1st sp.s. c 50 s 147 (uncodified) is amended to  
30 read as follows:

31 **FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**

32 Volunteer Firefighters' and Reserve Officers'

33 Administrative Account--State Appropriation . . . . ((\$1,064,000))  
34 \$1,039,000

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

1	<b>FOR INNOVATE WASHINGTON</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,999,000</del> ))
3		<u>\$2,879,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$3,011,000</del> ))
5		<u>\$2,755,000</u>
6	TOTAL APPROPRIATION . . . . .	(( <del>\$6,010,000</del> ))
7		<u>\$5,634,000</u>

8       The appropriations in this section are subject to the following  
9       conditions and limitations: \$65,000 of the general fund--state  
10       appropriation for fiscal year 2013 is provided solely for the  
11       implementation of Substitute Senate Bill No. 5982 (aerospace technology  
12       innovation). If the bill is not enacted by June 30, 2012, the amount  
13       provided in this subsection shall lapse.

14       **Sec. 152.** 2011 1st sp.s. c 50 s 149 (uncodified) is amended to  
15       read as follows:

16	<b>FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION</b>	
17	Washington State Heritage Center Account--State	
18	Appropriation . . . . .	(( <del>\$2,517,000</del> ))
19		<u>\$2,487,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$1,908,000</del> ))
21		<u>\$1,904,000</u>
22	General Fund--Private/Local Appropriation . . . . .	\$14,000
23	TOTAL APPROPRIATION . . . . .	(( <del>\$4,439,000</del> ))
24		<u>\$4,405,000</u>

(End of part)



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

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



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

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

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

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

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

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

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

14	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$295,011,000</del> ))
15		<u>\$287,014,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$294,232,000</del> ))
17		<u>\$285,018,000</u>
18	General Fund--Federal Appropriation . . . . .	(( <del>\$487,912,000</del> ))
19		<u>\$479,315,000</u>
20	General Fund--Private/Local Appropriation . . . . .	(( <del>\$1,358,000</del> ))
21		<u>\$1,354,000</u>
22	Home Security Fund--State Appropriation . . . . .	\$10,741,000
23	Domestic Violence Prevention Account--State	
24	Appropriation . . . . .	(( <del>\$1,154,000</del> ))
25		<u>\$1,240,000</u>
26	Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
27	TOTAL APPROPRIATION . . . . .	(( <del>\$1,091,133,000</del> ))
28		<u>\$1,065,407,000</u>

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

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

36 (2) \$668,000 of the general fund--state appropriation for fiscal  
 37 year 2012 and \$668,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely to contract for the operation of  
2 one pediatric interim care center. The center shall provide  
3 residential care for up to thirteen children through two years of age.  
4 Seventy-five percent of the children served by the center must be in  
5 need of special care as a result of substance abuse by their mothers.  
6 The center shall also provide on-site training to biological, adoptive,  
7 or foster parents. The center shall provide at least three months of  
8 consultation and support to the parents accepting placement of children  
9 from the center. The center may recruit new and current foster and  
10 adoptive parents for infants served by the center. The department  
11 shall not require case management as a condition of the contract. The  
12 department shall collaborate with the pediatric interim care center to  
13 determine if and how the center could be appropriately incorporated  
14 into the performance-based contract model and report its findings to  
15 the legislature by December 1, 2012.

16 (3)(a) (~~(\$85,202,000)~~) \$80,887,000 of the general fund--state  
17 appropriation for fiscal year 2012, (~~(\$85,408,000)~~) \$81,067,000 of the  
18 general fund--state appropriation for fiscal year 2013, and  
19 (~~(\$79,279,000)~~) \$74,800,000 of the general fund--federal appropriation  
20 are provided solely for services for children and families (~~(subject to~~  
21 ~~RCW 74.13.360 and House Bill No. 2122 (child welfare). Prior to~~  
22 ~~approval of contract services pursuant to RCW 74.13.360 and House Bill~~  
23 ~~No. 2122,)).~~ The amounts provided in this section shall be allotted on  
24 a monthly basis and expenditures shall not exceed allotments based on  
25 a three month rolling average without approval of the office of  
26 financial management following notification to the legislative fiscal  
27 committees.

28 (b) The department shall use (~~(performance-based contracts to~~  
29 ~~provide))~~ these services to safely reduce the number of children in  
30 out-of-home care, safely reduce the time spent in out-of-home care  
31 prior to achieving permanency, and safely reduce the number of children  
32 returning to out-of-home care following permanency. The department  
33 shall provide an initial report to the legislature and the governor by  
34 January 15, 2012, regarding the start-up costs associated with  
35 performance-based contracts under RCW 74.13.360 (~~(and House Bill No.~~  
36 ~~2122 (child welfare))~~)).

37 (4) \$176,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$177,000 of the general fund--state appropriation for fiscal

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

14 (5) \$670,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$670,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for services provided through  
17 children's advocacy centers.

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

27 (7) \$10,741,000 of the home security fund--state appropriation is  
28 provided solely for the department to contract for services pursuant to  
29 RCW 13.32A.030 and 74.15.220. The department shall contract and  
30 collaborate with service providers in a manner that maintains the  
31 availability and geographic representation of secure and semi-secure  
32 crisis residential centers and HOPE centers. To achieve efficiencies  
33 and increase utilization, the department shall allow the co-location of  
34 these centers, except that a youth may not be placed in a secure  
35 facility or the secure portion of a co-located facility except as  
36 specifically authorized by chapter 13.32A RCW. The reductions to  
37 appropriations in this subsection related to semi-secure crisis  
38 residential centers reflect a reduction to the number of beds for semi-

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

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

14 (9) \$564,000 of the general fund--federal appropriation is provided  
15 solely to implement Second Substitute House Bill No. 1128 (extended  
16 foster care). If the bill is not enacted by June 30, 2011, the amount  
17 provided in this subsection shall lapse.

18 (10) \$799,000 of the general fund--state appropriation for fiscal  
19 year 2013 and \$799,000 of the general fund--federal appropriation are  
20 provided solely for the implementation of Engrossed Second Substitute  
21 House Bill No. 2264 (child welfare/contracting). If the bill is not  
22 enacted by June 30, 2012, the amounts provided in this subsection shall  
23 lapse.

24 (11) \$178,000 of the general fund--federal appropriation is  
25 provided solely for the implementation of Engrossed Second Substitute  
26 House Bill No. 2592 (extended foster care). If the bill is not enacted  
27 by June 30, 2012, the amount provided in this subsection shall lapse.

28 (12) \$616,000 of the general fund--state appropriation for fiscal  
29 year 2013 and \$616,000 of the general fund--federal appropriation are  
30 provided solely for the implementation of Engrossed Substitute Senate  
31 Bill No. 6555 (child protective services). If the bill is not enacted  
32 by June 30, 2012, the amounts provided in this subsection shall lapse.

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

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
36 **REHABILITATION PROGRAM**

37 General Fund--State Appropriation (FY 2012) . . . . . (~~\$86,684,000~~)

1		<u>\$85,723,000</u>
2	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$86,505,000</del> ))
3		<u>\$85,258,000</u>
4	General Fund--Federal Appropriation . . . . .	(( <del>\$3,758,000</del> ))
5		<u>\$3,809,000</u>
6	General Fund--Private/Local Appropriation . . . . .	\$1,903,000
7	Washington Auto Theft Prevention Authority Account--	
8	State Appropriation . . . . .	\$196,000
9	Juvenile Accountability Incentive Account--Federal	
10	Appropriation . . . . .	\$2,801,000
11	TOTAL APPROPRIATION . . . . .	(( <del>\$181,847,000</del> ))
12		<u>\$179,690,000</u>

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

15       (1) \$331,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$331,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for deposit in the county criminal  
18 justice assistance account for costs to the criminal justice system  
19 associated with the implementation of chapter 338, Laws of 1997  
20 (juvenile code revisions). The amounts provided in this subsection are  
21 intended to provide funding for county adult court costs associated  
22 with the implementation of chapter 338, Laws of 1997 and shall be  
23 distributed in accordance with RCW 82.14.310.

24       (2) \$2,716,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$2,716,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for the implementation of chapter  
27 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
28 this subsection are intended to provide funding for county impacts  
29 associated with the implementation of chapter 338, Laws of 1997 and  
30 shall be distributed to counties as prescribed in the current  
31 consolidated juvenile services (CJS) formula.

32       (3) \$3,482,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$3,482,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely to implement community juvenile  
35 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
36 code revisions). Funds provided in this subsection may be used solely  
37 for community juvenile accountability grants, administration of the  
38 grants, and evaluations of programs funded by the grants.

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

11 (5) \$3,123,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$3,123,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for grants to county juvenile  
14 courts for the following programs identified by the Washington state  
15 institute for public policy (institute) in its October 2006 report:  
16 "Evidence-Based Public Policy Options to Reduce Future Prison  
17 Construction, Criminal Justice Costs and Crime Rates": Functional  
18 family therapy, multi-systemic therapy, aggression replacement training  
19 and interagency coordination programs, or other programs with a  
20 positive benefit-cost finding in the institute's report. County  
21 juvenile courts shall apply to the juvenile rehabilitation  
22 administration for funding for program-specific participation and the  
23 administration shall provide grants to the courts consistent with the  
24 per-participant treatment costs identified by the institute.

25 (6) \$1,537,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$1,537,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for expansion of the following  
28 treatments and therapies in juvenile rehabilitation administration  
29 programs identified by the Washington state institute for public policy  
30 in its October 2006 report: "Evidence-Based Public Policy Options to  
31 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
32 Rates": Multidimensional treatment foster care, family integrated  
33 transitions, and aggression replacement training, or other programs  
34 with a positive benefit-cost finding in the institute's report. The  
35 administration may concentrate delivery of these treatments and  
36 therapies at a limited number of programs to deliver the treatments in  
37 a cost-effective manner.

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

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

32 (c) The juvenile rehabilitation administration and the juvenile  
33 courts shall establish a block grant funding formula oversight  
34 committee with equal representation from the juvenile rehabilitation  
35 administration and the juvenile courts. The purpose of this committee  
36 is to assess the ongoing implementation of the block grant funding  
37 formula, utilizing data-driven decision making and the most current  
38 available information. The committee will be cochaired by the juvenile



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

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

37 (8) The juvenile courts and administrative office of the courts  
38 shall collect and distribute information related to program outcome and

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

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

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

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

3 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

4 General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$317,392,000</del> ))
	<u>\$317,734,000</u>
6 General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$322,982,000</del> ))
	<u>\$324,319,000</u>
8 General Fund--Federal Appropriation . . . . .	(( <del>\$448,732,000</del> ))
	<u>\$449,593,000</u>
10 General Fund--Private/Local Appropriation . . . . .	\$17,864,000
11 Hospital Safety Net Assessment Fund--State	
12 Appropriation . . . . .	(( <del>\$6,802,000</del> ))
	<u>\$5,251,000</u>
14 TOTAL APPROPRIATION . . . . .	(( <del>\$1,113,772,000</del> ))
	<u>\$1,114,761,000</u>

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

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

32 (b) \$6,590,000 of the general fund--state appropriation for fiscal  
33 year 2012, \$6,590,000 of the general fund--state appropriation for  
34 fiscal year 2013, and \$7,620,000 of the general fund--federal  
35 appropriation are provided solely for the department and regional  
36 support networks to continue to contract for implementation of high-  
37 intensity programs for assertive community treatment (PACT) teams. In  
38 determining the proportion of medicaid and nonmedicaid funding provided

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

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

20 (d) The number of nonforensic beds allocated for use by regional  
21 support networks at eastern state hospital shall be 192 per day. The  
22 number of nonforensic beds allocated for use by regional support  
23 networks at western state hospital shall be 557 per day through June  
24 2012, 527 per day from July 2012 through September 2012, and 497 per  
25 day from October 2012 through the remainder of fiscal year 2013.

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. Beginning in fiscal year 2013, the  
38 department shall report regional outcome data on individuals in jail

1 who are referred for regional support network services. By December 1,  
2 2012, the department shall provide a report to the relevant fiscal and  
3 policy committees of the legislature on the number of individuals  
4 referred to the program who had an evaluation for regional support  
5 network services either during incarceration or within 30 and 60 days  
6 of release from jail; and the number who were made newly eligible or  
7 reinstated to eligibility for medical assistance services either during  
8 incarceration or within 30 and 60 days of release from jail. In  
9 addition, the report shall identify how many of the individuals who  
10 were determined to be eligible for regional support network services  
11 received additional outpatient services within 30 and 60 days of  
12 release from incarceration.

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

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

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

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

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

36 (iii) Mental health services provided in nursing facilities to  
37 individuals with dementia, and consultation to facility staff treating  
38 those individuals; and

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

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

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

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

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

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

36 (n) The appropriations in this section reflect efficiencies to be  
37 achieved through voluntary consolidation of regional support networks  
38 in accordance with Substitute House Bill No. 2139 (regional support

1 networks). Voluntary consolidation of regional support networks is  
2 expected to result in administrative efficiencies and maximize dollars  
3 available for direct services to individuals with mental illnesses  
4 without corresponding increases in state appropriations.

5 (2) INSTITUTIONAL SERVICES

6	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$115,317,000</del> ))
7		<u>\$115,017,000</u>
8	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$114,111,000</del> ))
9		<u>\$106,679,000</u>
10	General Fund--Federal Appropriation . . . . .	(( <del>\$153,324,000</del> ))
11		<u>\$153,618,000</u>
12	General Fund--Private/Local Appropriation . . . . .	.\$67,325,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$450,077,000</del> ))
14		<u>\$442,639,000</u>

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

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

20 (b) \$231,000 of the general fund--state appropriation for fiscal  
21 year 2012 and \$231,000 of the general fund--state appropriation for  
22 fiscal year 2013 are provided solely for a community partnership  
23 between western state hospital and the city of Lakewood to support  
24 community policing efforts in the Lakewood community surrounding  
25 western state hospital. The amounts provided in this subsection (2)(b)  
26 are for the salaries, benefits, supplies, and equipment for one full-  
27 time investigator, one full-time police officer, and one full-time  
28 community service officer at the city of Lakewood.

29 (c) \$45,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$45,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for payment to the city of  
32 Lakewood for police services provided by the city at western state  
33 hospital and adjacent areas.

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

1 (e) The appropriations in this section reflect efficiencies to be  
2 achieved through enactment of Substitute Senate Bill No. 6492  
3 (competency to stand trial). These efficiencies are expected to enable  
4 the hospitals to substantially increase the timeliness with which  
5 evaluations of defendant competency to stand trial are completed, and  
6 treatment to restore competency is initiated, without corresponding  
7 increases in state appropriations.

8 (3) SPECIAL PROJECTS

9	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,168,000</del> ))
10		<u>\$1,148,000</u>
11	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,164,000</del> ))
12		<u>\$1,276,000</u>
13	General Fund--Federal Appropriation . . . . .	(( <del>\$4,109,000</del> ))
14		<u>\$4,198,000</u>
15	General Fund--Private/Local Appropriation . . . . .	\$700,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$7,141,000</del> ))
17		<u>\$7,322,000</u>

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

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

25 (b) \$700,000 of the general fund--private/local appropriation is  
26 provided solely for the University of Washington's evidence-based  
27 practice institute which supports the identification, evaluation, and  
28 implementation of evidence-based or promising practices for serving  
29 children and youth with mental health disorders. The department shall  
30 enter into an interagency agreement with the office of the attorney  
31 general for expenditure of \$700,000 of the state's proceeds of the *cy*  
32 *pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for  
33 this purpose.

34 (c) \$135,000 of the general fund--state appropriation for fiscal  
35 year 2013 and \$89,000 of the general fund--federal appropriation are  
36 provided solely for the department to contract with the University of  
37 Washington's evidence-based practice institute and the Washington state  
38 institute for public policy to consult with the department and the



1 health care authority on the implementation of Engrossed Second  
 2 Substitute House Bill No. 2536 (children services/delivery). The  
 3 department's programs responsible for administration of mental health,  
 4 child welfare, and juvenile justice programs will coordinate with the  
 5 health care authority on the development of contract terms which  
 6 facilitate efforts to meet requirements of the bill. If Engrossed  
 7 Second Substitute House Bill No. 2536 (children services/delivery) is  
 8 not enacted by June 30, 2012, the amounts provided in this subsection  
 9 shall lapse.

10 (4) PROGRAM SUPPORT

11	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$4,476,000</del> ))
12		<u>\$4,482,000</u>
13	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$4,261,000</del> ))
14		<u>\$4,247,000</u>
15	General Fund--Federal Appropriation . . . . .	(( <del>\$7,227,000</del> ))
16		<u>\$7,210,000</u>
17	General Fund--Private/Local Appropriation . . . . .	\$446,000
18	TOTAL APPROPRIATION . . . . .	(( <del>\$16,410,000</del> ))
19		<u>\$16,385,000</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 2nd sp.s. c 9 s 205 (uncodified) is amended to read  
 12 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) . . . . .	(( <del>\$418,815,000</del> ))
17		<u>\$405,412,000</u>
18	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$422,854,000</del> ))
19		<u>\$418,591,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$743,532,000</del> ))
21		<u>\$753,573,000</u>
22	General Fund--Private/Local Appropriation . . . . .	(( <del>\$184,000</del> ))
23		<u>\$226,000</u>
24	TOTAL APPROPRIATION . . . . .	(( <del>\$1,585,385,000</del> ))
25		<u>\$1,577,802,000</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) Amounts appropriated in this subsection reflect a reduction to  
 33 funds appropriated for in-home care. The department shall reduce the  
 34 number of in-home hours authorized. The reduction shall be scaled  
 35 based on the acuity level of care recipients. The largest hour  
 36 reductions shall be to lower acuity patients and the smallest hour  
 37 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)) \$2.21 per  
19 paid hour worked by individual providers.

20 ~~(e) ((\$1,871,000 of the general fund state appropriation for~~  
21 ~~fiscal year 2012, \$1,995,000 of the general fund state appropriation~~  
22 ~~for 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))~~ \$1,329,000 of the general fund--state  
9 appropriation for fiscal year 2012, ~~(((\$1,199,000))~~ \$1,622,000 of the  
10 general fund--state appropriation for fiscal year 2013, and  
11 ~~(((\$2,322,000))~~ \$2,947,000 of the general fund--federal appropriation  
12 are provided solely for the state's contribution to the training  
13 partnership, as provided in RCW 74.39A.360, for instructional costs  
14 associated with the training of individual providers. ~~((House Bill No.~~  
15 ~~1548 and Senate Bill No. 5473 (long term care worker requirements) make~~  
16 ~~statutory changes to the increased training requirements and therefore~~  
17 ~~the state shall contribute to the partnership \$0.17 per paid-hour~~  
18 ~~worked by all home care workers. This amount is pursuant to the~~  
19 ~~collective bargaining agreement negotiated with the exclusive~~  
20 ~~bargaining representative of individual providers established under RCW~~  
21 ~~74.39A.270.))~~ Contributions are funded at \$0.22 per benefit-eligible  
22 paid hour worked by all home care workers. Expenditures for the  
23 purposes specified in this subsection shall not exceed the amounts  
24 provided in this subsection, unless the governor and the service  
25 employees international union healthcare 775nw can reach agreement on  
26 repurposing funding that is currently provided in the individual  
27 provider collective bargaining agreement for new individual provider  
28 wages paid during training or other training related items.

29 (f) \$104,669,000 of the general fund--state appropriation for  
30 fiscal year 2013 and \$104,669,000 of the general fund--federal  
31 appropriation are provided solely for the department to provide  
32 personal care services to waiver and nonwaiver in-home clients. The  
33 department shall provide the legislature with a report by December 5,  
34 2012, on the feasibility of converting the medicaid personal care  
35 program for in-home adults to a medicaid program as found in section  
36 1915(i) of the federal social security act that utilizes the option for  
37 self-direction of individualized budgets. The department shall operate  
38 the personal care program within the amounts specifically provided.

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

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

23 (iii) The appropriation in this subsection includes funding to  
24 provide employment or community access services to 168 medicaid  
25 eligible young adults with developmental disabilities living with their  
26 families who need employment opportunities and assistance after high  
27 school graduation.

28 (h) \$75,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$75,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for the restoration of direct  
31 support to local organizations that utilize parent-to-parent networks  
32 and communication to promote access and quality of care for individuals  
33 with developmental disabilities and their families.

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

1 (i) The current annual renewal license fee for adult family homes  
2 shall be increased to \$100 per bed beginning in fiscal year 2012 and  
3 (~~(\$175)~~) \$250 per bed beginning in fiscal year 2013. Adult family  
4 homes shall receive a corresponding vendor rate increase per medicaid  
5 patient day of \$0.22 in fiscal year 2012 and (~~(\$0.43)~~) \$0.59 in fiscal  
6 year 2013 (~~(to cover the cost of the license fee increase for publicly~~  
7 ~~funded beds)~~), or the amount necessary to fully fund the license fee  
8 increase for publicly funded beds, pursuant to the most recent bed  
9 estimates maintained by the department.

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

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

22 The department shall work with legislators and stakeholders to  
23 develop a new approach to employment and day services. The objective  
24 of this plan is to ensure that adults with developmental disabilities  
25 have optimum choices, and that employment and day offerings are  
26 comprehensive enough to meet the needs of all clients currently served  
27 on a home and community based waiver. The proposal shall be submitted  
28 to the 2012 legislature for consideration and shall be constructed such  
29 that a client ultimately receives employment, community access, or the  
30 community day option but not more than one service at a time. The  
31 proposal shall include options for program efficiencies within the  
32 current employment and day structure and shall provide details on the  
33 plan to implement a consistent, statewide outcome-based vendor contract  
34 for employment and day services as specified in (c) of this subsection.

35 (2) INSTITUTIONAL SERVICES

36	General Fund--State Appropriation (FY 2012) . . . . .	( <del>(\$80,815,000)</del> )
37		<u>\$75,436,000</u>
38	General Fund--State Appropriation (FY 2013) . . . . .	( <del>(\$79,939,000)</del> )

1		\$80,356,000
2	General Fund--Federal Appropriation . . . . .	(( <del>\$154,388,000</del> ))
3		<u>\$153,570,000</u>
4	General Fund--Private/Local Appropriation . . . . .	\$22,043,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$337,185,000</del> ))
6		<u>\$331,405,000</u>

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

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

13 (b) \$721,000 of the general fund--state appropriation for fiscal  
14 year 2012 and \$721,000 of the general fund--state appropriation for  
15 fiscal year 2013 are for the department to fulfill its contracts with  
16 the school districts under chapter 28A.190 RCW to provide  
17 transportation, building space, and other support services as are  
18 reasonably necessary to support the educational programs of students  
19 living in residential habilitation centers.

20 (c) \$250,000 of the general fund--state appropriation for fiscal  
21 year 2013 is provided solely for allocation under contract to a school  
22 district in which a residential habilitation center (RHC) is located.  
23 The department must provide the school district with an allocation of  
24 \$25,000 for each person under the age of 21 who between July 1, 2011,  
25 and June 30, 2013, is newly admitted to the RHC and newly enrolled in  
26 the district in which the RHC is located. The purpose of the  
27 allocation is to provide supplemental funding for robust supports and  
28 extraordinary costs for students who are newly admitted to the RHC and  
29 may be experiencing distress while transitioning to a new school  
30 environment.

31 (d) \$600,000 of the general fund--state appropriation for fiscal  
32 year 2013 is provided solely for operations of the Rainier school  
33 vision development committee, hereby established to create a long-range  
34 vision and development plan for the Rainier school.

- 35 (i) The committee shall consist of:  
36 (A) Three members of the legislature representing the thirty-first  
37 legislative district;  
38 (B) Two persons representing the cities of Enumclaw and Buckley;

1 (C) Two persons representing the chambers of commerce of the cities  
2 of Enumclaw and Buckley;

3 (D) Two persons representing the friends of Rainier school  
4 organization; and

5 (E) One person representing the Pierce county developmental  
6 disabilities board.

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

13 (3) PROGRAM SUPPORT

14	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,380,000</del> ))
15		<u>\$1,382,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,371,000</del> ))
17		<u>\$1,366,000</u>
18	General Fund--Federal Appropriation . . . . .	(( <del>\$1,323,000</del> ))
19		<u>\$1,319,000</u>
20	TOTAL APPROPRIATION . . . . .	(( <del>\$4,074,000</del> ))
21		<u>\$4,067,000</u>

22 (4) SPECIAL PROJECTS

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

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

34 Amounts appropriated in this subsection are for the purposes of  
35 transitioning clients with developmental disabilities into community  
36 settings. The department is authorized as needed to use these funds to  
37 either pay for clients residing within a residential habilitation



1 center or for placements in the community. Pursuant to Second  
 2 Substitute Senate Bill No. 5459 (services for people with developmental  
 3 disabilities), funding in this subsection must be prioritized for the  
 4 purpose of facilitating the consolidation and closure of Frances Haddon  
 5 Morgan Center. The department shall use a person-centered approach in  
 6 developing the discharge plan to assess each resident's needs and  
 7 identify services the resident requires to successfully transition to  
 8 the community or another residential habilitation center. The  
 9 department is authorized to use any savings from this effort for the  
 10 purpose of developing community resources to address the needs of  
 11 clients with developmental disabilities who are in crisis or in need of  
 12 respite. The department shall track the costs and savings of closing  
 13 Frances Haddon Morgan Center and any investments into community  
 14 placements and resources. The department shall provide a fiscal  
 15 progress report to the legislature by December 5, 2011.

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

18 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**  
 19 **SERVICES PROGRAM**

20	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$781,995,000</del> ))
21		<u>\$791,728,000</u>
22	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$804,465,000</del> ))
23		<u>\$796,134,000</u>
24	General Fund--Federal Appropriation . . . . .	(( <del>\$1,680,450,000</del> ))
25		<u>\$1,699,980,000</u>
26	General Fund--Private/Local Appropriation . . . . .	(( <del>\$27,517,000</del> ))
27		<u>\$28,871,000</u>
28	Traumatic Brain Injury Account--State Appropriation . . . . .	\$3,388,000
29	Nursing Facility Quality Assurance Account--State	
30	Appropriation . . . . .	(( <del>\$88,071,000</del> ))
31		<u>\$108,511,000</u>
32	TOTAL APPROPRIATION . . . . .	(( <del>\$3,385,886,000</del> ))
33		<u>\$3,428,612,000</u>

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

36 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
 37 average nursing facility payment rate shall not exceed \$170.37 for

1 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,  
2 including the rate add-on(~~(s)~~) described in (a) (~~(and (b))~~) of this  
3 subsection. However, if the waiver requested from the federal centers  
4 for medicare and medicaid services in relation to the safety net  
5 assessment created by Engrossed Substitute Senate Bill No. 5581  
6 (nursing home payments) is for any reason not approved and implemented,  
7 the weighted average nursing facility payment rate shall not exceed  
8 \$159.87 for fiscal year 2012 and shall not exceed \$160.93 for fiscal  
9 year 2013. There will be no adjustments for economic trends and  
10 conditions in fiscal years 2012 and 2013. The economic trends and  
11 conditions factor or factors defined in the biennial appropriations act  
12 shall not be compounded with the economic trends and conditions factor  
13 or factors defined in any other biennial appropriations acts before  
14 applying it to the component rate allocations established in accordance  
15 with chapter 74.46 RCW. When no economic trends and conditions factor  
16 for either fiscal year is defined in a biennial appropriations act, no  
17 economic trends and conditions factor or factors defined in any earlier  
18 biennial appropriations act shall be applied solely or compounded to  
19 the component rate allocations established in accordance with chapter  
20 74.46 RCW.

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

33 ~~(b))~~ The department shall do a comparative analysis of the  
34 facility-based payment rates calculated on July 1, ~~((2011))~~ 2012, using  
35 the payment methodology defined in ~~((Engrossed Substitute Senate Bill  
36 No. 5581 (nursing home payments))~~ chapter 74.46 RCW and as funded in  
37 the omnibus appropriations act, excluding the comparative add-on,  
38 acuity add-on, and safety net reimbursement, to the facility-based

1 payment rates in effect June 30, 2010. If the facility-based payment  
2 rate calculated on July 1, ~~((2011))~~ 2012, is smaller than the  
3 facility-based payment rate on June 30, 2010, then the difference shall  
4 be provided to the individual nursing facilities as an add-on payment  
5 per medicaid resident day.

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

13 (b) The direct care rate add-on defined in RCW 74.46.431 to compensate  
14 facilities for taking on more acute clients than they have in the past  
15 is frozen at the March 1, 2012, payment levels.

16 ~~((d))~~ (c) The department shall provide a medicaid rate add-on to  
17 reimburse the medicaid share of the skilled nursing facility safety net  
18 assessment as a medicaid allowable cost. The nursing facility safety  
19 net rate add-on may not be included in the calculation of the annual  
20 statewide weighted average nursing facility payment rate.

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

26 (2) After examining actual nursing facility cost information, the  
27 legislature finds that the medicaid nursing facility rates calculated  
28 pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home  
29 payments) provide sufficient reimbursement to efficiently and  
30 economically operating nursing facilities and bear a reasonable  
31 relationship to costs.

32 (3) In accordance with chapter 74.46 RCW, the department shall  
33 issue no additional certificates of capital authorization for fiscal  
34 year 2012 and no new certificates of capital authorization for fiscal  
35 year 2013 and shall grant no rate add-ons to payment rates for capital  
36 improvements not requiring a certificate of need and a certificate of  
37 capital authorization for fiscal years 2012 and 2013.

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

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

13 (6) \$1,883,000 of the general fund--state appropriation for fiscal  
14 year 2012, \$1,883,000 of the general fund--state appropriation for  
15 fiscal year 2013, and \$3,766,000 of the general fund--federal  
16 appropriation are provided solely for state contributions for  
17 individual provider health care benefits. Pursuant to the collective  
18 bargaining agreement negotiated with the exclusive bargaining  
19 representative of individual providers established under RCW  
20 74.39A.270, the state shall contribute to the multiemployer health  
21 benefits trust fund (~~(\$1.96)~~) \$2.21 per paid hour worked by individual  
22 providers.

23 ~~(7) (~~\$16,835,000~~ of the general fund state appropriation for~~  
24 ~~fiscal year 2012, ~~\$17,952,000~~ of the general fund state appropriation~~  
25 ~~for fiscal year 2013, and ~~\$34,786,000~~ of the general fund federal~~  
26 ~~appropriation are provided solely for home care agencies to purchase~~  
27 ~~health coverage for home care providers. The department shall~~  
28 ~~calculate and distribute payments for health care benefits to home care~~  
29 ~~agencies at \$558 per month for each worker who cares for publicly~~  
30 ~~funded clients at 86 hours or more per month. In order to negotiate~~  
31 ~~the most comprehensive health benefits package for its employees, each~~  
32 ~~agency may determine benefit levels according to the hours an employee~~  
33 ~~works providing state funded personal care. Health benefits shall be~~  
34 ~~offered to all employees who care for publicly funded clients for 86~~  
35 ~~hours per month or more. At a minimum, employees who care for publicly~~  
36 ~~funded clients at 140 hours a month or greater must receive a~~  
37 ~~comprehensive medical benefit. Benefits shall not be provided to~~  
38 ~~employees who care for publicly funded clients at 85 hours or less per~~

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

11 ~~(8) - \$2,063,000))~~ \$2,449,000 of the general fund--state  
12 appropriation for fiscal year 2012, ~~(((\$2,195,000))~~ \$3,012,000 of the  
13 general fund--state appropriation for fiscal year 2013, and  
14 ~~(((\$4,260,000))~~ \$5,463,000 of the general fund--federal appropriation  
15 are provided solely for the state's contribution to the training  
16 partnership, as provided in RCW 74.39A.360, for instructional costs  
17 associated with the training of individual providers. ~~((House Bill No.~~  
18 ~~1548 and Senate Bill No. 5473 (long term care worker requirements) make~~  
19 ~~statutory changes to the increased training requirements and therefore~~  
20 ~~the state shall contribute to the partnership \$0.17 per paid hour~~  
21 ~~worked by all home care workers. This amount is pursuant to the~~  
22 ~~collective bargaining agreement negotiated with the exclusive~~  
23 ~~bargaining representative of individual providers established under RCW~~  
24 ~~74.39A.270.))~~ Contributions are funded at \$0.22 per benefit-eligible  
25 paid hour worked by all home care workers. Expenditures for the  
26 purposes specified in this subsection shall not exceed the amounts  
27 provided in this subsection, unless the governor and the service  
28 employees international union healthcare 775nw can reach agreement on  
29 repurposing funding that is currently provided in the individual  
30 provider collective bargaining agreement for new individual provider  
31 wages paid during training or other training related items.

32 (8) \$338,550,000 of the general fund--state appropriation for  
33 fiscal year 2013 and \$338,550,000 of the general fund--federal  
34 appropriation are provided solely for the department to provide  
35 personal care services to waiver and nonwaiver in-home clients. The  
36 department shall provide the legislature with a report by December 5,  
37 2012, on the feasibility of converting the medicaid personal care  
38 program for in-home adults to a medicaid program as found in section

1 1915(i) of the federal social security act that utilizes the option for  
2 self-direction of individualized budgets. The department shall operate  
3 the personal care program within the amounts specifically provided.

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 (~~(\$4,588,000)~~) \$4,823,000 of the general fund--state  
12 appropriation for fiscal year 2012, (~~(\$4,559,000)~~) \$6,474,000 of the  
13 general fund--state appropriation for fiscal year 2013, and  
14 (~~(\$9,237,000)~~) \$11,387,000 of the general fund--federal appropriation  
15 are provided solely for the continued operation of community  
16 residential and support services for persons who are older adults or  
17 who have co-occurring medical and behavioral disorders and who have  
18 been discharged or diverted from a state psychiatric hospital. These  
19 funds shall be used to serve individuals whose treatment needs  
20 constitute substantial barriers to community placement, who no longer  
21 require active psychiatric treatment at an inpatient hospital level of  
22 care, and who no longer meet the criteria for inpatient involuntary  
23 commitment. The department shall prioritize services in order to  
24 reduce utilization and maintain a reduction of 60 beds at western state  
25 hospital that were previously used for long term placements for clients  
26 with dementia, traumatic brain injuries, or other organic brain  
27 disorders. The department shall ensure that a sufficient number of  
28 individuals have been transitioned and diverted from western state  
29 hospital to enable closure of a 30 bed ward on July 1, 2012, and of  
30 another 30 bed ward on October 1, 2012. Coordination of these services  
31 must be done in partnership between the mental health program and the  
32 aging and disability services administration.

33 (12) \$1,840,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$1,877,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for operation of the volunteer  
36 services program. Funding shall be prioritized towards serving  
37 populations traditionally served by long-term care services to include  
38 senior citizens and persons with disabilities.

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

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

12 (b) The current annual renewal license fee for adult family homes  
13 shall be increased to \$100 per bed beginning in fiscal year 2012 and  
14 assumes \$1,449,000 of the general fund--private/local appropriation;  
15 and (~~(\$175)~~) \$250 per bed beginning in fiscal year 2013 and assumes  
16 (~~(\$2,463,000)~~) \$3,485,000 of the general fund--private/local  
17 appropriation. Adult family homes shall receive a corresponding vendor  
18 rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and  
19 (~~(\$0.43)~~) \$0.59 in fiscal year 2013 (~~(to cover the license fee increase~~  
20 ~~for publicly funded beds)~~), or the amount necessary to fully fund the  
21 license fee increase for publicly funded beds, pursuant to the most  
22 recent bed estimates maintained by the department.

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

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

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

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

9 (16) The department shall participate in the work group established  
10 by the department of corrections in section 220(2) of this act to  
11 review release options for elderly and infirm offenders.

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

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

16	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$487,305,000</del> ))
17		<u>\$415,553,000</u>
18	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$503,362,000</del> ))
19		<u>\$438,483,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$1,167,467,000</del> ))
21		<u>\$1,174,416,000</u>
22	General Fund--Private/Local Appropriation . . . . .	\$30,592,000
23	TOTAL APPROPRIATION . . . . .	(( <del>\$2,188,726,000</del> ))
24		<u>\$2,059,044,000</u>

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

27 (1) ((~~\$258,880,000~~)) \$195,410,000 of the general fund--state  
28 appropriation for fiscal year 2012, ((~~\$297,296,000~~)) \$235,808,000 of  
29 the general fund--state appropriation for fiscal year 2013, and  
30 ((~~\$710,173,000~~)) \$725,586,000 of the general fund--federal  
31 appropriation are provided solely for all components of the WorkFirst  
32 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921  
33 (social services programs), the amounts in this subsection assume that  
34 any participant in the temporary assistance for needy families where  
35 their participation is suspended and does not volunteer to participate  
36 in WorkFirst services or unsubsidized employment does not receive child  
37 care subsidies or WorkFirst subsidies as a condition of the suspension.



1 Within the amounts provided for the WorkFirst program, the department  
2 may provide assistance using state-only funds for families eligible for  
3 temporary assistance for needy families.

4 (a) Within the amounts provided for WorkFirst in this subsection,  
5 the department shall continue to implement WorkFirst program  
6 improvements that are designed to achieve progress against outcome  
7 measures specified in Engrossed House Bill No. 2262 (WorkFirst and  
8 child care) and RCW 74.08A.410.

9 (b) The department may establish a career services work transition  
10 program.

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

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

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

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

1 ~~(b) If sufficient savings in subsection (1) of this section are~~  
2 ~~achieved, the department of early learning shall increase the number of~~  
3 ~~child-care slots available for the working connections child-care~~  
4 ~~program.~~

5 ~~(3) — \$23,494,000)~~ \$23,679,000 of the general fund--state  
6 appropriation for fiscal year 2012, in addition to supplemental  
7 security income recoveries, is provided solely for financial assistance  
8 and other services to recipients in the program established in section  
9 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates  
10 on October 31, 2011.

11 ~~((4))~~ (3)(a) ~~(((\$13,086,000))~~ \$12,457,000 of the general fund--  
12 state appropriation for fiscal year 2012 and ~~(((\$24,788,000))~~  
13 \$21,959,000 of the general fund--state appropriation for fiscal year  
14 2013, in addition to supplemental security income recoveries, are  
15 provided solely for the programs created in Engrossed Substitute House  
16 Bill No. 2082 (essential needs and assistance program) beginning  
17 November 1, 2011.

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

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

30 ~~((5))~~ (4) \$1,657,000 of the general fund--state appropriation for  
31 fiscal year 2012 and \$1,657,000 of the general fund--state  
32 appropriation for fiscal year 2013 are provided solely for  
33 naturalization services.

34 ~~((6))~~ (5) \$2,366,000 of the general fund--state appropriation for  
35 fiscal year 2012 is provided solely for refugee employment services, of  
36 which \$1,774,000 is provided solely for the department to pass through  
37 to statewide refugee assistance organizations for limited English  
38 proficiency pathway services; and \$2,366,000 of the general fund--state

1 appropriation for fiscal year 2013 is provided solely for refugee  
2 employment services, of which \$1,774,000 is provided solely for the  
3 department to pass through to statewide refugee assistance  
4 organizations for limited English proficiency pathway services.

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

11 ~~((+8))~~ (7) To ensure expenditures remain within available funds  
12 appropriated in this section, the legislature establishes the benefit  
13 under the state food assistance program, pursuant to RCW 74.08A.120, to  
14 be fifty percent of the federal supplemental nutrition assistance  
15 program benefit amount.

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

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

20	General Fund--State Appropriation (FY 2012) . . . . .	<del>(((\$74,287,000))</del>
21		<u>\$73,742,000</u>
22	General Fund--State Appropriation (FY 2013) . . . . .	<del>(((\$74,422,000))</del>
23		<u>\$71,218,000</u>
24	General Fund--Federal Appropriation . . . . .	<del>(((\$141,514,000))</del>
25		<u>\$184,401,000</u>
26	General Fund--Private/Local Appropriation . . . . .	<del>(((\$2,086,000))</del>
27		<u>\$13,486,000</u>
28	Criminal Justice Treatment Account--State	
29	Appropriation . . . . .	\$20,748,000
30	Problem Gambling Account--State Appropriation . . . . .	\$1,448,000
31	TOTAL APPROPRIATION . . . . .	<del>(((\$314,505,000))</del>
32		<u>\$365,043,000</u>

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

35 (1) Within the amounts appropriated in this section, the department  
36 may contract with the University of Washington and community-based

1 providers for the provision of the parent-child assistance program.  
2 For all contractors, indirect charges for administering the program  
3 shall not exceed ten percent of the total contract amount.

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

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

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

27 (5) Within amounts appropriated in this section, the department is  
28 required to increase federal match available for intensive inpatient  
29 services. During fiscal year 2013, the department shall shift  
30 contracts for a minimum of 32 intensive inpatient beds currently  
31 provided in settings that are considered institutions for mental  
32 diseases to two or more facilities with fewer than 16 beds that are  
33 able to claim federal match for services provided to medicaid clients  
34 or individuals covered under the department's section 1115 medicaid  
35 waiver. The department is authorized to conduct a request for proposal  
36 process to fulfill this requirement. By December 1, 2012, the  
37 department shall provide a plan to the office of financial management  
38 and to the relevant fiscal and policy committees of the legislature for

1 transitioning all remaining intensive inpatient beds currently provided  
 2 in settings that are considered institutions for mental diseases into  
 3 facilities with fewer than 16 beds by June 2017. The plan shall  
 4 identify the maximum number of additional beds that can be transitioned  
 5 into facilities with fewer than 16 beds during the 2013-2015 fiscal  
 6 biennium and the remaining number that will be transitioned during the  
 7 2015-2017 fiscal biennium, a timeline and process for accomplishing  
 8 this, and a projection of the related general fund--state savings for  
 9 each biennium.

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

12 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**  
 13 **REHABILITATION PROGRAM**

14	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$10,874,000</del> ))
15		<u>\$10,629,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$10,861,000</del> ))
17		<u>\$10,401,000</u>
18	General Fund--Federal Appropriation . . . . .	(( <del>\$105,091,000</del> ))
19		<u>\$105,060,000</u>
20	Telecommunications Devices for the Hearing and	
21	Speech Impaired--State Appropriation . . . . .	\$2,766,000
22	TOTAL APPROPRIATION . . . . .	(( <del>\$129,592,000</del> ))
23		<u>\$128,856,000</u>

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

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

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

34	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$47,719,000</del> ))
35		<u>\$48,167,000</u>
36	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$46,292,000</del> ))

1 \$36,128,000  
 2 TOTAL APPROPRIATION . . . . . ((~~\$94,011,000~~))  
 3 \$84,295,000

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

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

8 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$26,125,000~~))  
 9 \$26,069,000  
 10 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$24,586,000~~))  
 11 \$24,474,000  
 12 General Fund--Federal Appropriation . . . . . ((~~\$39,223,000~~))  
 13 \$39,550,000  
 14 General Fund--Private/Local Appropriation . . . . . \$2,116,000  
 15 Performance Audits of State Government--State  
 16 Appropriation . . . . . \$4,812,000  
 17 TOTAL APPROPRIATION . . . . . ((~~\$96,862,000~~))  
 18 \$97,021,000

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

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

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

31 (3) \$178,000 of the general fund--state appropriation for fiscal  
 32 year 2012 and \$178,000 of the general fund--state appropriation for  
 33 fiscal year 2013 are provided solely for the juvenile detention  
 34 alternatives initiative.

35 (4) \$4,812,000 of the performance audits of state government--state  
 36 appropriation is provided solely for support and expansion of the

1 division of fraud investigation. The division shall conduct  
2 investigatory and enforcement activities for all department programs,  
3 including the child support and TANF programs.

4 (5) \$1,400,000 of the general fund--state appropriation for fiscal  
5 year 2012 is provided solely for the department to distribute as  
6 support to community public health and safety networks that have a  
7 history of providing training and services related to adverse childhood  
8 experiences. Distribution of these funds is contingent upon securing  
9 funding from a private entity or entities to provide one dollar in  
10 matching funds for each dollar in state funds received by a network so  
11 that the funding received by a community public health and safety  
12 network will be equal portions of state and private funding.

13 (6) \$250,000 of the general fund--state appropriation for fiscal  
14 year 2013 is for the department to assist in the development of a  
15 public-private initiative that promotes innovative new approaches to  
16 prevention and mitigation of adverse childhood experiences. The  
17 department shall, as part of the transition to a public-private  
18 initiative that leverages the community networks' community capacity  
19 building model and infrastructure: (a) Assist community public health  
20 and safety networks in identifying and obtaining funding opportunities  
21 to assist local communities in achieving the purposes of networks and  
22 further developing community capacity; and (b) maintain centralized  
23 administrative services for the community network system in the office  
24 of the secretary to facilitate cross-agency and multi-sector  
25 partnership with community networks.

26 (7) \$250,000 of the general fund--state appropriation for fiscal  
27 year 2013 is provided solely for a grant program focused on criminal  
28 street gang prevention and intervention. The Washington state  
29 partnership council on juvenile justice may award grants under this  
30 subsection. The council shall give priority to applicants who have  
31 demonstrated the greatest problems with criminal street gangs.  
32 Applicants composed of, at a minimum, one or more local governmental  
33 entities and one or more nonprofit, nongovernmental organizations that  
34 have a documented history of creating and administering effective  
35 criminal street gang prevention and intervention programs may apply for  
36 funding under this subsection.

37 (8) \$113,000 of the general fund--state appropriation for fiscal  
38 year 2013 and \$105,000 of the general fund--federal appropriation are

1 provided solely for staffing costs associated with implementation of  
2 Engrossed Second Substitute House Bill No. 2536 (children  
3 services/delivery). The amounts provided in this subsection must be  
4 used for coordinated evidence-based practice implementation amongst the  
5 department's programs providing mental health, child welfare, and  
6 juvenile justice services to children. If Engrossed Second Substitute  
7 House Bill No. 2536 (children services/delivery) is not enacted by June  
8 30, 2012, the amounts provided in this subsection shall lapse.

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

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

13	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$62,778,000</del> ))
14		<u>\$62,140,000</u>
15	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$61,927,000</del> ))
16		<u>\$46,303,000</u>
17	General Fund--Federal Appropriation . . . . .	(( <del>\$58,400,000</del> ))
18		<u>\$53,049,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <del>\$183,105,000</del> ))
20		<u>\$161,492,000</u>

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

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

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

31 **FOR THE STATE HEALTH CARE AUTHORITY**

32	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,130,229,000</del> ))
33		<u>\$2,034,296,000</u>
34	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,185,617,000</del> ))
35		<u>\$2,031,150,000</u>
36	General Fund--Federal Appropriation . . . . .	(( <del>\$5,389,627,000</del> ))



1		\$5,307,288,000
2	General Fund--Private/Local Appropriation . . . . .	(( <del>\$45,512,000</del> ))
3		<u>\$62,597,000</u>
4	Emergency Medical Services and Trauma Care Systems	
5	Trust Account--State Appropriation . . . . .	\$15,077,000
6	Hospital Safety Net Assessment Fund--State	
7	Appropriation . . . . .	(( <del>\$394,905,000</del> ))
8		<u>\$434,087,000</u>
9	State Health Care Authority Administration Account--	
10	State Appropriation . . . . .	(( <del>\$34,118,000</del> ))
11		<u>\$34,040,000</u>
12	Basic Health Plan Stabilization Account--	
13	State Appropriation . . . . .	\$44,000,000
14	Medical Aid Account--State Appropriation . . . . .	\$529,000
15	<u>Medicaid Fraud Penalty Account--State Appropriation . . . . .</u>	<u>\$9,200,000</u>
16	TOTAL APPROPRIATION . . . . .	(( <del>\$10,239,614,000</del> ))
17		<u>\$9,972,264,000</u>

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

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

1        (2) Within amounts appropriated in this section and sections 205  
2 and 206 of this act, the health care authority shall continue to  
3 provide an enhanced basic health plan subsidy for foster parents  
4 licensed under chapter 74.15 RCW and workers in state-funded home care  
5 programs. Under this enhanced subsidy option, foster parents eligible  
6 to participate in the basic health plan as subsidized enrollees and  
7 home care workers with family incomes below 200 percent of the federal  
8 poverty level shall be allowed to enroll in the basic health plan at  
9 the minimum premium amount charged to enrollees with incomes below  
10 sixty-five percent of the federal poverty level.

11        ~~((+2))~~ (3) The health care authority shall require organizations  
12 and individuals that are paid to deliver basic health plan services and  
13 that choose to sponsor enrollment in the subsidized basic health plan  
14 to pay 133 percent of the premium amount which would otherwise be due  
15 from the sponsored enrollees.

16        ~~((+3))~~ (4)(a) \$1,200,000 of the general fund--state appropriation  
17 for fiscal year 2012 is provided solely to plan the implementation of  
18 a system of consolidated public school employee health benefits  
19 purchasing.

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

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

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

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

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

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

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

- 1 (i) The costs and benefits of the current K-12 health benefits  
2 system;
- 3 (ii) The costs and benefits of providing a new statewide K-12  
4 employees' health benefits pool to school districts and school  
5 employees;
- 6 (iii) The costs and benefits of enrolling K-12 employees into the  
7 existing health benefits pool for state employees;
- 8 (iv) Recommendations of ways to limit administrative duplication  
9 and costs, improve transparency to employees, the legislature, and the  
10 public and assure equity among beneficiaries of publicly provided  
11 employee health benefits;
- 12 (v) Recommendations for standardizing benefit packages and  
13 purchasing efforts in a manner that seeks to maximize funding and  
14 equity for all school employees;
- 15 (vi) Recommendations regarding the use of incentives, including how  
16 changes to state health benefit allocations could provide employees  
17 with benefits that would encourage participation;
- 18 (vii) Recommendations regarding the implementation of a new K-12  
19 employee benefit plan, with separate options for voluntary  
20 participation and mandatory statewide participation;
- 21 (viii) Recommendations regarding methods to reduce inequities  
22 between individual and family coverage;
- 23 (ix) Consolidation of the purchasing and budget accountability for  
24 school employee benefits to maximize administrative efficiency and  
25 leverage existing skills and resources; and
- 26 (x) Other details the health care authority deems necessary,  
27 including but not limited to recommendations on the following:
- 28 (A) Approaches for implementing the transition to a statewide pool,  
29 including administrative and statutory changes necessary to ensure a  
30 successful transition, and whether the pool should be separate from, or  
31 combined with, the public employees' benefits pool;
- 32 (B) The structure of a permanent governing group to provide ongoing  
33 oversight to the consolidated pool, in a manner similar to the public  
34 employees benefits board functions for employee health benefits,  
35 including statutory duties and authorities of the board; and
- 36 (C) Options for including potential changes to: Eligibility  
37 standardization, the public employees benefits risk pools, the movement

1 of school employee retirees into the new K-12 pool or pools, and the  
2 movement of educational service district employees into the new K-12  
3 pool or pools.

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

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

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

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

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

20 (~~(4)~~) (5) The administrator shall take at least the following  
21 actions to assure that persons participating in the basic health plan  
22 are eligible for the level of assistance they receive: (a) Require  
23 submission of (i) income tax returns, and recent pay history, from all  
24 applicants, or (ii) other verifiable evidence of earned and unearned  
25 income from those persons not required to file income tax returns; (b)  
26 check employment security payroll records at least once every twelve  
27 months on all enrollees; (c) require enrollees whose income as  
28 indicated by payroll records exceeds that upon which their subsidy is  
29 based to document their current income as a condition of continued  
30 eligibility; (d) require enrollees for whom employment security payroll  
31 records cannot be obtained to document their current income at least  
32 once every six months; (e) not reduce gross family income for self-  
33 employed persons by noncash-flow expenses such as, but not limited to,  
34 depreciation, amortization, and home office deductions, as defined by  
35 the United States internal revenue service; and (f) pursue repayment  
36 and civil penalties from persons who have received excessive subsidies,  
37 as provided in RCW 70.47.060(9).

1       ~~((+5))~~ (6) Enrollment in the subsidized basic health plan shall be  
2 limited to only include persons who qualify as subsidized enrollees as  
3 defined in RCW 70.47.020 and who (a) qualify for services under 1115  
4 medicaid demonstration project number 11-W-00254/10; or (b) are foster  
5 parents licensed under chapter 74.15 RCW.

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

13       ~~((+7))~~ (8) Based on quarterly expenditure reports and caseload  
14 forecasts, if the health care authority estimates that expenditures for  
15 the medical assistance program will exceed the appropriations, the  
16 health care authority shall take steps including but not limited to  
17 reduction of rates or elimination of optional services to reduce  
18 expenditures so that total program costs do not exceed the annual  
19 appropriation authority.

20       ~~((+8))~~ (9) In determining financial eligibility for medicaid-  
21 funded services, the health care authority is authorized to disregard  
22 recoveries by Holocaust survivors of insurance proceeds or other  
23 assets, as defined in RCW 48.104.030.

24       ~~((+9))~~ (10) The legislature affirms that it is in the state's  
25 interest for Harborview medical center to remain an economically viable  
26 component of the state's health care system.

27       ~~((+10))~~ (11) When a person is ineligible for medicaid solely by  
28 reason of residence in an institution for mental diseases, the health  
29 care authority shall provide the person with the same benefits as he or  
30 she would receive if eligible for medicaid, using state-only funds to  
31 the extent necessary.

32       ~~((+11))~~ (12) \$4,261,000 of the general fund--state appropriation  
33 for fiscal year 2012, \$4,261,000 of the general fund--state  
34 appropriation for fiscal year 2013, and \$8,522,000 of the general  
35 fund--federal appropriation are provided solely for low-income  
36 disproportionate share hospital payments under RCW 74.09.730(1)(a).

37       ~~((+12))~~ ~~\$5,905,000 of the general fund--state appropriation for~~  
38 ~~fiscal year 2012, \$5,905,000 of the general fund--state appropriation~~

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

5 ~~(13) \$665,000 of the general fund state appropriation for fiscal~~  
6 ~~year 2012, \$665,000 of the general fund state appropriation for fiscal~~  
7 ~~year 2013, and \$1,330,000 of the general fund federal appropriation~~  
8 ~~are provided solely for small rural indigent assistance~~  
9 ~~disproportionate share hospital payments in accordance with RCW~~  
10 ~~74.09.730(1).~~

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

33 ~~((15))~~ (14) The health care authority shall continue the  
34 inpatient hospital certified public expenditures program for the 2011-  
35 2013 fiscal biennium. The program shall apply to all public hospitals,  
36 including those owned or operated by the state, except those classified  
37 as critical access hospitals or state psychiatric institutions. The  
38 health care authority shall submit reports to the governor and

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

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

15 (~~(+16+)~~) (15) The health care authority shall seek public-private  
16 partnerships and federal funds that are or may become available to  
17 provide on-going support for outreach and education efforts under the  
18 federal children's health insurance program reauthorization act of  
19 2009.

20 (~~(+17+)~~) (16) The health care authority shall target funding for  
21 maternity support services towards pregnant women with factors that  
22 lead to higher rates of poor birth outcomes, including hypertension, a  
23 preterm or low birth weight birth in the most recent previous birth, a  
24 cognitive deficit or developmental disability, substance abuse, severe  
25 mental illness, unhealthy weight or failure to gain weight, tobacco  
26 use, or African American or Native American race. The health care  
27 authority shall prioritize evidence-based practices for delivery of  
28 maternity support services. To the extent practicable, the health care  
29 authority shall develop a mechanism to increase federal funding for  
30 maternity support services by leveraging local public funding for those  
31 services.

32 (~~(+18+)~~) (17) For children with family incomes above 200 percent of  
33 the federal poverty level in the state-funded children's health program  
34 for children who are not eligible for coverage under the federally  
35 funded children's health insurance program, premiums shall be set every  
36 two years in an amount equal to the average state-only share of the per  
37 capita cost of coverage in the state-funded children's health program



1 for children in families with incomes at or less than two hundred  
2 percent of the federal poverty level.

3 ~~((19) \$704,000 of the general fund state appropriation for fiscal~~  
4 ~~year 2012, \$726,000 of the general fund state appropriation for fiscal~~  
5 ~~year 2013, and \$1,431,000 of the general fund federal appropriation~~  
6 ~~are provided solely for)) (18) Within the amounts appropriated in this~~  
7 ~~section, the health care authority shall provide~~ disproportionate share  
8 hospital payments to hospitals that provide services to children in the  
9 children's health program who are not eligible for services under Title  
10 XIX or XXI of the federal social security act due to their citizenship  
11 status.

12 ~~((20) \$998,000)) (19) \$859,000 of the general fund--state~~  
13 ~~appropriation for fiscal year 2012, \$979,000 of the general fund--state~~  
14 ~~appropriation for fiscal year 2013, and ((\$1,980,000)) \$1,841,000 of~~  
15 ~~the general fund--federal appropriation are provided solely to increase~~  
16 ~~prior authorization activities for advanced imaging procedures.~~

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

24 ~~((22)) (21) \$300,000 of the general fund--private/local~~  
25 ~~appropriation and \$300,000 of the general fund--federal appropriation~~  
26 ~~are provided solely for a prescriptive practices improvement~~  
27 ~~collaborative focusing upon atypical antipsychotics and other~~  
28 ~~medications commonly used in the treatment of severe and persistent~~  
29 ~~mental illnesses among adults. The project shall promote collaboration~~  
30 ~~among community mental health centers, other major prescribers of~~  
31 ~~atypical antipsychotic medications to adults enrolled in state medical~~  
32 ~~assistance programs, and psychiatrists, pharmacists, and other~~  
33 ~~specialists at the University of Washington department of psychiatry~~  
34 ~~and/or other research universities. The collaboration shall include~~  
35 ~~patient-specific prescriber consultations by psychiatrists and~~  
36 ~~pharmacists specializing in treatment of severe and persistent mental~~  
37 ~~illnesses among adults; production of profiles to assist prescribers~~  
38 ~~and clinics in tracking their prescriptive practices and their~~

1 patients' medication use and adherence relative to evidence-based  
2 practices guidelines, other prescribers, and patients at other clinics;  
3 and in-service seminars at which participants can share and increase  
4 their knowledge of evidence-based and other effective prescriptive  
5 practices. The health care authority shall enter into an interagency  
6 agreement with the office of the attorney general for expenditure of  
7 \$300,000 of the state's proceeds of the *cy pres* settlement in *State of*  
8 *Washington v. AstraZeneca* (Seroquel) for this purpose.

9 ~~((+23))~~ (22) \$570,000 of the general fund--private/local  
10 appropriation is provided solely for continued operation of the  
11 partnership access line for child mental health consultations. The  
12 health care authority shall enter into an interagency agreement with  
13 the office of the attorney general for expenditure of \$570,000 of the  
14 state's proceeds of the *cy pres* settlement in *State of Washington v.*  
15 *AstraZeneca* (Seroquel) for this purpose.

16 ~~((+24))~~ (23) \$80,000 of the general fund--state appropriation for  
17 fiscal year 2012, \$80,000 of the general fund--state appropriation for  
18 fiscal year 2013, and \$160,000 of the general fund--federal  
19 appropriation are provided solely to fund the Tacoma-Pierce county  
20 health department for access and outreach activities to reduce infant  
21 mortality.

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

32 ~~((+26) \$2,400,000 of the general fund state appropriation for  
33 fiscal year 2012, \$2,435,000 of the general fund state appropriation  
34 for fiscal year 2013, \$7,253,000 of the general fund private/local  
35 appropriation, — and — \$12,455,000 — of — the — general — fund — federal  
36 appropriation are provided solely for continued provision of))~~ (25)  
37 Within the amounts appropriated in this section, the health care  
38 authority shall continue to provide school-based medical services by

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

5 ~~((+27))~~ (26) \$263,000 of the general fund--state appropriation for  
6 fiscal year 2012, \$88,000 of the general fund--state appropriation for  
7 fiscal year 2013, and \$351,000 of the general fund--federal  
8 appropriation are provided solely for development and submission to the  
9 federal government by October 1, 2011, of a demonstration project  
10 proposal as provided in Substitute Senate Bill No. 5596 (medicaid  
11 demonstration waiver).

12 ~~((+28) \$5,600,000 of the general fund state appropriation for  
13 fiscal year 2012, \$4,094,000 of the general fund state appropriation  
14 for fiscal year 2013, and \$11,332,000 of the general fund federal  
15 appropriation are provided solely for))~~ (27) Within the amounts  
16 appropriated in this section, the health care authority shall provide  
17 spoken-language interpreter services. The authority shall develop and  
18 implement a new model for delivery of such services no later than  
19 ~~((January))~~ July 1, 2012. The model shall include:

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

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

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

37 Nothing in this subsection affects the ability of health care  
38 providers to provide interpretive services through employed staff or

1 through telephone and video remote technologies when not reimbursed  
2 directly by the department. The amounts in this subsection do not  
3 include federal administrative funds provided to match nonstate  
4 expenditures by local health jurisdictions and governmental hospitals.

5 ~~((+29+))~~ (28) In its procurement of contractors for delivery of  
6 medical managed care services for nondisabled, nonelderly persons, the  
7 medical assistance program shall (a) place substantial emphasis upon  
8 price competition in the selection of successful bidders; and (b) not  
9 require delivery of any services that would increase the actuarial cost  
10 of service beyond the levels included in current healthy options  
11 contracts.

12 ~~((+30+))~~ (29) \$1,430,000 of the general fund--state appropriation  
13 for fiscal year 2012, \$1,430,000 of the general fund--state  
14 appropriation for fiscal year 2013, and \$2,860,000 of the general  
15 fund--federal appropriation are provided solely to pay  
16 federally-designated rural health clinics their standard encounter rate  
17 for prenatal and well-child visits, whether delivered under a managed  
18 care contract or fee-for-service. In reconciling managed care  
19 enhancement payments for calendar years 2009 and 2010, the department  
20 shall treat well-child and prenatal care visits as encounters subject  
21 to the clinic's encounter rate.

22 ~~((+31+))~~ (30) \$280,000 of the general fund--state appropriation for  
23 fiscal year 2012 and \$282,000 of the general fund--federal  
24 appropriation are provided solely to increase utilization management of  
25 drugs and drug classes for which there is evidence of over-utilization,  
26 off-label use, excessive dosing, duplicative therapy, or opportunities  
27 to shift utilization to less expensive, equally effective formulations.

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

34 ~~((+33+))~~ (32) \$400,000 of the general fund--state appropriation for  
35 fiscal year 2012 and \$400,000 of the general fund--state appropriation  
36 for fiscal year 2013 is provided solely for the local outreach, case  
37 management, and coordination with dental providers needed to execute

1 the access to baby and child dentistry program, which provides dental  
2 care to Medicaid eligible children up to age six.

3 ~~((34) \$1,868,000 of the general fund state appropriation for~~  
4 ~~fiscal year 2012, \$1,873,000 of the general fund state appropriation~~  
5 ~~for fiscal year 2013, and \$3,154,000 of the general fund federal~~  
6 ~~appropriation are provided solely to)) (33) Within the amounts~~  
7 appropriated in this section, the health care authority shall continue  
8 to provide dental services to pregnant women. Services shall include  
9 preventive, routine, and emergent dental care.

10 ~~((35))~~ (34) \$395,000 of the general fund--state appropriation for  
11 fiscal year 2012, \$395,000 of the general fund--state appropriation for  
12 fiscal year 2013, and \$790,000 of the general fund--federal  
13 appropriation are provided solely for continued operation of the  
14 dental education in care of persons with disabilities (DECOD) program  
15 at the University of Washington.

16 ~~((36) \$112,000))~~ (35) \$159,000 of the general fund--state  
17 appropriation for fiscal year 2012, ~~(( \$112,000 of the general fund--~~  
18 ~~state appropriation for fiscal year 2013,))~~ \$302,000 of the general  
19 fund--private/local appropriation, and ~~(( \$1,928,000))~~ \$146,072,000 of  
20 the general fund--federal appropriation are provided solely for the  
21 provider incentive program and other initiatives related to the health  
22 information technology Medicaid plan. The general fund--private/local  
23 appropriation in this subsection shall be funded with proceeds from  
24 settlements in the case of State of Washington vs. GlaxoSmithKline.  
25 The authority and the office of the attorney general shall enter an  
26 interagency agreement regarding use of these funds.

27 ~~((37))~~ (36) \$2,926,000 of the general fund--local appropriation  
28 and \$2,928,000 of the general fund--federal appropriation are provided  
29 solely to support medical airlift services.

30 ~~((38))~~ (37) The authority shall collect data on enrollment and  
31 utilization to study whether the expansion of family planning coverage  
32 under Substitute Senate Bill No. 5912 is reducing state medical  
33 expenditures by reducing unwanted pregnancies. The authority shall  
34 report its findings to the legislature by December 1, 2012.

35 ~~((39))~~ (38) \$480,000 of the general fund--state appropriation for  
36 fiscal year 2012, \$480,000 of the general fund--state appropriation for  
37 fiscal year 2013, and \$824,000 of the general fund--federal  
38 appropriation are provided solely for customer services staff. The

1 authority will attempt to improve the phone answer rate to 40 percent  
2 and reduce the response times to written questions to ten days for  
3 clients and 25 days for providers. The authority will report to the  
4 legislature on its progress toward achieving these goals by January 1,  
5 2012. If the authority has not achieved these goals by July 1, 2012,  
6 then the authority shall reduce expenditures on management staff in  
7 order to increase expenditures on customer service staff until the  
8 goals are achieved.

9 ~~((40))~~ (39) The department shall purchase a brand name drug when  
10 it determines that the cost of the brand name drug after rebates is  
11 less than the cost of generic alternatives and that purchase of the  
12 brand rather than generic version can save at least \$250,000. The  
13 department may purchase generic alternatives when changes in market  
14 prices make the price of the brand name drug after rebates more  
15 expensive than the generic alternatives.

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

22 (40) The authority, in collaboration with the department of social  
23 and health services, the department of health, the Washington state  
24 hospital association, the Puget Sound health alliance, the Washington  
25 association of community and migrant health centers, and the forum, a  
26 collaboration of health carriers, physicians, and hospitals in  
27 Washington state, shall design a system of rural health system access  
28 and quality incentive payments. The incentive payments must be linked  
29 to explicit performance measures that consider not only services  
30 provided by health care providers, but also the role that providers  
31 might play in the rural health delivery systems in their communities,  
32 including the provision of long-term care services. In designing the  
33 incentive payment system, the authority shall consider the department  
34 of health's necessary provider criteria for critical access hospitals,  
35 the quality measures used to determine quality incentive payments under  
36 RCW 74.60.130, and any other performance measures that would promote  
37 access and quality in rural health systems. The authority, in  
38 conjunction with those groups identified in this subsection, shall

1 develop parameters for determining criteria for increased payment,  
2 alternative payment methodologies, or other incentives for those  
3 providers that improve and achieve sustained improvement with respect  
4 to the measures. The design of the system shall be submitted to the  
5 relevant policy and fiscal committees of the legislature by December  
6 15, 2012.

7 (41) \$150,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$1,964,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely to implement Engrossed Second  
10 Substitute House Bill No. 2319 (affordable care act). If the bill is  
11 not enacted by June 30, 2012, the amounts provided in this subsection  
12 shall lapse.

13 (42) \$1,109,000 of the general fund--state appropriation for fiscal  
14 year 2012, \$1,471,000 of the general fund--state appropriation for  
15 fiscal year 2013, and \$21,890,000 of the general fund--federal  
16 appropriation are provided solely to implement phase two of the project  
17 to create a single provider payment system that consolidates medicaid  
18 medical and social services payments and replaces the social service  
19 payment system.

20 (43) In order to achieve the reductions in appropriations provided  
21 in this section, the authority, in consultation with the Washington  
22 state hospital association, the Washington state medical association,  
23 and the Washington chapter of the American college of emergency  
24 physicians shall designate best practices and performance measures to  
25 reduce medically unnecessary emergency room visits of medicaid clients.  
26 The Washington state hospital association, the Washington state medical  
27 association, and the Washington chapter of the American college of  
28 emergency physicians will work with the authority to promote these best  
29 practices. The best practices and performance measures shall consist  
30 of the following items:

31 (a) Adoption of a system to exchange patient information among  
32 emergency room departments on a regional or statewide basis;

33 (b) Active dissemination of patient educational materials produced  
34 by the Washington state hospital association, Washington state medical  
35 association, and the Washington chapter of the American college of  
36 emergency physicians that instruct patients on appropriate facilities  
37 for nonemergent health care needs;

1 (c) Designation of hospital personnel and emergency room physician  
2 personnel to receive and appropriately disseminate information on  
3 clients participating in the medicaid patient review and coordination  
4 program and to review monthly utilization reports on those clients  
5 provided by the authority;

6 (d) A process to assist the authority's patient review and  
7 coordination program clients with their care plans. The process must  
8 include substantial efforts by hospitals to schedule an appointment  
9 with the client's assigned primary care provider within seventy-two  
10 hours of the client's medically unnecessary emergency room visit when  
11 appropriate under the client's care plan;

12 (e) Implementation of narcotic guidelines that incorporate the  
13 Washington chapter of the American college of emergency physician  
14 guidelines;

15 (f) Physician enrollment in the state's prescription monitoring  
16 program, as long as the program is funded; and

17 (g) Designation of a hospital emergency department physician  
18 responsible for reviewing the state's medicaid utilization management  
19 feedback reports, which will include defined performance measures. The  
20 emergency department physician and hospital will have a process to take  
21 appropriate action in response to the information in the feedback  
22 reports if performance measures are not met. The authority must  
23 develop feedback reports that include timely emergency room utilization  
24 data such as visit rates, medically unnecessary visit rates (by  
25 hospital and by client), emergency department imaging utilization  
26 rates, and other measures as needed. The authority may utilize the  
27 Robert Bree collaborative for assistance related to this best practice.

28 The requirements for best practices for a critical access hospital  
29 should not include adoption of a system to exchange patient information  
30 if doing so would pose a financial burden, and should not include  
31 requirements related to the authority's patient review and coordination  
32 program if the volume of those patients seen at the critical access  
33 hospital are small.

34 Hospitals participating in this medicaid best practices program  
35 shall submit to the authority a declaration from executive level  
36 leadership indicating hospital adoption of and compliance with the best  
37 practices enumerated above. In the declaration, hospitals will affirm  
38 that they have in place written policies, procedures, or guidelines to



1 implement these best practices and are willing to share them upon  
2 request. The declaration must also give consent for the authority to  
3 disclose feedback reports and performance measures on its web site.  
4 The authority shall submit a list of declaring hospitals to the  
5 relevant policy and fiscal committees of the legislature by July 15,  
6 2012.

7 If the authority does not receive by July 1, 2012, declarations  
8 from hospitals representing at least seventy-five percent of emergency  
9 room visits by medicaid clients in fiscal year 2010, the authority may  
10 implement a policy of nonpayment of medically unnecessary emergency  
11 room visits, with appropriate client and clinical safeguards such as  
12 exemptions and expedited prior authorization. The authority shall by  
13 January 15, 2013, perform a preliminary fiscal analysis of trends in  
14 implementing the best practices in this subsection, focusing on outlier  
15 hospitals with high rates of unnecessary visits by medicaid clients,  
16 high emergency room visit rates for patient review and coordination  
17 clients, low rates of completion of treatment plans for patient review  
18 and coordination clients assigned to the hospital, and high rates of  
19 prescribed long-acting opiates. In cooperation with the leadership of  
20 the hospital, medical, and emergency physician associations, additional  
21 efforts shall be focused on assisting those outlier hospitals and  
22 providers to achieve more substantial savings. The authority by  
23 January 15, 2013, will report to the legislature about whether assumed  
24 savings based on preliminary trend and forecasted data are on target  
25 and if additional best practices or other actions need to be  
26 implemented.

27 If necessary, pursuant to RCW 34.05.350(1)(c), the authority may  
28 employ emergency rulemaking to achieve the reductions assumed in the  
29 appropriations under this section.

30 Nothing in this subsection shall in any way impact the authority's  
31 ability to adopt and implement policies pertaining to the patient  
32 review and coordination program.

33 (44) \$25,000 of the hospital safety net assessment--state  
34 appropriation and \$25,000 of the general fund--federal appropriation  
35 are provided solely for the authority to review and report on the  
36 payment of facility fees in programs administered by the authority.  
37 The study shall include a summary of state and federal requirements and  
38 practices with regard to the use of such fees; an analysis of how

1 authority payments for services and procedures that include an explicit  
2 facility fee component compare to amounts paid for comparable services  
3 and procedures that do not; the amount expended for facility fees by  
4 major program and service in each of the four most recent years for  
5 which reasonably complete and comparable information is available; an  
6 analysis of the extent to which hospital acquisition of physician  
7 practices and of laboratory, imaging, and other outpatient diagnostic  
8 and treatment services has contributed to increased state expenditures;  
9 and the authority's recommendations regarding possible revisions to  
10 calculation and payment of such fees. The authority shall report its  
11 finding and recommendations to the health care and appropriate fiscal  
12 committees of the legislature by November 1, 2012.

13 (45) Prior to entering into a contract for medicaid managed care  
14 services for the period commencing July 1, 2012, the director of the  
15 health care authority shall certify to the governor and to the health  
16 care committees of the legislature that the contractor has established  
17 a network of acute, primary, and specialty care providers that is  
18 sufficient to meet the needs of the contractor's anticipated enrollee  
19 population. If no plan is able to certify an adequate provider network  
20 in a county, the health care authority shall request re-bids from all  
21 plans which originally submitted bids for the county during the regular  
22 procurement process until award is successful. No county, that is  
23 currently served by Medicaid managed care services shall revert to  
24 fee-for-service as a result of the procurement process.

25 (46) The department shall seek a medicaid state plan amendment to  
26 create a graduate medical education supplemental payment for services  
27 delivered to managed care recipients by University of Washington  
28 medicine and other public professional providers. This program shall  
29 be effective as soon as administratively possible and shall operate  
30 concurrently with the existing professional services supplemental  
31 payment program. Providers that participate in the graduate medical  
32 education supplemental payment program are not eligible to participate  
33 in the professional services supplemental payment program. The  
34 department shall apply federal rules for identifying the difference  
35 between current physician encounter and fee-for-service medicaid  
36 payments to participating providers and the applicable federal upper  
37 payment limit. Participating providers shall be solely responsible for  
38 providing the local funds required to obtain federal matching funds.

1 Any incremental costs incurred by the department in the development,  
2 implementation, and maintenance of this program shall be the  
3 responsibility of the participating providers. Participating providers  
4 shall retain the full amount of supplemental payments provided under  
5 this program, net of any costs related to the program that are  
6 disallowed due to audits or litigation against the state.

7 (47) The authority shall exclude HIV/AIDS disease, chemotherapy,  
8 hemophilia, diabetes, and immunosuppressant drugs from any formulary  
9 limitations implemented to operate within the appropriations provided  
10 in this section.

11 (48) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud)  
12 is not enacted by June 30, 2012, the amounts appropriated in this  
13 section from the medicaid fraud penalty account--state appropriation  
14 shall lapse and an additional \$3,608,000 shall be appropriated from the  
15 general fund--state for fiscal year 2013 for medicaid services, fraud  
16 detection and prevention activities, recovery of improper payments, and  
17 for other medicaid fraud enforcement activities.

18 (49) The authority may pursue a competitive bidding process for the  
19 purchase of lowest cost generic drugs within the medicaid program.

20 (50) Within the amounts appropriated in this section, the health  
21 care authority and the department of social and health services shall  
22 implement the state option to provide health homes for enrollees with  
23 chronic conditions under section 2703 of the federal affordable care  
24 act. The total state match for enrollees who are dually-eligible for  
25 both medicare and medicaid and not enrolled in managed care shall be no  
26 more than the net savings to the state from the enhanced match rate for  
27 its medicaid-only managed care enrollees under section 2703.

28 (51) The health care authority shall not initiate any services that  
29 require expenditure of state general fund moneys unless expressly  
30 authorized in this act or other law. The health care authority may  
31 seek, receive, and spend, under RCW 43.79.260 through 43.79.282,  
32 federal moneys not anticipated in this act as long as the federal  
33 funding does not require expenditure of state moneys for the program in  
34 excess of amounts anticipated in this act. If the health care  
35 authority receives unanticipated unrestricted federal moneys, those  
36 moneys shall be spent for services authorized in this act or in any  
37 other legislation providing appropriation authority, and an equal  
38 amount of appropriated state general fund moneys shall lapse. Upon the

1 lapsing of any moneys under this subsection, the office of financial  
2 management shall notify the legislative fiscal committees. As used in  
3 this subsection, "unrestricted federal moneys" includes block grants  
4 and other funds that federal law does not require to be spent on  
5 specifically defined projects or matched on a formula basis by state  
6 funds.

7 (52) \$66,000 of the general fund--state appropriation for fiscal  
8 year 2013 and \$66,000 of the general fund--federal appropriation are  
9 provided solely to implement Engrossed Second Substitute House Bill No.  
10 2536 (children services/delivery). The department of social and health  
11 services' programs responsible for administration of mental health,  
12 child welfare, and juvenile justice programs will coordinate with the  
13 health care authority on the development of contract terms which  
14 facilitate efforts to meet requirements of the bill. If the bill is  
15 not enacted by June 30, 2012, the amounts provided in this subsection  
16 shall lapse.

17 (53) The health care authority shall participate in the work group  
18 established by the department of corrections in section 220(2) of this  
19 act to review release options for elderly and infirm offenders.

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

22 **FOR THE HUMAN RIGHTS COMMISSION**

23	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,240,000</del> ))
24		<u>\$1,993,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,242,000</del> ))
26		<u>\$1,954,000</u>
27	General Fund--Federal Appropriation . . . . .	(( <del>\$1,903,000</del> ))
28		<u>\$1,893,000</u>
29	TOTAL APPROPRIATION . . . . .	(( <del>\$6,385,000</del> ))
30		<u>\$5,840,000</u>

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

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

34	Worker and Community Right-to-Know Account--State	
35	Appropriation . . . . .	\$10,000
36	Accident Account--State Appropriation . . . . .	(( <del>\$19,690,000</del> ))

1		<u>\$19,598,000</u>
2	Medical Aid Account--State Appropriation . . . . .	(( <del>\$19,689,000</del> ))
3		<u>\$19,601,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$39,389,000</del> ))
5		<u>\$39,209,000</u>

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

8 (1) \$36,000 of the accident account--state appropriation and  
9 \$36,000 of the medical aid account--state appropriation are solely  
10 provided for Engrossed Substitute Senate Bill No. 5068 (industrial  
11 safety and health act). If the bill is not enacted by June 30, 2011,  
12 the amounts provided in this subsection shall lapse.

13 (2) \$16,000 of the accident account--state appropriation and  
14 \$16,000 of the medical aid account--state appropriation are solely  
15 provided for Substitute Senate Bill No. 5801 (industrial insurance  
16 system). If the bill is not enacted by June 30, 2011, the amounts  
17 provided in this subsection shall lapse.

18 (3) \$1,893,000 of the accident account--state appropriation and  
19 \$1,893,000 of the medical aid account--state appropriation are provided  
20 solely for implementation of House Bill No. 2123 (workers'  
21 compensation). If the bill is not enacted by June 30, 2011, the  
22 amounts provided in this subsection shall lapse.

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

25 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

26	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$14,850,000</del> ))
27		<u>\$14,589,000</u>
28	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$14,711,000</del> ))
29		<u>\$14,147,000</u>
30	General Fund--Federal Appropriation . . . . .	\$456,000
31	General Fund--Private/Local Appropriation . . . . .	\$4,048,000
32	Death Investigations Account--State Appropriation . . . . .	\$148,000
33	Municipal Criminal Justice Assistance Account--	
34	State Appropriation . . . . .	\$460,000
35	Washington Auto Theft Prevention Authority Account--	
36	State Appropriation . . . . .	\$8,597,000
37	TOTAL APPROPRIATION . . . . .	(( <del>\$43,270,000</del> ))

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

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

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

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

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

(5) \$96,000 of the general fund--state appropriation for fiscal year 2012 and (~~(\$90,000)~~) \$96,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school

1 safety personnel. The commission shall provide research-related  
2 programs in school safety and security issues beneficial to both law  
3 enforcement and schools.

4 (6) \$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 grants to counties enforcing  
7 illegal drug laws and which have been underserved by federally funded  
8 state narcotics task forces. The Washington association of sheriffs  
9 and police chiefs, the Washington association of prosecuting attorneys,  
10 and the Washington association of county officials shall jointly  
11 develop funding allocations for the offices of the county sheriff,  
12 county prosecutor, and county clerk in qualifying counties. The  
13 commission shall not impose an administrative cost on this program.

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

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

17	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$17,433,000</del> ))
18		<u>\$17,406,000</u>
19	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$18,374,000</del> ))
20		<u>\$17,906,000</u>
21	General Fund--Federal Appropriation . . . . .	\$11,636,000
22	Asbestos Account--State Appropriation . . . . .	(( <del>\$395,000</del> ))
23		<u>\$375,000</u>
24	Electrical License Account--State Appropriation . . . . .	(( <del>\$37,019,000</del> ))
25		<u>\$36,357,000</u>
26	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
27	Worker and Community Right-to-Know Account--	
28	State Appropriation . . . . .	(( <del>\$949,000</del> ))
29		<u>\$916,000</u>
30	Public Works Administration Account--State	
31	Appropriation . . . . .	(( <del>\$6,814,000</del> ))
32		<u>\$7,043,000</u>
33	Manufactured Home Installation Training Account--	
34	State Appropriation . . . . .	\$334,000
35	Accident Account--State Appropriation . . . . .	(( <del>\$252,809,000</del> ))
36		<u>\$250,317,000</u>
37	Accident Account--Federal Appropriation . . . . .	\$13,622,000

1	Medical Aid Account--State Appropriation . . . . .	(( <del>\$264,202,000</del> ))
2		<u>\$262,421,000</u>
3	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
4	Plumbing Certificate Account--State Appropriation . . . . .	(( <del>\$1,688,000</del> ))
5		<u>\$1,675,000</u>
6	Pressure Systems Safety Account--State	
7	Appropriation . . . . .	(( <del>\$4,068,000</del> ))
8		<u>\$4,050,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$632,557,000</del> ))
10		<u>\$627,272,000</u>

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

13       (1) Pursuant to RCW 43.135.055, the department is authorized to  
14 increase fees related to factory assembled structures, contractor  
15 registration, electricians, plumbers, asbestos removal, boilers,  
16 elevators, and manufactured home installers. Plumber fees may be  
17 increased each year of the fiscal biennium. These increases are  
18 necessary to support expenditures authorized in this section,  
19 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
20 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

21       (2) \$50,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$50,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the crime victims compensation  
24 program to pay claims for mental health services for crime victim  
25 compensation program clients who have an established relationship with  
26 a mental health provider and subsequently obtain coverage under the  
27 medicaid program or the medical care services program under chapter  
28 74.09 RCW. Prior to making such payment, the program must have  
29 determined that payment for the specific treatment or provider is not  
30 available under the medicaid or medical care services program. In  
31 addition, the program shall make efforts to contact any healthy options  
32 or medical care services health plan in which the client may be  
33 enrolled to help the client obtain authorization to pay the claim on an  
34 out-of-network basis.

35       (3) \$1,281,000 of the accident account--state appropriation and  
36 \$1,281,000 of the medical aid account--state appropriation are provided  
37 solely for implementation of Engrossed Substitute House Bill No. 1725



1 (workers' compensation). If the bill is not enacted by June 30, 2011,  
2 the amounts provided in this subsection shall lapse.

3 (4) \$51,000 of the accident account--state appropriation and  
4 \$51,000 of the medical aid account--state appropriation are provided  
5 solely for implementation of Engrossed Substitute House Bill No. 1367  
6 (for hire vehicles, operators). If the bill is not enacted by June 30,  
7 2011, the amounts provided in this subsection shall lapse.

8 (5) \$8,727,000 of the medical aid account--state appropriation is  
9 provided solely for implementation of Substitute Senate Bill No. 5801  
10 (industrial insurance system). If the bill is not enacted by June 30,  
11 2011, the amount provided in this subsection shall lapse.

12 (6) \$625,000 of the general fund--state appropriation for fiscal  
13 year 2012, \$625,000 of the general fund--state appropriation for fiscal  
14 year 2013, \$1,250,000 of the public works administration account--state  
15 appropriation, \$708,000 of the accident account--state appropriation,  
16 and \$708,000 of the medical aid account--state appropriation are  
17 provided solely for the purposes of expanding the detecting  
18 unregistered employers targeting system and to support field staff in  
19 investigation and enforcement. Within the funds appropriated in this  
20 subsection, the department shall aggressively combat the underground  
21 economy in construction. Of the amounts provided in this subsection,  
22 \$800,000 shall be used for investigation and enforcement.

23 (7) \$8,583,000 of the accident account--state appropriation and  
24 \$18,278,000 of the medical aid account--state appropriation are  
25 provided solely for implementation of House Bill No. 2123 (workers'  
26 compensation). If the bill is not enacted by June 30, 2011, the  
27 amounts provided in this subsection shall lapse.

28 (8) \$90,000 of the public works administration account--state  
29 appropriation is provided solely to implement Substitute Senate Bill  
30 No. 6421 (prevailing wage/public works). If the bill is not enacted by  
31 June 30, 2012, the amount provided in this subsection shall lapse.

32 (9) \$34,000 of the electrical license account--state appropriation  
33 is provided solely to implement Senate Bill No. 6133 (electrician  
34 certifications). If the bill is not enacted by June 30, 2012, the  
35 amount provided in this subsection shall lapse.

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

1 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**  
2 (1) HEADQUARTERS  
3 General Fund--State Appropriation (FY 2012) . . . . . (~~(\$1,832,000)~~)  
4 \$1,829,000  
5 General Fund--State Appropriation (FY 2013) . . . . . (~~(\$1,826,000)~~)  
6 \$1,801,000  
7 Charitable, Educational, Penal, and Reformatory  
8 Institutions Account--State Appropriation . . . . . \$10,000  
9 TOTAL APPROPRIATION . . . . . (~~(\$3,668,000)~~)  
10 \$3,640,000

11 (2) FIELD SERVICES  
12 General Fund--State Appropriation (FY 2012) . . . . . (~~(\$5,006,000)~~)  
13 \$5,002,000  
14 General Fund--State Appropriation (FY 2013) . . . . . (~~(\$5,001,000)~~)  
15 \$4,964,000  
16 General Fund--Federal Appropriation . . . . . (~~(\$3,356,000)~~)  
17 \$3,348,000  
18 General Fund--Private/Local Appropriation . . . . . (~~(\$4,737,000)~~)  
19 \$4,722,000  
20 Veterans Innovations Program Account--State  
21 Appropriation . . . . . (~~(\$812,000)~~)  
22 \$810,000  
23 Veteran Estate Management Account--Private/Local  
24 Appropriation . . . . . (~~(\$1,083,000)~~)  
25 \$1,079,000  
26 TOTAL APPROPRIATION . . . . . (~~(\$19,995,000)~~)  
27 \$19,925,000

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

35 (3) INSTITUTIONAL SERVICES  
36 General Fund--State Appropriation (FY 2012) . . . . . (~~(\$899,000)~~)  
37 \$1,743,000

1 (~~General Fund--State Appropriation (FY 2013)~~ . . . . . ~~\$71,000~~)  
2 General Fund--Federal Appropriation . . . . . (~~(\$59,177,000)~~)  
3 \$61,437,000  
4 General Fund--Private/Local Appropriation . . . . . (~~(\$32,094,000)~~)  
5 \$29,506,000  
6 TOTAL APPROPRIATION . . . . . (~~(\$92,241,000)~~)  
7 \$92,686,000

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

10 **FOR THE DEPARTMENT OF HEALTH**

11 General Fund--State Appropriation (FY 2012) . . . . . (~~(\$79,888,000)~~)  
12 \$79,404,000  
13 General Fund--State Appropriation (FY 2013) . . . . . (~~(\$79,718,000)~~)  
14 \$77,879,000  
15 General Fund--Federal Appropriation . . . . . (~~(\$555,563,000)~~)  
16 \$553,078,000  
17 General Fund--Private/Local Appropriation . . . . . (~~(\$148,362,000)~~)  
18 \$148,055,000  
19 Hospital Data Collection Account--State Appropriation . . . . \$214,000  
20 Health Professions Account--State Appropriation . . . . (~~(\$94,469,000)~~)  
21 \$98,953,000  
22 Aquatic Lands Enhancement Account--State Appropriation . . . . \$604,000  
23 Emergency Medical Services and Trauma Care Systems  
24 Trust Account--State Appropriation . . . . . (~~(\$12,302,000)~~)  
25 \$12,300,000  
26 Safe Drinking Water Account--State Appropriation . . . . (~~(\$4,480,000)~~)  
27 \$4,464,000  
28 Drinking Water Assistance Account--Federal  
29 Appropriation . . . . . (~~(\$22,875,000)~~)  
30 \$21,965,000  
31 Waterworks Operator Certification--State  
32 Appropriation . . . . . (~~(\$1,532,000)~~)  
33 \$1,528,000  
34 Drinking Water Assistance Administrative Account--  
35 State Appropriation . . . . . \$326,000  
36 Site Closure Account--State Appropriation . . . . . \$79,000  
37 Biotoxin Account--State Appropriation . . . . . \$1,167,000

1	State Toxics Control Account--State Appropriation . . .	(( <del>\$3,649,000</del> ))
2		<u>\$3,628,000</u>
3	Medical Test Site Licensure Account--State	
4	Appropriation . . . . .	(( <del>\$2,321,000</del> ))
5		<u>\$2,311,000</u>
6	Youth Tobacco Prevention Account--State Appropriation . . .	\$1,512,000
7	Community and Economic Development Fee Account--State	
8	Appropriation . . . . .	(( <del>\$596,000</del> ))
9		<u>\$298,000</u>
10	Public Health Supplemental Account--Private/Local	
11	Appropriation . . . . .	\$3,598,000
12	Accident Account--State Appropriation . . . . .	(( <del>\$297,000</del> ))
13		<u>\$295,000</u>
14	Medical Aid Account--State Appropriation . . . . .	\$50,000
15	Tobacco Prevention and Control Account--State	
16	Appropriation . . . . .	(( <del>\$37,000</del> ))
17		<u>\$1,729,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$1,013,560,000</del> ))
19		<u>\$1,013,437,000</u>

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

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

1 legislative fiscal committees. As used in this subsection,  
2 "unrestricted federal moneys" includes block grants and other funds  
3 that federal law does not require to be spent on specifically defined  
4 projects or matched on a formula basis by state funds.

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

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

23 (4) In accordance with RCW 43.135.055, the department is authorized  
24 to adopt fees set forth in and previously authorized in chapter 92,  
25 Laws of 2010.

26 (5) \$1,969,000 of the health professions account--state  
27 appropriation is provided solely to implement online licensing for  
28 health care providers. The department must submit a detailed  
29 investment plan for this project to the office of financial management.  
30 The office of financial management must review and approve this plan  
31 before funding may be expended. The department of health must  
32 successfully implement online application and renewal for at least one  
33 profession as a pilot project before pursuing additional professions.  
34 The department must report to the office of financial management on the  
35 outcome of the pilot project.

36 ((+4)) (6) \$16,000 of the health professions account--state  
37 appropriation is provided solely for the implementation of House Bill

1 No. 1181 (board of naturopathy). If the bill is not enacted by June  
2 30, 2011, the amount provided in this subsection shall lapse.

3 ~~((+5))~~ (7) \$21,000 of the health professions account--state  
4 appropriation is provided solely for the implementation of Substitute  
5 House Bill No. 1304 (health care assistants). If the bill is not  
6 enacted by June 30, 2011, the amount provided in this subsection shall  
7 lapse.

8 ~~((+6))~~ (8) \$54,000 of the health professions account--state  
9 appropriation is provided solely for the implementation of House Bill  
10 No. 1353 (pharmacy technicians). If the bill is not enacted by June  
11 30, 2011, the amount provided in this subsection shall lapse.

12 ~~((+7))~~ (9) \$142,000 of the health professions account--state  
13 appropriation is provided solely for the implementation of Engrossed  
14 Substitute Senate Bill No. 5020 (social workers). If the bill is not  
15 enacted by June 30, 2011, the amount provided in this subsection shall  
16 lapse.

17 ~~((+8))~~ (10) \$336,000 of the health professions account--state  
18 appropriation is provided solely for the implementation of Senate Bill  
19 No. 5480 (physicians and physician assistants). If the bill is not  
20 enacted by June 30, 2011, the amount provided in this subsection shall  
21 lapse.

22 ~~((+9))~~ (11) \$46,000 of the health professions account--state  
23 appropriation is provided solely for the implementation of Substitute  
24 Senate Bill No. 5071 (online access for midwives and marriage and  
25 family therapists). If the bill is not enacted by June 30, 2011, the  
26 amount provided in this subsection shall lapse.

27 ~~((+10))~~ (12) \$137,000 of the health professions account--state  
28 appropriation is provided solely for implementation of Substitute House  
29 Bill No. 1133 (massage practitioner license). If the bill is not  
30 enacted by June 30, 2011, the amount provided in this subsection shall  
31 lapse.

32 ~~((+11))~~ (13) \$85,000 of the general fund--state appropriation for  
33 fiscal year 2012 (~~and \$85,000 of the general fund--state appropriation~~  
34 ~~for fiscal year 2013 are)) is provided solely for the developmental  
35 disabilities council to contract for a family-to-family mentor program  
36 to provide information and support to families and guardians of persons  
37 who are transitioning out of residential habilitation centers. To the  
38 maximum extent allowable under federal law, these funds shall be~~

1 matched under medicaid through the department of social and health  
2 services and federal funds shall be transferred to the department for  
3 the purposes stated in this subsection. If Second Substitute Senate  
4 Bill No. 5459 (people with developmental disabilities) is not enacted  
5 by June 30, 2011, the amounts provided in this subsection shall lapse.

6 ~~((+12+))~~ (14) \$57,000 of the general fund--state appropriation for  
7 fiscal year 2012 and \$58,000 of the general fund--state appropriation  
8 for fiscal year 2013 are provided solely for the midwifery licensure  
9 and regulatory program to offset a reduction in revenue from fees.  
10 There shall be no change to the current annual fees for new or renewed  
11 licenses for the midwifery program, except from online access to HEAL-  
12 WA. The department shall convene the midwifery advisory committee on  
13 a quarterly basis to address issues related to licensed midwifery.

14 ~~((+13+))~~ (15) \$118,000 of the general fund--state appropriation for  
15 fiscal year 2012 and \$118,000 of the general fund--state appropriation  
16 for fiscal year 2013 are provided solely for prevention of youth  
17 suicides.

18 ~~((+14+))~~ (16) \$87,000 of the general fund--state appropriation for  
19 fiscal year 2012 and \$87,000 of the general fund--state appropriation  
20 for fiscal year 2013 are provided solely for the senior falls  
21 prevention program.

22 (17) \$19,000 of the health professions account--state appropriation  
23 is provided solely for implementation of Senate Bill No. 6290 (military  
24 spouses and partners). If the bill is not enacted by June 30, 2012,  
25 the amount provided in this subsection shall lapse.

26 (18) \$102,000 of the health professions account--state  
27 appropriation is provided solely for implementation of Engrossed  
28 Substitute Senate Bill No. 6237 (career pathway/medical assistants).  
29 If the bill is not enacted by June 30, 2012, the amount provided in  
30 this subsection shall lapse.

31 (19) \$21,000 of the health professions account--state appropriation  
32 is provided solely for implementation of Substitute Senate Bill No.  
33 6328 (mental health professionals). If the bill is not enacted by June  
34 30, 2012, the amount provided in this subsection shall lapse.

35 (20) \$61,000 of the health professions account--state appropriation  
36 is provided solely for implementation of Engrossed Substitute Senate  
37 Bill No. 6103 (reflexologists). If the bill is not enacted by June 30,  
38 2012, the amount provided in this subsection shall lapse.

1       (21) \$28,000 of the health professions account--state appropriation  
2 is provided solely for implementation of Engrossed Second Substitute  
3 Senate Bill No. 5620 (dental anesthesia assistants). If the bill is  
4 not enacted by June 30, 2012, the amount provided in this subsection  
5 shall lapse.

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

9       (23) During the remainder of the 2011-2013 fiscal biennium, each  
10 person subject to RCW 43.70.110(3)(c) is required to pay only one  
11 surcharge of up to twenty-five dollars annually for the purposes of RCW  
12 43.70.112, regardless of how many professional licenses the person  
13 holds.

14       (24) \$15,000 of the health professions account--state appropriation  
15 is provided solely to implement Substitute House Bill No. 2056  
16 (assisted living facilities). If the bill is not enacted by June 30,  
17 2012, the amount provided in this subsection shall lapse.

18       (25) \$11,000 of the health professions account--state appropriation  
19 is provided solely to implement Engrossed House Bill No. 2186 (licensed  
20 midwives). If the bill is not enacted by June 30, 2012, the amount  
21 provided in this subsection shall lapse.

22       (26) \$11,000 of the general fund--state appropriation for fiscal  
23 year 2013 is provided solely to implement Engrossed Substitute House  
24 Bill No. 2229 (hospital employees). If the bill is not enacted by June  
25 30, 2012, the amount provided in this subsection shall lapse.

26       (27) \$48,000 of the health professions account--state appropriation  
27 is provided solely to implement Engrossed Substitute House Bill No.  
28 2314 (long-term care workers). If the bill is not enacted by June 30,  
29 2012, the amount provided in this subsection shall lapse.

30       (28) \$15,000 of the general fund--state appropriation for fiscal  
31 year 2013 and \$178,000 of the health professions account--state  
32 appropriation are provided solely to implement Engrossed Substitute  
33 House Bill No. 2366 (suicide assessment and training). If the bill is  
34 not enacted by June 30, 2012, the amounts provided in this subsection  
35 shall lapse.

36       (29) \$11,000 of the general fund--state appropriation for fiscal  
37 year 2013 is provided solely to implement Engrossed Substitute House



1 Bill No. 2582 (health care services billing). If the bill is not  
2 enacted by June 30, 2012, the amount provided in this subsection shall  
3 lapse.

4 (30) \$22,000 of the general fund--state appropriation for fiscal  
5 year 2013 is provided solely to implement Substitute Senate Bill No.  
6 6105 (prescription monitoring program). If the bill is not enacted by  
7 June 30, 2012, the amount provided in this subsection shall lapse.

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

10 **FOR THE DEPARTMENT OF CORRECTIONS**

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

27 (1) ADMINISTRATION AND SUPPORT SERVICES

28 General Fund--State Appropriation (FY 2012) . . . . .	(( \$54,529,000 ))
	<u>\$52,025,000</u>
30 General Fund--State Appropriation (FY 2013) . . . . .	(( \$53,210,000 ))
	<u>\$52,981,000</u>
32 TOTAL APPROPRIATION . . . . .	(( \$107,739,000 ))
	<u>\$105,006,000</u>

33

34 The appropriations in this subsection are subject to the following  
35 conditions and limitations: \$35,000 of the general fund--state  
36 appropriation for fiscal year 2012 and \$35,000 of the general fund--  
37 state appropriation for fiscal year 2013 are provided solely for the

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

10 (2) CORRECTIONAL OPERATIONS

11	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$609,105,000</del> ))
12		<u>\$598,237,000</u>
13	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$602,804,000</del> ))
14		<u>\$575,457,000</u>
15	General Fund--Federal Appropriation . . . . .	\$3,324,000
16	Washington Auto Theft Prevention Authority Account--	
17	State Appropriation . . . . .	\$14,079,000
18	<u>Enhanced 911 Account--State Appropriation . . . . .</u>	<u>\$2,000,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <del>\$1,229,312,000</del> ))
20		<u>\$1,193,097,000</u>

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

23 (a) During the 2011-13 biennium, when contracts are established or  
24 renewed for offender pay phone and other telephone services provided to  
25 inmates, the department shall select the contractor or contractors  
26 primarily based on the following factors: (i) The lowest rate charged  
27 to both the inmate and the person paying for the telephone call; and  
28 (ii) the lowest commission rates paid to the department, while  
29 providing reasonable compensation to cover the costs of the department  
30 to provide the telephone services to inmates and provide sufficient  
31 revenues for the activities funded from the institutional welfare  
32 betterment account.

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

1 (c) \$102,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$102,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely to implement House Bill No. 1290  
4 (health care employee overtime). If the bill is not enacted by June  
5 30, 2011, the amounts provided in this subsection shall lapse.

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

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

22 (f) \$311,000 of the general fund--state appropriation for fiscal  
23 year 2013 is provided solely for implementation of House Bill No. 2346  
24 (correctional officer uniforms). If the bill is not enacted by June  
25 30, 2012, the amount provided in this subsection shall lapse.

26 (g) \$41,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$165,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for the department to maintain the  
29 facility, property, and assets at the institution formerly known as the  
30 maple lane school in Rochester. The department may not house  
31 incarcerated offenders at the maple lane site until specifically  
32 directed by the legislature. By November 1, 2012, the department shall  
33 report to the appropriate fiscal committees of the house of  
34 representatives and the senate with a plan for the future use of the  
35 facility.

36 (h) By December 1, 2012, the department shall provide to the  
37 legislative fiscal committees a report that evaluates health care  
38 expenditures in Washington state correctional institutions and makes

1 recommendations for controlling health care costs. The report shall  
2 evaluate the source of health care costs, including offender health  
3 issues, use of pharmaceuticals, offsite and specialist medical care,  
4 chronic disease costs, and mental health issues. The department may  
5 include information from other states on cost control in offender  
6 health care, trends in offender health care that indicate potential  
7 cost increases, and management of high-cost diagnoses.

8 (i) The department shall convene a work group to develop health  
9 care cost containment strategies at local jail facilities. The work  
10 group shall identify cost containment strategies in place at the  
11 department and at local jail facilities, identify the costs and  
12 benefits of implementing strategies in jail health-care facilities, and  
13 make recommendations on implementing beneficial strategies. The work  
14 group shall submit a report on its findings and recommendations to the  
15 fiscal committees of the legislature by October 1, 2013. The work  
16 group shall include jail administrators, representatives from health  
17 care facilities at the local jail level and the state prisons level,  
18 and other representatives as deemed necessary.

19 (j) The department of corrections, with participation of the health  
20 care authority and the department of social and health services, aging  
21 and adult services administration, shall establish a work group to  
22 analyze and review release options for elderly and infirm offenders and  
23 submit recommendations to the appropriate policy and fiscal committees  
24 of the legislature with release options for these populations no later  
25 than December 1, 2012. In making its recommendations, the work group  
26 shall identify:

27 (i) The most expensive medical conditions for which the department  
28 has had to treat its offenders and the offenders receiving the most  
29 costly ongoing medical treatments;

30 (ii) For identified populations, the age, level of disability, cost  
31 of care while incarcerated, safety issues related to release, ease of  
32 placement, and time served in relation to the offender's sentence;

33 (iii) Potential cost savings to the state that may be generated by  
34 the early release of elderly and infirm offenders;

35 (iv) Housing options to expedite the release of aging and infirm  
36 offenders while maintaining the safety of housing providers, other  
37 housing residents, and the general public; and

1       (v) Optimal procedures for reviewing offenders on a case-by-case  
2 basis to ensure that the interests of justice and public safety are  
3 considered in any early release decision.

4       (3) COMMUNITY SUPERVISION

5	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$129,635,000</del> ))
6		<u>\$127,121,000</u>
7	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$128,049,000</del> ))
8		<u>\$128,494,000</u>
9	Federal Narcotics Forfeiture Account--Federal	
10	Appropriation . . . . .	\$372,000
11	Controlled Substances Account--State	
12	Appropriation . . . . .	\$32,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$258,088,000</del> ))
14		<u>\$256,019,000</u>

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

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

22       (b) \$6,362,000 of the general fund--state appropriation for fiscal  
23 year 2013 is provided solely to implement an evidence-based risk-needs-  
24 responsivity model for community supervision of offenders.

25       (4) CORRECTIONAL INDUSTRIES

26	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$3,535,000</del> ))
27		<u>\$2,513,000</u>
28	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$3,458,000</del> ))
29		<u>\$2,431,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$6,993,000</del> ))
31		<u>\$4,944,000</u>

32       The appropriations in this subsection are subject to the following  
33 conditions and limitations: \$66,000 of the general fund--state  
34 appropriation for fiscal year 2012 is provided solely for transfer to  
35 the jail industries board. The board shall use the amounts provided  
36 only for administrative expenses, equipment purchases, and technical

1 assistance associated with advising cities and counties in developing,  
2 promoting, and implementing consistent, safe, and efficient offender  
3 work programs.

4 (5) INTERAGENCY PAYMENTS

5	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$37,053,000</del> ))
6		<u>\$35,821,000</u>
7	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$35,549,000</del> ))
8		<u>\$27,264,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$72,602,000</del> ))
10		<u>\$63,085,000</u>

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

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

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

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

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

28 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

29	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,278,000</del> ))
30		<u>\$2,159,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,264,000</del> ))
32		<u>\$2,131,000</u>
33	General Fund--Federal Appropriation . . . . .	(( <del>\$19,082,000</del> ))
34		<u>\$19,239,000</u>
35	General Fund--Private/Local Appropriation . . . . .	\$30,000
36	TOTAL APPROPRIATION . . . . .	(( <del>\$23,654,000</del> ))
37		<u>\$23,559,000</u>

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

3 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

4	General Fund--Federal Appropriation . . . . .	(( <del>\$267,301,000</del> ))
5		<u>\$267,069,000</u>
6	General Fund--Private/Local Appropriation . . . . .	(( <del>\$33,931,000</del> ))
7		<u>\$33,856,000</u>
8	Unemployment Compensation Administration Account--	
9	Federal Appropriation . . . . .	(( <del>\$350,622,000</del> ))
10		<u>\$349,247,000</u>
11	Administrative Contingency Account--State	
12	Appropriation . . . . .	(( <del>\$20,948,000</del> ))
13		<u>\$20,940,000</u>
14	Employment Service Administrative Account--State	
15	Appropriation . . . . .	(( <del>\$33,721,000</del> ))
16		<u>\$33,609,000</u>
17	TOTAL APPROPRIATION . . . . .	(( <del>\$706,523,000</del> ))
18		<u>\$704,721,000</u>

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

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

27       (2) \$35,584,000 of the unemployment compensation administration  
28 account--federal appropriation is from amounts made available to the  
29 state by section 903 (d), (f), and (g) of the social security act (Reed  
30 act). This amount is provided solely for the replacement of the  
31 unemployment insurance tax information system for the employment  
32 security department. The employment security department shall support  
33 the department of revenue and department of labor and industries to  
34 develop a common vision to ensure technological compatibility between  
35 the three agencies to facilitate a coordinated business tax system for  
36 the future that improves services to business customers. The amounts  
37 provided in this subsection are conditioned on the department

1 satisfying the requirements of the project management oversight  
2 standards and policies established by the office of the chief  
3 information officer created in Engrossed Substitute Senate Bill No.  
4 5931 (information technology management).

5 (3) \$25,000 of the unemployment compensation administration  
6 account--federal appropriation is from amounts made available to the  
7 state by section 903 (d), (f), and (g) of the social security act (Reed  
8 act). This amount is provided solely for implementation of system  
9 changes to the unemployment insurance tax information system required  
10 under chapter 4, Laws of 2011 (unemployment insurance program).

11 (4) \$1,459,000 of the unemployment compensation administration  
12 account--federal appropriation is from amounts available to the state  
13 by section 903 (d), (f), and (g) of the social security act (Reed act).  
14 This amount is provided solely for implementation of chapter 4, Laws of  
15 2011 (unemployment insurance program).

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

(End of part)



PART III  
NATURAL RESOURCES

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

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

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

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

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2012)	(( <del>\$47,630,000</del> ))
	<u>\$37,143,000</u>
General Fund--State Appropriation (FY 2013)	(( <del>\$46,226,000</del> ))
	<u>\$33,293,000</u>
General Fund--Federal Appropriation	(( <del>\$77,452,000</del> ))
	<u>\$100,000,000</u>
General Fund--Private/Local Appropriation	(( <del>\$16,691,000</del> ))
	<u>\$16,714,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	(( <del>\$3,642,000</del> ))
	<u>\$4,123,000</u>
Flood Control Assistance Account--State Appropriation	(( <del>\$1,940,000</del> ))
	<u>\$1,929,000</u>
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000
Waste Reduction/Recycling/Litter Control--State	

1	Appropriation . . . . .	(( <del>\$11,478,000</del> ))
2		<u>\$9,712,000</u>
3	State Drought Preparedness Account--State	
4	Appropriation . . . . .	(( <del>\$118,000</del> ))
5		<u>\$204,000</u>
6	State and Local Improvements Revolving Account	
7	(Water Supply Facilities)--State Appropriation . . . . .	(( <del>\$423,000</del> ))
8		<u>\$422,000</u>
9	( <del>Freshwater</del> ) Aquatic Algae Control Account--State	
10	Appropriation . . . . .	\$509,000
11	Water Rights Tracking System Account--State Appropriation . . . . .	\$46,000
12	Site Closure Account--State Appropriation . . . . .	(( <del>\$703,000</del> ))
13		<u>\$620,000</u>
14	Wood Stove Education and Enforcement Account--State	
15	Appropriation . . . . .	(( <del>\$612,000</del> ))
16		<u>\$595,000</u>
17	Worker and Community Right-to-Know Account--State	
18	Appropriation . . . . .	(( <del>\$1,668,000</del> ))
19		<u>\$1,655,000</u>
20	Water Rights Processing Account--State Appropriation . . . . .	(( <del>\$136,000</del> ))
21		<u>\$135,000</u>
22	State Toxics Control Account--State Appropriation . . . . .	(( <del>\$112,575,000</del> ))
23		<u>\$129,865,000</u>
24	State Toxics Control Account--Private/Local	
25	Appropriation . . . . .	(( <del>\$968,000</del> ))
26		<u>\$964,000</u>
27	Local Toxics Control Account--State Appropriation . . . . .	(( <del>\$27,390,000</del> ))
28		<u>\$26,157,000</u>
29	Water Quality Permit Account--State Appropriation . . . . .	(( <del>\$37,748,000</del> ))
30		<u>\$38,814,000</u>
31	Underground Storage Tank Account--State	
32	Appropriation . . . . .	(( <del>\$3,254,000</del> ))
33		<u>\$3,212,000</u>
34	Biosolids Permit Account--State Appropriation . . . . .	(( <del>\$1,805,000</del> ))
35		<u>\$1,791,000</u>
36	Hazardous Waste Assistance Account--State	
37	Appropriation . . . . .	(( <del>\$5,857,000</del> ))
38		<u>\$5,793,000</u>

1	Air Pollution Control Account--State Appropriation . . .	(( <del>\$2,468,000</del> ))
2		<u>\$2,541,000</u>
3	Oil Spill Prevention Account--State Appropriation . . .	(( <del>\$5,566,000</del> ))
4		<u>\$5,489,000</u>
5	Air Operating Permit Account--State Appropriation . . .	(( <del>\$2,746,000</del> ))
6		<u>\$2,711,000</u>
7	Freshwater Aquatic Weeds Account--State	
8	Appropriation . . . . .	(( <del>\$1,700,000</del> ))
9		<u>\$1,698,000</u>
10	Oil Spill Response Account--State Appropriation . . . . .	\$7,076,000
11	Metals Mining Account--State Appropriation . . . . .	\$14,000
12	Water Pollution Control Revolving Account--State	
13	Appropriation . . . . .	(( <del>\$611,000</del> ))
14		<u>\$608,000</u>
15	Water Pollution Control Revolving Account--Federal	
16	Appropriation . . . . .	(( <del>\$2,517,000</del> ))
17		<u>\$2,501,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$421,842,000</del> ))
19		<u>\$436,607,000</u>

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

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

27       (2) Pursuant to RCW 43.135.055, the department is authorized to  
28 increase the following fees as necessary to meet the actual costs of  
29 conducting business and the appropriation levels in this section:  
30 Wastewater discharge permit, not more than 4.34 percent in fiscal year  
31 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not  
32 more than 10 percent during the biennium; and air contaminate source  
33 registration fee, not more than 36 percent during the biennium;  
34 agricultural burning acreage and pile burning fees, not more than 25  
35 percent and 100 percent respectively, in fiscal year 2013; and dam  
36 safety and inspection fees, not more than 35 percent in fiscal year  
37 2012 and 4.62 percent in fiscal year 2013. Any fee increase

1 implemented to offset general fund--state reductions in the 2011-2013  
2 fiscal biennium may be made effective on or before July 1, 2012.

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

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

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

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

36 (7) The department shall review its water rights application review  
37 procedures to simplify the procedures, eliminate unnecessary steps, and  
38 decrease the time required to issue decisions. The department shall

1 implement changes to improve water rights processing for which it has  
2 current administrative authority. The department shall report on  
3 reforms implemented and efficiencies achieved as demonstrated through  
4 enhanced permit processing to the appropriate committees of the  
5 legislature on December 1, 2011, and October 1, 2012.

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

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

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

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

36 (9) In accordance with RCW 43.135.055, the department is approved  
37 to adopt fees set forth in and previously authorized by the following  
38 statutes:

1 (a) RCW 70.275.120, mercury light generation fee; and  
2 (b) RCW 70.94.151, gasoline vapor registration fee and greenhouse  
3 gas emission reporting fee.

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

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

12 (12) \$77,000 of the general fund--state appropriation for fiscal  
13 year 2013 is provided solely for the implementation of Engrossed Second  
14 Substitute Senate Bill No. 5343 (anaerobic digesters). If the bill is  
15 not enacted by June 30, 2012, the amount provided in this subsection  
16 shall lapse.

17 (13) \$50,000 of the state toxics control account--state  
18 appropriation is provided solely to fulfill technical assistance duties  
19 prescribed in Senate Bill No. 6120 (children's safe products) or House  
20 Bill No. 2821 (children's safe products). If neither bill is enacted  
21 by June 30, 2012, the amount provided in this subsection shall lapse.

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

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

25	General Fund--State Appropriation (FY 2012) . . . . .	\$8,955,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$8,379,000
27	General Fund--Federal Appropriation . . . . .	\$5,905,000
28	Winter Recreation Program Account--State	
29	Appropriation . . . . .	<del>(\$1,761,000)</del>
30		<u>\$1,759,000</u>
31	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
32	Snowmobile Account--State Appropriation . . . . .	<del>(\$4,848,000)</del>
33		<u>\$4,844,000</u>
34	Aquatic Lands Enhancement Account--State	
35	Appropriation . . . . .	<del>(\$363,000)</del>
36		<u>\$4,363,000</u>
37	Parks Renewal and Stewardship Account--State	

1	Appropriation . . . . .	(( <del>\$116,087,000</del> ))
2		<u>\$106,505,000</u>
3	Parks Renewal and Stewardship Account--Private/Local	
4	Appropriation . . . . .	\$300,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$146,822,000</del> ))
6		<u>\$141,234,000</u>

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

9 (1) \$8,876,000 of the general fund--state appropriation for fiscal  
10 year 2012 (~~and~~), \$8,300,000 of the general fund--state appropriation  
11 for fiscal year 2013, and \$4,000,000 of the aquatic lands enhancement  
12 account--state appropriation are provided solely to operate and  
13 maintain state parks as the commission implements a new fee structure.  
14 The goal of this structure is to make the parks system self-supporting.  
15 By August 1, 2012, state parks must submit a report to the office of  
16 financial management detailing its progress toward this goal and  
17 outlining any additional statutory changes needed for successful  
18 implementation.

19 (2) \$79,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$79,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for a grant for the operation of  
22 the Northwest avalanche center.

23 (3) (~~(\$53,928,000)~~) \$44,528,000 of the parks renewal and  
24 stewardship account--state appropriation is provided solely for  
25 implementation of Second Substitute Senate Bill No. 5622 (state land  
26 recreation access). If the bill is not enacted by June 30, 2011, the  
27 amount provided in this subsection shall lapse.

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

34 (5) The state parks and recreation commission, in cooperation with  
35 the Fort Worden lifelong learning center public development authority  
36 authorized under RCW 35.21.730 shall provide a report to the governor  
37 and appropriate committees of the legislature no later than October 15,  
38 2012, to create a lifelong learning center at Fort Worden state park.

1 This plan shall support and be based upon the Fort Worden state park  
2 long-range plan adopted by the state parks and recreation commission in  
3 September 2008. The report shall include a business and governance  
4 plan and supporting materials that provide options and recommendations  
5 on the long-term governance of Fort Worden state park, including  
6 building maintenance and restoration. While the commission may  
7 transfer full or partial operations to the public development authority  
8 the state shall retain title to the property. The state parks and  
9 recreation commission and the public development authority will agree  
10 on the scope and content of the report including the business and  
11 governance plan. In preparing this report the state parks and  
12 recreation commission and the public development authority shall  
13 provide ample opportunity for the public and stakeholders to  
14 participate in the development of the business and governance plan.  
15 The state parks and recreation commission shall review the report and  
16 if it is consistent with the 2008 Fort Worden state park long-range  
17 plan shall take action on a long-term governance and business plan no  
18 later than December 31, 2012.

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

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

22	General Fund--State Appropriation (FY 2012) . . . . .	(( \$954,000 ))
23		<u>\$898,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	(( \$973,000 ))
25		<u>\$823,000</u>
26	General Fund--Federal Appropriation . . . . .	(( \$3,299,000 ))
27		<u>\$3,295,000</u>
28	General Fund--Private/Local Appropriation . . . . .	(( \$274,000 ))
29		<u>\$24,000</u>
30	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
31	Vessel Response Account--State Appropriation . . . . .	\$100,000
32	Firearms Range Account--State Appropriation . . . . .	\$37,000
33	Recreation Resources Account--State Appropriation . . . . .	(( \$2,874,000 ))
34		<u>\$2,869,000</u>
35	NOVA Program Account--State Appropriation . . . . .	\$900,000
36	TOTAL APPROPRIATION . . . . .	(( \$9,689,000 ))
37		<u>\$9,224,000</u>



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

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

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

12	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,308,000</del> ))
13		<u>\$2,153,000</u>
14	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,275,000</del> ))
15		<u>\$2,020,000</u>
16	TOTAL APPROPRIATION . . . . .	(( <del>\$4,583,000</del> ))
17		<u>\$4,173,000</u>

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

20 **FOR THE CONSERVATION COMMISSION**

21	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$6,789,000</del> ))
22		<u>\$6,785,000</u>
23	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$6,792,000</del> ))
24		<u>\$6,424,000</u>
25	General Fund--Federal Appropriation . . . . .	\$1,301,000
26	TOTAL APPROPRIATION . . . . .	(( <del>\$14,882,000</del> ))
27		<u>\$14,510,000</u>

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

30 (1) The conservation commission, in cooperation with all  
31 conservation districts, will seek to minimize conservation district  
32 overhead costs. These efforts may include consolidating conservation  
33 districts.

34 (2) \$122,000 of the general fund--federal appropriation is provided  
35 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center

1 process). If the bill is not enacted by June 30, 2011, the amount  
2 provided in this subsection shall lapse.

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

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

6	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$34,695,000</del> ))
7		<u>\$34,098,000</u>
8	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$32,388,000</del> ))
9		<u>\$23,701,000</u>
10	General Fund--Federal Appropriation . . . . .	(( <del>\$105,717,000</del> ))
11		<u>\$105,481,000</u>
12	General Fund--Private/Local Appropriation . . . . .	(( <del>\$57,025,000</del> ))
13		<u>\$56,923,000</u>
14	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
15	Aquatic Lands Enhancement Account--State	
16	Appropriation . . . . .	(( <del>\$8,230,000</del> ))
17		<u>\$11,113,000</u>
18	Recreational Fisheries Enhancement--State	
19	Appropriation . . . . .	(( <del>\$3,550,000</del> ))
20		<u>\$2,794,000</u>
21	Warm Water Game Fish Account--State Appropriation . . .	(( <del>\$3,051,000</del> ))
22		<u>\$2,841,000</u>
23	Eastern Washington Pheasant Enhancement Account--State	
24	Appropriation . . . . .	\$849,000
25	Aquatic Invasive Species Enforcement Account--State	
26	Appropriation . . . . .	\$204,000
27	Aquatic Invasive Species Prevention Account--State	
28	Appropriation . . . . .	(( <del>\$719,000</del> ))
29		<u>\$848,000</u>
30	State Wildlife Account--State Appropriation . . . . .	(( <del>\$100,424,000</del> ))
31		<u>\$100,742,000</u>
32	Special Wildlife Account--State Appropriation . . . . .	(( <del>\$2,384,000</del> ))
33		<u>\$2,382,000</u>
34	Special Wildlife Account--Federal Appropriation . . . . .	\$500,000
35	Special Wildlife Account--Private/Local Appropriation . . .	\$3,415,000
36	Wildlife Rehabilitation Account--State Appropriation . . . . .	\$259,000
37	Regional Fisheries Enhancement Salmonid Recovery	

1	Account--Federal Appropriation . . . . .	\$5,001,000
2	Oil Spill Prevention Account--State Appropriation . . . . .	<del>(\$887,000)</del>
3		<u>\$883,000</u>
4	Oyster Reserve Land Account--State Appropriation . . . . .	<del>(\$921,000)</del>
5		<u>\$919,000</u>
6	<u>Recreation Resources Account--State Appropriation . . . . .</u>	<u>\$3,300,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(\$360,610,000)</del>
8		<u>\$356,644,000</u>

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

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

14 (2) \$355,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$355,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for the department to continue a  
17 pilot project with the Confederated Tribes of the Colville Reservation  
18 to develop expanded recreational fishing opportunities on Lake Rufus  
19 Woods and its northern shoreline and to conduct joint enforcement of  
20 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
21 state and tribal intergovernmental agreements developed under the  
22 Columbia River water supply program. For the purposes of the pilot  
23 project:

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

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

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

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

35 (e) The Colville Tribes have agreed to recognize a fishing license  
36 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal  
37 member fishing permit requirements of Colville tribal law on the

1 reservation portion of the waters of Lake Rufus Woods and at designated  
2 fishing areas on the north shore of Lake Rufus Woods;

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

14 (4) \$400,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$400,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for a state match to support the  
17 Puget Sound nearshore partnership between the department and the U.S.  
18 army corps of engineers.

19 (5) \$50,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$50,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for removal of derelict gear in  
22 Washington waters.

23 (6) \$100,000 of the eastern Washington pheasant enhancement  
24 account--state appropriation is provided solely for the department to  
25 support efforts to enhance permanent and temporary pheasant habitat on  
26 public and private lands in Grant, Franklin, and Adams counties. The  
27 department may support efforts by entities including conservation  
28 districts, nonprofit organizations, and landowners, and must require  
29 such entities to provide significant nonstate matching resources, which  
30 may be in the form of funds, material, or labor.

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

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

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

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

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

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

17 (12) \$50,000 of the state wildlife account--state appropriation is  
18 provided solely for mitigation, claims, and assessment costs for injury  
19 or loss of livestock caused by wolves, black bears, and cougars.

20 (13) \$552,000 of the aquatic lands enhancement account--state  
21 appropriation is provided solely for increased law enforcement capacity  
22 to reduce the occurrence of geoduck poaching and illegal harvest  
23 activities. With these additional funds, the department shall deploy  
24 two new fish and wildlife officers and one detective within Puget Sound  
25 to address on-the-water and marketplace geoduck harvest compliance.

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

28 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

29	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$31,324,000</del> ))
30		<u>\$30,907,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$35,791,000</del> ))
32		<u>\$31,897,000</u>
33	General Fund--Federal Appropriation . . . . .	(( <del>\$27,919,000</del> ))
34		<u>\$27,873,000</u>
35	General Fund--Private/Local Appropriation . . . . .	(( <del>\$2,374,000</del> ))
36		<u>\$2,372,000</u>
37	Forest Development Account--State Appropriation . . . . .	(( <del>\$41,717,000</del> ))

1		<u>\$46,236,000</u>
2	ORV and Nonhighway Vehicle Account--State	
3	Appropriation . . . . .	(( <del>\$4,387,000</del> ))
4		<u>\$4,373,000</u>
5	Surveys and Maps Account--State Appropriation . . . . .	(( <del>\$2,346,000</del> ))
6		<u>\$2,118,000</u>
7	Aquatic Lands Enhancement Account--State	
8	Appropriation . . . . .	(( <del>\$7,224,000</del> ))
9		<u>\$69,000</u>
10	Resources Management Cost Account--State	
11	Appropriation . . . . .	(( <del>\$82,097,000</del> ))
12		<u>\$90,108,000</u>
13	Surface Mining Reclamation Account--State	
14	Appropriation . . . . .	(( <del>\$3,484,000</del> ))
15		<u>\$3,465,000</u>
16	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
17	Forest and Fish Support Account--State Appropriation . . . . .	(( <del>\$7,933,000</del> ))
18		<u>\$9,784,000</u>
19	Aquatic Land Dredged Material Disposal Site	
20	Account--State Appropriation . . . . .	\$838,000
21	Natural Resources Conservation Areas Stewardship	
22	Account--State Appropriation . . . . .	\$34,000
23	State Toxics Control Account--State Appropriation . . . . .	\$80,000
24	Air Pollution Control Account--State Appropriation . . . . .	(( <del>\$669,000</del> ))
25		<u>\$540,000</u>
26	NOVA Program Account--State Appropriation . . . . .	(( <del>\$639,000</del> ))
27		<u>\$635,000</u>
28	Derelict Vessel Removal Account--State Appropriation . . . . .	\$1,761,000
29	Agricultural College Trust Management Account--State	
30	Appropriation . . . . .	(( <del>\$1,854,000</del> ))
31		<u>\$1,848,000</u>
32	<u>Marine Resources Stewardship Trust Account--State</u>	
33	<u>Appropriation . . . . .</u>	<u>\$100,000</u>
34	TOTAL APPROPRIATION . . . . .	(( <del>\$257,471,000</del> ))
35		<u>\$260,038,000</u>

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

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

7 (2) \$8,030,000 of the general fund--state appropriation for fiscal  
8 year 2012, (~~(\$10,037,000)~~) \$7,276,000 of the general fund--state  
9 appropriation for fiscal year 2013, \$2,138,000 of the forest  
10 development account--state appropriation for fiscal year 2013, and  
11 \$5,000,000 of the disaster response account--state appropriation are  
12 provided solely for emergency fire suppression. None of the general  
13 fund and disaster response account amounts provided in this subsection  
14 may be used to fund agency indirect and administrative expenses.  
15 Agency indirect and administrative costs shall be allocated among the  
16 agency's remaining accounts and appropriations. The department of  
17 natural resources shall submit a quarterly report to the office of  
18 financial management and the legislative fiscal committees detailing  
19 information on current and planned expenditures from the disaster  
20 response account. This work shall be done in coordination with the  
21 military department.

22 (3) (~~(\$4,000,000 of the forest and fish support account state~~  
23 ~~appropriation is provided solely for adaptive management, monitoring,~~  
24 ~~and participation grants to tribes. If federal funding for this~~  
25 ~~purpose is reinstated, the amount provided in this subsection shall~~  
26 ~~lapse.~~

27 (4) ~~-\$333,000 of the forest and fish support account state~~  
28 ~~appropriation is provided solely for adaptive management, monitoring,~~  
29 ~~and participation grants to nongovernmental organizations.~~

30 (5) ~~(\$487,000)~~) \$4,500,000 of the forest and fish support account--  
31 state appropriation is provided solely for outcome-based, performance  
32 contracts with tribes to participate in the implementation of the  
33 forest practices program. Contracts awarded in fiscal year 2013 may  
34 only contain indirect costs set at or below the rate in the contracting  
35 tribe's indirect cost agreement with the federal government. If  
36 federal funding for this purpose is reinstated, the amount provided in  
37 this subsection shall lapse.

1       (4) \$518,000 of the forest and fish support account--state  
2 appropriation is provided solely for outcome-based performance  
3 contracts with nongovernmental organizations to participate in the  
4 implementation of the forest practices program. Contracts awarded in  
5 fiscal year 2013 may only contain indirect cost set at or below a rate  
6 of eighteen percent.

7       (5) During the 2011-2013 fiscal biennium, \$717,000 of the ((general  
8 fund)) forest and fish support account--state appropriation is provided  
9 solely to fund interagency agreements with the department of ecology  
10 and the department of fish and wildlife as part of the adaptive  
11 management process.

12       (6) \$1,000,000 of the general fund--federal appropriation and  
13 \$1,000,000 of the forest and fish support account--state appropriation  
14 are provided solely for continuing scientific studies already underway  
15 as part of the adaptive management process. Funds may not be used to  
16 initiate new studies unless the department secures new federal funding  
17 for the adaptive management process.

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

22       (8) \$440,000 of the state general fund--state appropriation for  
23 fiscal year 2012 and \$440,000 of the state general fund--state  
24 appropriation for fiscal year 2013 are provided solely for forest work  
25 crews that support correctional camps and are contingent upon  
26 continuing operations of Naselle youth camp.

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

32       (10) In partnership with the department of ecology, the departments  
33 shall deliver a report to the governor, the appropriate committees of  
34 the legislature, and the forest practices board by September 1, 2012,  
35 documenting forest practices adaptive management program reforms  
36 implemented, or recommended, that streamline existing processes to  
37 increase program efficiencies and effectiveness. The departments shall



1 collaborate with interested adaptive management program participants in  
2 the development of the report.

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

5 **FOR THE DEPARTMENT OF AGRICULTURE**

6	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$15,484,000</del> ))
7		<u>\$15,434,000</u>
8	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$14,875,000</del> ))
9		<u>\$14,537,000</u>
10	General Fund--Federal Appropriation . . . . .	(( <del>\$22,940,000</del> ))
11		<u>\$22,793,000</u>
12	General Fund--Private/Local Appropriation . . . . .	\$190,000
13	Aquatic Lands Enhancement Account--State	
14	Appropriation . . . . .	(( <del>\$2,553,000</del> ))
15		<u>\$2,544,000</u>
16	State Toxics Control Account--State Appropriation . . . . .	(( <del>\$5,118,000</del> ))
17		<u>\$5,089,000</u>
18	Water Quality Permit Account--State Appropriation . . . . .	\$60,000
19	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$280,000
20	TOTAL APPROPRIATION . . . . .	(( <del>\$61,500,000</del> ))
21		<u>\$60,927,000</u>

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

24 (1) \$5,308,445 of the general fund--state appropriation for fiscal  
25 year 2012 and \$5,302,905 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for implementing the food  
27 assistance program as defined in RCW 43.23.290.

28 (2) Pursuant to RCW 43.135.055, the department is authorized to  
29 increase the following fees in the 2011-2013 fiscal biennium as  
30 necessary to meet the actual costs of conducting business: Fruit and  
31 vegetable platform inspections; grain program services; warehouse  
32 audits; requested inspections; seed inspections, testing, sampling and  
33 certifications; phytosanitary certifications for seed; commission  
34 merchants; and sod quality seed tags and tagging. In addition,  
35 pursuant to RCW 43.135.055, 17.21.134, and 15.58.240, the department is  
36 authorized to establish pesticide license examination fees.

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

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

4	Pollution Liability Insurance Program Trust	
5	Account--State Appropriation . . . . .	(( <del>\$668,000</del> ))
6		<u>\$661,000</u>

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

9       **FOR THE PUGET SOUND PARTNERSHIP**

10	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,399,000</del> ))
11		<u>\$2,273,000</u>
12	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,424,000</del> ))
13		<u>\$2,253,000</u>
14	General Fund--Federal Appropriation . . . . .	(( <del>\$9,581,000</del> ))
15		<u>\$12,428,000</u>
16	General Fund--Private/Local Appropriation . . . . .	\$25,000
17	Aquatic Lands Enhancement Account--State	
18	Appropriation . . . . .	\$493,000
19	State Toxics Control Account--State Appropriation . . . . .	(( <del>\$665,000</del> ))
20		<u>\$658,000</u>
21	TOTAL APPROPRIATION . . . . .	(( <del>\$15,587,000</del> ))
22		<u>\$18,130,000</u>

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

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

36       (2) Within the amounts appropriated in this section, the Puget  
37 Sound partnership shall facilitate an ongoing monitoring consortium to

1 integrate monitoring efforts for storm water, water quality, watershed  
2 health, and other indicators to enhance monitoring efforts in Puget  
3 Sound.

(End of part)

PART IV  
TRANSPORTATION

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

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,167,000</del> ))
	<u>\$1,163,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,307,000</del> ))
	<u>\$1,279,000</u>
Architects' License Account--State Appropriation . . . . .	(( <del>\$1,084,000</del> ))
	<u>\$1,075,000</u>
Professional Engineers' Account--State Appropriation . . . . .	(( <del>\$3,518,000</del> ))
	<u>\$3,490,000</u>
Real Estate Commission Account--State Appropriation . . . . .	(( <del>\$9,833,000</del> ))
	<u>\$9,696,000</u>
Uniform Commercial Code Account--State Appropriation . . . . .	(( <del>\$3,120,000</del> ))
	<u>\$3,105,000</u>
Real Estate Education Account--State Appropriation . . . . .	\$276,000
Real Estate Appraiser Commission Account--State Appropriation . . . . .	(( <del>\$1,687,000</del> ))
	<u>\$1,656,000</u>
Business and Professions Account--State Appropriation . . . . .	(( <del>\$15,592,000</del> ))
	<u>\$15,609,000</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 . . . . .	(( <del>\$38,288,000</del> ))
	<u>\$38,053,000</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

1 support the expenditures authorized in this section, consistent with  
2 RCW 43.24.086.

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

6 (3) \$150,000 of the business and professions account--state  
7 appropriation is provided solely to implement Substitute House Bill No.  
8 2301 (mixed martial arts, boxing, martial arts, and wrestling).  
9 Pursuant to RCW 43.135.055 and 43.24.086, the department is authorized  
10 to charge and increase fees to defray the cost of administering the  
11 program, consistent with RCW 67.08.105. If the bill is not enacted by  
12 June 30, 2012, the amount provided in this subsection shall lapse.

13 (4) Pursuant to RCW 43.135.055 and 43.24.086, the department is  
14 authorized to increase fees for the camping resort program. This  
15 increase is necessary to support the expenditures authorized in this  
16 section, consistent with RCW 19.105.411.

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

19 **FOR THE STATE PATROL**

20	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$37,352,000</del> ))
21		<u>\$35,395,000</u>
22	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$35,108,000</del> ))
23		<u>\$32,323,000</u>
24	General Fund--Federal Appropriation . . . . .	\$16,081,000
25	General Fund--Private/Local Appropriation . . . . .	\$3,021,000
26	Death Investigations Account--State Appropriation . . .	(( <del>\$5,551,000</del> ))
27		<u>\$5,537,000</u>
28	County Criminal Justice Assistance Account--State	
29	Appropriation . . . . .	(( <del>\$3,215,000</del> ))
30		<u>\$3,207,000</u>
31	Municipal Criminal Justice Assistance Account--State	
32	Appropriation . . . . .	(( <del>\$1,290,000</del> ))
33		<u>\$1,286,000</u>
34	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
35	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
36	Fire Service Training Account--State Appropriation . . .	(( <del>\$9,394,000</del> ))
37		<u>\$9,386,000</u>

1	Aquatic Invasive Species Enforcement Account--State	
2	Appropriation . . . . .	\$54,000
3	State Toxics Control Account--State Appropriation . . . . .	\$505,000
4	Fingerprint Identification Account--State	
5	Appropriation . . . . .	(( <del>\$10,090,000</del> ))
6		<u>\$10,067,000</u>
7	Vehicle License Fraud Account--State Appropriation . . . . .	(( <del>\$339,000</del> ))
8		<u>\$437,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$130,133,000</del> ))
10		<u>\$125,432,000</u>

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

13       (1) \$200,000 of the fire service training account--state  
14 appropriation is provided solely for two FTEs in the office of the  
15 state director of fire protection to exclusively review K-12  
16 construction documents for fire and life safety in accordance with the  
17 state building code. It is the intent of this appropriation to provide  
18 these services only to those districts that are located in counties  
19 without qualified review capabilities.

20       (2) \$8,000,000 of the disaster response account--state  
21 appropriation is provided solely for Washington state fire service  
22 resource mobilization costs incurred in response to an emergency or  
23 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
24 patrol shall submit a report quarterly to the office of financial  
25 management and the legislative fiscal committees detailing information  
26 on current and planned expenditures from this account. This work shall  
27 be done in coordination with the military department.

28       (3) \$400,000 of the fire service training account--state  
29 appropriation is provided solely for the firefighter apprenticeship  
30 training program.

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

35       (5) \$59,000 of the fingerprint identification account--state  
36 appropriation is provided solely for implementation of Engrossed Second  
37 Substitute House Bill No. 1776 (child care center licensing). If the

1 bill is not enacted by June 30, 2011, the amount provided in this  
2 subsection shall lapse.

3 (6) \$6,000 of the fingerprint identification account--state  
4 appropriation is provided solely for implementation of Engrossed  
5 Substitute House Bill No. 1494 (vulnerable adult referrals). If the  
6 bill is not enacted by June 30, 2011, the amount provided in this  
7 subsection shall lapse.

8 (7) \$1,000 of the fingerprint identification account--state  
9 appropriation is provided solely for implementation of Engrossed Senate  
10 Bill No. 6296 (background checks). If the bill is not enacted by June  
11 30, 2012, the amount provided in this subsection shall lapse.

(End of part)

**PART V**  
**EDUCATION**

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

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$25,406,000</del> ))
	<u>\$25,322,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$22,502,000</del> ))
	<u>\$27,133,000</u>
General Fund--Federal Appropriation . . . . .	(( <del>\$77,065,000</del> ))
	<u>\$77,011,000</u>
General Fund--Private/Local Appropriation . . . . .	\$4,000,000
TOTAL APPROPRIATION . . . . .	(( <del>\$128,973,000</del> ))
	<u>\$133,466,000</u>

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

(1) A maximum of ((~~\$16,139,000~~)) \$16,056,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,335,000~~)) \$14,875,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) ((~~\$9,775,000~~)) \$9,692,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$8,532,000~~)) \$8,169,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

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



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

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

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

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

30 (d) \$1,744,000 of the general fund--state appropriation for fiscal  
31 year 2012 and (~~(\$1,362,000)~~) \$1,387,000 of the general fund--state  
32 appropriation for fiscal year 2013 are provided solely to the  
33 professional educator 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; and

9 (iii) \$25,000 of the general fund--state appropriation for fiscal  
10 year 2013 is provided solely for the professional educator standards  
11 board to develop educator interpreter standards and identify  
12 interpreter assessments that are available to school districts.  
13 Interpreter assessments should meet the following criteria: (A)  
14 Include both written assessment and performance assessment; (B) be  
15 offered by a national organization of professional sign language  
16 interpreters and transliterators; and (C) be designed to assess  
17 performance in more than one sign system or sign language. The board  
18 shall establish a performance standard, defining what constitutes a  
19 minimum assessment result, for each educational interpreter assessment  
20 identified. The board shall publicize the standards and assessments  
21 for school district use.

22 (e) \$133,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$133,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for the implementation of chapter  
25 240, Laws of 2010, including staffing the office of equity and civil  
26 rights.

27 (f) \$50,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$50,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the ongoing work of the  
30 education opportunity gap oversight and accountability committee.

31 (g) \$45,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$45,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for the implementation of chapter  
34 380, Laws of 2009 (enacting the interstate compact on educational  
35 opportunity for military children).

36 (h) \$159,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$93,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for the implementation of chapter

1 185, Laws of 2011 (bullying prevention), which requires the office of  
2 the superintendent of public instruction to convene an ongoing  
3 workgroup on school bullying and harassment prevention. Within the  
4 amounts provided, \$140,000 is for youth suicide prevention activities.

5 (i) \$1,227,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$1,227,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for implementing a comprehensive  
8 data system to include financial, student, and educator data, including  
9 development and maintenance of the comprehensive education data and  
10 research system (CEDARS).

11 (j) \$25,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$25,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for project citizen, a program  
14 sponsored by the national conference of state legislatures and the  
15 center for civic education to promote participation in government by  
16 middle school students.

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

22 (l) \$1,500,000 of the general fund--state appropriation for fiscal  
23 year 2013 is provided solely for implementation of House Bill No. 2799  
24 (collaborative schools). If such legislation is not enacted by June  
25 30, 2012, the amount provided in this subsection shall lapse.

26 (m) \$128,000 of the general fund--state appropriation for fiscal  
27 year 2013 is provided solely pursuant to Substitute House Bill No. 2254  
28 (foster care outcomes). The office of the superintendent of public  
29 instruction shall report on the implementation of the state's plan of  
30 cross-system collaboration to promote educational stability and improve  
31 education outcomes of foster youth. The first report is due December  
32 1, 2012, and annually thereafter through 2015. If the bill is not  
33 enacted by June 30, 2012, the amount provided in this subsection shall  
34 lapse.

35 (n) \$250,000 of the general fund--state appropriation for fiscal  
36 year 2013 is provided solely for implementation of House Bill No. 2337  
37 (open K-12 education resources). If the bill is not enacted by June  
38 30, 2012, the amount provided in this subsection shall lapse.

1 (2) \$9,267,000 of the general fund--state appropriation for fiscal  
2 year 2012 and (~~(\$9,167,000)~~) \$12,267,000 of the general fund--state  
3 appropriation for fiscal year 2013 are for statewide programs.

4 (a) HEALTH AND SAFETY

5 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$2,541,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for a corps of nurses located at  
8 educational service districts, as determined by the superintendent of  
9 public instruction, to be dispatched to the most needy schools to  
10 provide direct care to students, health education, and training for  
11 school staff.

12 (ii) \$50,000 of the general fund--state appropriation for fiscal  
13 year 2012 and \$50,000 of the general fund--state appropriation for  
14 fiscal year 2013 are provided solely for a nonviolence and leadership  
15 training program provided by the institute for community leadership.

16 (b) TECHNOLOGY

17 \$1,221,000 of the general fund--state appropriation for fiscal year  
18 2012 and \$1,221,000 of the general fund--state appropriation for fiscal  
19 year 2013 are provided solely for K-20 telecommunications network  
20 technical support in the K-12 sector to prevent system failures and  
21 avoid interruptions in school utilization of the data processing and  
22 video-conferencing capabilities of the network. These funds may be  
23 used to purchase engineering and advanced technical support for the  
24 network.

25 (c) GRANTS AND ALLOCATIONS

26 (i) \$675,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$675,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for the Washington state achievers  
29 scholarship program. The funds shall be used to support community  
30 involvement officers that recruit, train, and match community volunteer  
31 mentors with students selected as achievers scholars.

32 (ii) \$1,000,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$1,000,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for contracting with a college  
35 scholarship organization with expertise in conducting outreach to  
36 students concerning eligibility for the Washington college bound  
37 scholarship consistent with chapter 405, Laws of 2007.

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

14 (iv) \$337,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$337,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for implementation of the building  
17 bridges statewide program for comprehensive dropout prevention,  
18 intervention, and reengagement strategies.

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

24 (vi) \$500,000 of the general fund--state appropriation for fiscal  
25 year 2012 and (~~(\$400,000)~~) \$1,400,000 of the general fund--state  
26 appropriation for fiscal year 2013 are provided solely for the  
27 implementation of chapter 340, Laws of 2011 (assessment of students in  
28 state-funded full-day kindergarten classrooms), including the  
29 development and implementation of the Washington kindergarten inventory  
30 of developing skills (WaKIDS). Of the amounts in this subsection,  
31 \$1,000,000 of the fiscal year 2013 appropriation is for the  
32 implementation of House Bill No. 2586 (kindergarten inventory). If the  
33 bill is not enacted by June 30, 2012, this amount shall lapse.

34 (vii) \$2,000,000 of the general fund--state appropriation for  
35 fiscal year 2013 is provided solely for an urban school turnaround  
36 initiative as follows:

37 (A) The office of the superintendent of public instruction shall  
38 select two schools in the largest urban school district in the state.

1 The selected schools shall be among the state's lowest-performing  
2 schools; be located within the same community and form a continuum of  
3 education for the students in that community; have significant  
4 educational achievement gaps; and include a mix of elementary, middle,  
5 or high schools.

6 (B) The office shall allocate the funds under this subsection (vii)  
7 to the school district to be used exclusively in the selected schools.  
8 The district may not charge an overhead or indirect fee for the  
9 allocated funds or supplant other state, federal, or local funds in the  
10 selected schools. The school district shall use the funds for  
11 intensive supplemental instruction, services, and materials in the  
12 selected schools in the 2012-13 school year, including but not limited  
13 to professional development for school staff; updated curriculum,  
14 materials, and technology; extended learning opportunities for  
15 students; reduced class size; summer enrichment activities;  
16 school-based health clinics; and other research-based initiatives to  
17 dramatically turn around the performance and close the achievement gap  
18 in the schools. Priorities for the expenditure of the funds shall be  
19 determined by the leadership and staff of each school.

20 (C) The office shall monitor the activities in the selected schools  
21 and the expenditure of funds to ensure the intent of this subsection  
22 (vii) is met, and submit a report to the legislature by December 1,  
23 2013, including outcomes resulting from the urban school turnaround  
24 initiative. The report submitted to the legislature must include a  
25 comparison of student learning achievement in the selected schools with  
26 schools of comparable demographics that have not participated in the  
27 grant program.

28 (D) Funding provided in this subsection (vii) is intended to be  
29 one-time.

30 (viii) \$100,000 of the general fund--state appropriation for fiscal  
31 year 2013 is provided solely to subsidize advanced placement exam fees  
32 and international baccalaureate class fees and exam fees for low-income  
33 students. To be eligible for the subsidy, a student must be either  
34 enrolled or eligible to participate in the federal free or reduced  
35 price lunch program, and the student must have maximized the allowable  
36 federal contribution. The office of the superintendent of public  
37 instruction shall set the subsidy in an amount so that the advanced

1 placement exam fee does not exceed \$15.00 and the combined class and  
2 exam fee for the international baccalaureate does not exceed \$14.50.

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

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**  
6 **APPORTIONMENT**

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$5,253,769,000</del> ))
8		<u>\$5,241,233,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$5,205,868,000</del> ))
10		<u>\$5,170,854,000</u>
11	General Fund--Federal Appropriation . . . . .	(( <del>\$22,078,000</del> ))
12		<u>\$22,327,000</u>
13	TOTAL APPROPRIATION . . . . .	(( <del>\$10,481,715,000</del> ))
14		<u>\$10,434,414,000</u>

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

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

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

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

28 (d) The appropriations in this section include federal funds  
29 provided through section 101 of P.L. No. 111-226 (education jobs fund),  
30 which shall be used to support general apportionment program funding.  
31 In distributing general apportionment allocations under this section  
32 for the 2011-12 school year, the superintendent shall include the  
33 additional amount of ((~~\$3,078,000~~)) \$3,327,000 allocated by the United  
34 States department of education on September 16, 2011, provided through  
35 101 of P.L. No. 111-226 (education jobs fund) as part of each  
36 district's general apportionment allocation.

1 (e) The enrollment of any district shall be the annual average  
2 number of full-time equivalent students and part-time students as  
3 provided in RCW 28A.150.350, enrolled on the fourth day of school in  
4 September and on the first school day of each month October through  
5 June, including students who are in attendance pursuant to RCW  
6 28A.335.160 and 28A.225.250 who do not reside within the servicing  
7 school district. Any school district concluding its basic education  
8 program in May must report the enrollment of the last school day held  
9 in May in lieu of a June enrollment.

10 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

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

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

20 (b) Additional certificated instructional staff units provided in  
21 this subsection (2) that exceed the minimum requirements in RCW  
22 28A.150.260 are enhancements outside the program of basic education,  
23 except as otherwise provided in this section.

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

28 General education class size:

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



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

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

9 General education class size in high poverty  
10 school:

11	Grades K-3	.....	24.10
12	Grade 4	.....	27.00
13	Grades 5-6	.....	27.00
14	Grades 7-8	.....	28.53
15	Grades 9-12	.....	28.74

16 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher  
17 planning period, expressed as a percentage of a teacher work day, is  
18 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

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

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

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

32	Career and Technical Education	
33	students . . . . .	2.02 per 1000 student FTE's
34	Skill Center students . . . . .	2.36 per 1000 student FTE's

1 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

12 Career and Technical Education students . . . . . 2.5 percent  
13 Skill Center students . . . . . 19.75 percent

14 (4) CLASSIFIED STAFF ALLOCATIONS

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

20  
21 (5) CENTRAL OFFICE ALLOCATIONS

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

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

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

37 (c) Staff units generated as enhancements outside the program of  
38 basic education to the minimum requirements of RCW 28A.150.260, and

1 staff units generated by skill center and career-technical students,  
2 are excluded from the total central office staff units calculation in  
3 (a) of this subsection.

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

13 (6) FRINGE BENEFIT ALLOCATIONS

14 Fringe benefit allocations shall be calculated at a rate of 16.33  
15 percent in the 2011-12 school year and (~~(16.33)~~) 16.34 percent in the  
16 2012-13 school year for certificated salary allocations provided under  
17 subsections (2), (3), and (5) of this section, and a rate of 18.73  
18 percent in the 2011-12 school year and 18.73 percent in the 2012-13  
19 school year for classified salary allocations provided under  
20 subsections (4) and (5) of this section.

21  
22 (7) INSURANCE BENEFIT ALLOCATIONS

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

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

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

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

36 Funding is allocated per annual average full-time equivalent  
37 student for the materials, supplies, and operating costs (MSOC)

1 incurred by school districts, consistent with the requirements of RCW  
2 28A.150.260.

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

5 MSOC RATES/STUDENT FTE

6 MSOC Component	7 2011-12	8 2012-13
	9 SCHOOL YEAR	SCHOOL YEAR
10 Technology	\$57.42	<del>(\$58.17)</del> <u>\$58.28</u>
11 Utilities and Insurance	\$156.03	<del>(\$158.05)</del> <u>\$158.37</u>
12 Curriculum and Textbooks	\$61.65	<del>(\$62.45)</del> <u>\$62.58</u>
13 Other Supplies and Library Materials	\$130.89	<del>(\$132.59)</del> <u>\$132.85</u>
14 Instructional Professional Development for Certificated 15 and Classified Staff	\$9.53	<del>(\$9.66)</del> <u>\$9.68</u>
16 Facilities Maintenance	\$77.30	<del>(\$78.30)</del> <u>\$78.46</u>
17 Security and Central Office	\$53.55	<del>(\$54.25)</del> <u>\$54.35</u>
18 TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	<del>(\$553.47)</del> <u>\$554.57</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 2.171.

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 2.442.

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, except as noted in this subsection:

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 (iii) Districts receiving staff units under this subsection shall  
11 add students enrolled in a district alternative high school and any  
12 grades nine through twelve alternative learning experience programs  
13 with the small high school enrollment for calculations under this  
14 subsection;

15 (d) For each nonhigh school district having an enrollment of more  
16 than seventy annual average full-time equivalent students and less than  
17 one hundred eighty students, operating a grades K-8 program or a grades  
18 1-8 program, an additional one-half of a certificated instructional  
19 staff unit;

20 (e) For each nonhigh school district having an enrollment of more  
21 than fifty annual average full-time equivalent students and less than  
22 one hundred eighty students, operating a grades K-6 program or a grades  
23 1-6 program, an additional one-half of a certificated instructional  
24 staff unit;

25 (f)(i) For enrollments generating certificated staff unit  
26 allocations under (a) through (e) of this subsection, one classified  
27 staff unit for each 2.94 certificated staff units allocated under such  
28 subsections;

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

33 (g) School districts receiving additional staff units to support  
34 small student enrollments and remote and necessary plants under  
35 subsection (12) of this section shall generate additional MSOC  
36 allocations consistent with the nonemployee related costs (NERC)  
37 allocation formula in place for the 2010-11 school year as provided

1 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental  
2 budget), adjusted annually for inflation.

3 (13) Any school district board of directors may petition the  
4 superintendent of public instruction by submission of a resolution  
5 adopted in a public meeting to reduce or delay any portion of its basic  
6 education allocation for any school year. The superintendent of public  
7 instruction shall approve such reduction or delay if it does not impair  
8 the district's financial condition. Any delay shall not be for more  
9 than two school years. Any reduction or delay shall have no impact on  
10 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
11 pursuant to chapter 28A.500 RCW.

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

15 (a) \$589,000 of the general fund--state appropriation for fiscal  
16 year 2012 and (~~(\$597,000)~~) \$598,000 of the general fund--state  
17 appropriation for fiscal year 2013 are provided solely for fire  
18 protection for school districts located in a fire protection district  
19 as now or hereafter established pursuant to chapter 52.04 RCW.

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

27 (c) Funding in this section is sufficient to fund adjustments to  
28 school districts' allocations resulting from the implementation of the  
29 prototypical school funding formula, pursuant to chapter 236, Laws of  
30 2010 (K-12 education funding). The funding in this section is intended  
31 to hold school districts harmless in total for funding changes  
32 resulting from conversion to the prototypical school formula in the  
33 general apportionment program, the learning assistance program, the  
34 transitional bilingual program, and the highly capable program, after  
35 adjustment for changes in enrollment and other caseload adjustments.

36 (15) \$208,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$211,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for school district emergencies as



1 certified by the superintendent of public instruction. At the close of  
2 the fiscal year the superintendent of public instruction shall report  
3 to the office of financial management and the appropriate fiscal  
4 committees of the legislature on the allocations provided to districts  
5 and the nature of the emergency.

6 (16) Funding in this section is sufficient to fund a maximum of  
7 1.6 FTE enrollment for skills center students pursuant to chapter 463,  
8 Laws of 2007.

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

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

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

31 (b) For the fourth through eighth school years following  
32 consolidation, the difference between the basic education formula staff  
33 units received by the districts for the school year prior to  
34 consolidation and the basic education formula staff units after  
35 consolidation pursuant to subsection (12) of this section shall be  
36 reduced in increments of twenty percent per year.

37 (19)(a) Indirect cost charges by a school district to approved  
38 career and technical education middle and secondary programs shall not

1 exceed 15 percent of the combined basic education and career and  
2 technical education program enhancement allocations of state funds.  
3 Middle and secondary career and technical education programs are  
4 considered separate programs for funding and financial reporting  
5 purposes under this section.

6 (b) Career and technical education program full-time equivalent  
7 enrollment shall be reported on the same monthly basis as the  
8 enrollment for students eligible for basic support, and payments shall  
9 be adjusted for reported career and technical education program  
10 enrollments on the same monthly basis as those adjustments for  
11 enrollment for students eligible for basic support.

12 **Sec. 503.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read  
13 as follows:

14 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**  
15 **COMPENSATION**

16 (1) The following calculations determine the salaries used in the  
17 state allocations for certificated instructional, certificated  
18 administrative, and classified staff units as provided in RCW  
19 28A.150.280 and under section 503 of this act:

20 (a) Salary allocations for certificated instructional staff units  
21 are determined for each district by multiplying the district's  
22 certificated instructional total base salary shown on LEAP Document 2  
23 by the district's average staff mix factor for certificated  
24 instructional staff in that school year, computed using LEAP document  
25 1; and

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

30 (2) For the purposes of this section:

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

35 (b) "LEAP Document 2" means the school year salary allocations for  
36 certificated administrative staff and classified staff and derived and

1 total base salaries for certificated instructional staff as developed  
 2 by the legislative evaluation and accountability program committee on  
 3 May 23, 2011, at 16:10 hours.

4 (3) Incremental fringe benefit factors are applied to salary  
 5 adjustments at a rate of 15.69 percent for school year 2011-12 and  
 6 ((15.69)) 15.70 percent for school year 2012-13 for certificated  
 7 instructional and certificated administrative staff and 15.23 percent  
 8 for school year 2011-12 and 15.23 percent for the 2012-13 school year  
 9 for classified staff.

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

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

14 \*\*\*Education Experience\*\*\*

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

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

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

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

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

(5) For the purposes of this section:

- 1 (a) "BA" means a baccalaureate degree.
- 2 (b) "MA" means a masters degree.
- 3 (c) "PHD" means a doctorate degree.
- 4 (d) "Years of service" shall be calculated under the same rules
- 5 adopted by the superintendent of public instruction.
- 6 (e) "Credits" means college quarter hour credits and equivalent
- 7 in-service credits computed in accordance with RCW 28A.415.020 and
- 8 28A.415.023.
- 9 (6) No more than ninety college quarter-hour credits received by
- 10 any employee after the baccalaureate degree may be used to determine
- 11 compensation allocations under the state salary allocation schedule and
- 12 LEAP documents referenced in this part V, or any replacement schedules
- 13 and documents, unless:
- 14 (a) The employee has a masters degree; or
- 15 (b) The credits were used in generating state salary allocations
- 16 before January 1, 1992.
- 17 (7) The salary allocation schedules established in this section are
- 18 for allocation purposes only except as provided in RCW 28A.400.200(2).

19 **Sec. 504.** 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read  
 20 as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
 22 **COMPENSATION ADJUSTMENTS**

23 General Fund--Federal Appropriation . . . . . \$2,000

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

26 (1)(a) Additional salary adjustments as necessary to fund the base  
 27 salaries for certificated instructional staff as listed for each  
 28 district in LEAP Document 2, defined in section 504(2)(b) of this act.  
 29 Allocations for these salary adjustments shall be provided to all  
 30 districts that are not grandfathered to receive salary allocations  
 31 above the statewide salary allocation schedule, and to certain  
 32 grandfathered districts to the extent necessary to ensure that salary  
 33 allocations for districts that are currently grandfathered do not fall  
 34 below the statewide salary allocation schedule.

35 (b) Additional salary adjustments to certain districts as necessary  
 36 to fund the per full-time-equivalent salary allocations for

1 certificated administrative staff as listed for each district in LEAP  
2 Document 2, defined in section 504(2)(b) of this act.

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

7 (d) The appropriations in this subsection (1) include associated  
8 incremental fringe benefit allocations at 15.69 percent for the 2011-12  
9 school year and ((15.69)) 15.70 percent for the 2012-13 school year for  
10 certificated instructional and certificated administrative staff and  
11 15.23 percent for the 2011-12 school year and 15.23 percent for the  
12 2012-13 school year for classified staff.

13 (e) The appropriations in this section include the increased or  
14 decreased portion of salaries and incremental fringe benefits for all  
15 relevant state-funded school programs in part V of this act. Changes  
16 for general apportionment (basic education) are based on the salary  
17 allocation schedules and methodology in sections 503 and 504 of this  
18 act. Changes for special education result from changes in each  
19 district's basic education allocation per student. Changes for  
20 educational service districts and institutional education programs are  
21 determined by the superintendent of public instruction using the  
22 methodology for general apportionment salaries and benefits in sections  
23 503 and 504 of this act.

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

26 (2) The maintenance rate for insurance benefit allocations is  
27 \$768.00 per month for the 2011-12 and 2012-13 school years. The  
28 appropriations in this section reflect the incremental change in cost  
29 of allocating rates of \$768.00 per month for the 2011-12 school year  
30 and \$768.00 per month for the 2012-13 school year.

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

33 **Sec. 505.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read  
34 as follows:

35 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**  
36 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$322,033,000~~))  
37 \$322,243,000

1	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$273,380,000</del> ))
2		<u>\$273,642,000</u>
3	TOTAL APPROPRIATION . . . . .	(( <del>\$595,413,000</del> ))
4		<u>\$595,885,000</u>

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

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

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

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

17 (3) Any amounts appropriated for maintenance level funding for  
18 pupil transportation that exceed actual maintenance level expenditures  
19 as calculated under the funding formula that takes effect September 1,  
20 2011, shall be distributed to districts according to RCW  
21 28A.160.192(2)(b).

22 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation  
23 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be  
24 expended for regional transportation coordinators and related  
25 activities. The transportation coordinators shall ensure that data  
26 submitted by school districts for state transportation funding shall,  
27 to the greatest extent practical, reflect the actual transportation  
28 activity of each district.

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

36 (6) The superintendent of public instruction shall base  
37 depreciation payments for school district buses on the pre-sales tax  
38 five-year average of lowest bids in the appropriate category of bus.

1 In the final year on the depreciation schedule, the depreciation  
2 payment shall be based on the lowest bid in the appropriate bus  
3 category for that school year.

4 (7) Funding levels in this section reflect waivers granted by the  
5 state board of education for four-day school weeks as allowed under RCW  
6 28A.305.141.

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

10 **Sec. 506.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read  
11 as follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
13 **PROGRAMS**

14	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$653,904,000</del> ))
15		<u>\$648,369,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$694,237,000</del> ))
17		<u>\$679,832,000</u>
18	General Fund--Federal Appropriation . . . . .	(( <del>\$486,936,000</del> ))
19		<u>\$486,922,000</u>
20	Education Legacy Trust Account--State Appropriation . . . . .	\$756,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$1,835,833,000</del> ))
22		<u>\$1,815,879,000</u>

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

25 (1) Funding for special education programs is provided on an excess  
26 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
27 that special education students as a class receive their full share of  
28 the general apportionment allocation accruing through sections 502 and  
29 504 of this act. To the extent a school district cannot provide an  
30 appropriate education for special education students under chapter  
31 28A.155 RCW through the general apportionment allocation, it shall  
32 provide services through the special education excess cost allocation  
33 funded in this section.

34 (2)(a) The superintendent of public instruction shall ensure that:  
35 (i) Special education students are basic education students first;  
36 (ii) As a class, special education students are entitled to the  
37 full basic education allocation; and



1 (iii) Special education students are basic education students for  
2 the entire school day.

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

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

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

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

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

23 (5) The following applies throughout this section: The definitions  
24 for enrollment and enrollment percent are as specified in RCW  
25 28A.150.390(3). Each district's general fund--state funded special  
26 education enrollment shall be the lesser of the district's actual  
27 enrollment percent or 12.7 percent.

28 (6) At the request of any interdistrict cooperative of at least 15  
29 districts in which all excess cost services for special education  
30 students of the districts are provided by the cooperative, the maximum  
31 enrollment percent shall be calculated in accordance with RCW  
32 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate  
33 rather than individual district units. For purposes of this  
34 subsection, the average basic education allocation per full-time  
35 equivalent student shall be calculated in the aggregate rather than  
36 individual district units.

37 (7) \$8,914,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$34,200,000 of the general fund--state appropriation for

1 fiscal year 2013, and \$29,574,000 of the general fund--federal  
2 appropriation are provided solely for safety net awards for districts  
3 with demonstrated needs for special education funding beyond the  
4 amounts provided in subsection (4) of this section. If the federal  
5 safety net awards based on the federal eligibility threshold exceed the  
6 federal appropriation in this subsection (7) in any fiscal year, the  
7 superintendent shall expend all available federal discretionary funds  
8 necessary to meet this need. At the conclusion of each school year,  
9 the superintendent shall recover safety net funds that were distributed  
10 prospectively but for which districts were not subsequently eligible.

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

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

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

23 (9) The superintendent shall maintain the percentage of federal  
24 flow-through to school districts at 85 percent. In addition to other  
25 purposes, school districts may use increased federal funds for high-  
26 cost students, for purchasing regional special education services from  
27 educational service districts, and for staff development activities  
28 particularly relating to inclusion issues.

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

33 (11) \$251,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$251,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for two additional full-time  
36 equivalent staff to support the work of the safety net committee and to  
37 provide training and support to districts applying for safety net  
38 awards.

1 (12) \$50,000 of the general fund--state appropriation for fiscal  
2 year 2012, \$50,000 of the general fund--state appropriation for fiscal  
3 year 2013, and \$100,000 of the general fund--federal appropriation  
4 shall be expended to support a special education ombudsman program  
5 within the office of superintendent of public instruction.

6 **Sec. 507.** 2011 2nd sp.s. c 9 s 508 (uncodified) is amended to read  
7 as follows:

8 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**  
9 **DISTRICTS**

10	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$7,889,000</del> ))
11		<u>\$7,894,000</u>
12	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$7,904,000</del> ))
13		<u>\$7,912,000</u>
14	TOTAL APPROPRIATION . . . . .	(( <del>\$15,793,000</del> ))
15		<u>\$15,806,000</u>

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

18 (1) The educational service districts shall continue to furnish  
19 financial services required by the superintendent of public instruction  
20 and RCW 28A.310.190 (3) and (4).

21 (2) Funding within this section is provided for regional  
22 professional development related to mathematics and science curriculum  
23 and instructional strategies. Funding shall be distributed among the  
24 educational service districts in the same proportion as distributions  
25 in the 2007-2009 biennium. Each educational service district shall use  
26 this funding solely for salary and benefits for a certificated  
27 instructional staff with expertise in the appropriate subject matter  
28 and in professional development delivery, and for travel, materials,  
29 and other expenditures related to providing regional professional  
30 development support.

31 (3) The educational service districts, at the request of the state  
32 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may  
33 receive and screen applications for school accreditation, conduct  
34 school accreditation site visits pursuant to state board of education  
35 rules, and submit to the state board of education post-site visit  
36 recommendations for school accreditation. The educational service

1 districts may assess a cooperative service fee to recover actual plus  
2 reasonable indirect costs for the purposes of this subsection.

3 **Sec. 508.** 2011 2nd sp.s. c 9 s 509 (uncodified) is amended to read  
4 as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**  
6 **ASSISTANCE**

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$300,761,000</del> ))
8		<u>\$300,768,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$299,276,000</del> ))
10		<u>\$298,166,000</u>
11	<u>General Fund--Federal Appropriation . . . . .</u>	<u>\$4,400,000</u>
12	TOTAL APPROPRIATION . . . . .	(( <del>\$600,037,000</del> ))
13		<u>\$603,334,000</u>

14 The appropriations in this section are subject to the following  
15 conditions and limitations: For purposes of RCW 84.52.0531, the  
16 increase per full-time equivalent student is 3 percent from the 2010-11  
17 school year to the 2011-12 school year and 5 percent from the 2011-12  
18 school year to the 2012-13 school year.

19 **Sec. 509.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read  
20 as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
22 **EDUCATION PROGRAMS**

23	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$17,507,000</del> ))
24		<u>\$16,694,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$16,969,000</del> ))
26		<u>\$15,867,000</u>
27	TOTAL APPROPRIATION . . . . .	(( <del>\$34,476,000</del> ))
28		<u>\$32,561,000</u>

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

- 31 (1) Each general fund--state fiscal year appropriation includes
- 32 such funds as are necessary to complete the school year ending in the
- 33 fiscal year and for prior fiscal year adjustments.
- 34 (2) State funding provided under this section is based on salaries
- 35 and other expenditures for a 220-day school year. The superintendent

1 of public instruction shall monitor school district expenditure plans  
2 for institutional education programs to ensure that districts plan for  
3 a full-time summer program.

4 (3) State funding for each institutional education program shall be  
5 based on the institution's annual average full-time equivalent student  
6 enrollment. Staffing ratios for each category of institution shall  
7 remain the same as those funded in the 1995-97 biennium.

8 (4) The funded staffing ratios for education programs for juveniles  
9 age 18 or less in department of corrections facilities shall be the  
10 same as those provided in the 1997-99 biennium.

11 (5) (~~(\$669,000)~~) \$586,000 of the general fund--state appropriation  
12 for fiscal year 2012 and (~~(\$669,000)~~) \$549,000 of the general fund--  
13 state appropriation for fiscal year 2013 are provided solely to  
14 maintain at least one certificated instructional staff and related  
15 support services at an institution whenever the K-12 enrollment is not  
16 sufficient to support one full-time equivalent certificated  
17 instructional staff to furnish the educational program. The following  
18 types of institutions are included: Residential programs under the  
19 department of social and health services for developmentally disabled  
20 juveniles, programs for juveniles under the department of corrections,  
21 programs for juveniles under the juvenile rehabilitation  
22 administration, and programs for juveniles operated by city and county  
23 jails.

24 (6) Ten percent of the funds allocated for each institution may be  
25 carried over from one year to the next.

26 **Sec. 510.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read  
27 as follows:

28 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

29	General Fund--State Appropriation (FY 2012) . . . . .	( <del>(\$8,759,000)</del> )
30		<u>\$8,745,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	( <del>(\$8,842,000)</del> )
32		<u>\$8,788,000</u>
33	TOTAL APPROPRIATION . . . . .	( <del>(\$17,601,000)</del> )
34		<u>\$17,533,000</u>

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

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

4 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
5 shall allocate funding to school district programs for highly capable  
6 students as provided in RCW 28A.150.260(10)(c). In calculating the  
7 allocations, the superintendent shall assume the following: (i)  
8 Additional instruction of 2.1590 hours per week per funded highly  
9 capable program student; (ii) fifteen highly capable program students  
10 per teacher; (iii) 36 instructional weeks per year; (iv) 900  
11 instructional hours per teacher; and (v) the district's average staff  
12 mix and compensation rates as provided in sections 503 and 504 of this  
13 act.

14 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
15 allocate funding to school districts programs for highly capable  
16 students as provided in section 511, chapter 564, Laws of 2009, as  
17 amended through section 1409 of this act.

18 (3) \$85,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$85,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for the centrum program at Fort  
21 Worden state park.

22 **Sec. 511.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read  
23 as follows:

24 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
25 **PROGRAMS**

26	General Fund--State Appropriation (FY 2012) . . . . .	\$58,078,000
27	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$98,309,000)</del>
28		<u>\$102,955,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(\$219,161,000)</del>
30		<u>\$219,147,000</u>
31	General Fund--Private/Local Appropriation . . . . .	\$4,000,000
32	Education Legacy Trust Account--State Appropriation . .	<del>(\$1,598,000)</del>
33		<u>\$1,596,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(\$381,146,000)</del>
35		<u>\$385,776,000</u>

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

1 (1) \$40,822,000 of the general fund--state appropriation for fiscal  
2 year 2012, (~~(\$41,613,000)~~) \$41,614,000 of the general fund--state  
3 appropriation for fiscal year 2013, \$1,350,000 of the education legacy  
4 trust account--state appropriation, and \$15,868,000 of the general  
5 fund--federal appropriation are provided solely for development and  
6 implementation of the Washington state assessment system, including:  
7 (a) Development and implementation of retake assessments for high  
8 school students who are not successful in one or more content areas and  
9 (b) development and implementation of alternative assessments or  
10 appeals procedures to implement the certificate of academic  
11 achievement. The superintendent of public instruction shall report  
12 quarterly on the progress on development and implementation of  
13 alternative assessments or appeals procedures. Within these amounts,  
14 the superintendent of public instruction shall contract for the early  
15 return of 10th grade student assessment results, on or around June 10th  
16 of each year. State funding shall be limited to one collection of  
17 evidence payment per student, per content-area assessment.

18 (2) \$356,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$356,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for the Washington state  
21 leadership and assistance for science education reform (LASER) regional  
22 partnership activities coordinated at the Pacific science center,  
23 including instructional material purchases, teacher and principal  
24 professional development, and school and community engagement events.

25 (3) \$980,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$980,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for improving technology  
28 infrastructure, monitoring and reporting on school district technology  
29 development, promoting standards for school district technology,  
30 promoting statewide coordination and planning for technology  
31 development, and providing regional educational technology support  
32 centers, including state support activities, under chapter 28A.650 RCW.

33 (4) \$3,852,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$2,624,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for continued implementation of  
36 chapter 235, Laws of 2010 (education reform) including development of  
37 new performance-based evaluation systems for certificated educators.

1 (5)(a) (~~(\$40,681,000)~~) \$39,296,000 of the general fund--state  
2 appropriation for fiscal year 2013 is provided solely for the following  
3 bonuses for teachers who hold valid, unexpired certification from the  
4 national board for professional teaching standards and who are teaching  
5 in a Washington public school, subject to the following conditions and  
6 limitations:

7 (i) For national board certified teachers, a bonus of \$5,090 per  
8 teacher in the 2011-12 and 2012-13 school years, adjusted for inflation  
9 in each school year in which Initiative 732 cost of living adjustments  
10 are provided;

11 (ii) An additional \$5,000 annual bonus shall be paid to national  
12 board certified teachers who teach in either: (A) High schools where  
13 at least 50 percent of student headcount enrollment is eligible for  
14 federal free or reduced price lunch, (B) middle schools where at least  
15 60 percent of student headcount enrollment is eligible for federal free  
16 or reduced price lunch, or (C) elementary schools where at least 70  
17 percent of student headcount enrollment is eligible for federal free or  
18 reduced price lunch;

19 (iii) The superintendent of public instruction shall adopt rules to  
20 ensure that national board certified teachers meet the qualifications  
21 for bonuses under (a)(ii) of this subsection for less than one full  
22 school year receive bonuses in a pro-rated manner. Beginning in the  
23 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection  
24 will be paid in July of each school year. Bonuses in (a)(i) and (ii)  
25 of this subsection shall be reduced by a factor of 40 percent for first  
26 year NBPTS certified teachers, to reflect the portion of the  
27 instructional school year they are certified; and

28 (iv) During the 2011-12 and 2012-13 school years, and within  
29 available funds, certificated instructional staff who have met the  
30 eligibility requirements and have applied for certification from the  
31 national board for professional teaching standards may receive a  
32 conditional loan of two thousand dollars or the amount set by the  
33 office of the superintendent of public instruction to contribute toward  
34 the current assessment fee, not including the initial up-front  
35 candidacy payment. The fee shall be an advance on the first annual  
36 bonus under RCW 28A.405.415. The conditional loan is provided in  
37 addition to compensation received under a district's salary schedule  
38 and shall not be included in calculations of a district's average



1 salary and associated salary limitation under RCW 28A.400.200.  
2 Recipients who fail to receive certification after three years are  
3 required to repay the conditional loan. The office of the  
4 superintendent of public instruction shall adopt rules to define the  
5 terms for initial grant of the assessment fee and repayment, including  
6 applicable fees. To the extent necessary, the superintendent may use  
7 revenues from the repayment of conditional loan scholarships to ensure  
8 payment of all national board bonus payments required by this section  
9 in each school year.

10 (6) \$477,000 of the general fund--state appropriation for fiscal  
11 year 2012 and \$477,000 of the general fund--state appropriation for  
12 fiscal year 2013 are provided solely for the leadership internship  
13 program for superintendents, principals, and program administrators.

14 (7) \$950,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$950,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for the Washington reading corps.  
17 The superintendent shall allocate reading corps members to low-  
18 performing schools and school districts that are implementing  
19 comprehensive, proven, research-based reading programs. Two or more  
20 schools may combine their Washington reading corps programs.

21 (8) \$810,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$810,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the development of a  
24 leadership academy for school principals and administrators. The  
25 superintendent of public instruction shall contract with an independent  
26 organization to design, field test, and implement a state-of-the-art  
27 education leadership academy that will be accessible throughout the  
28 state. Initial development of the content of the academy activities  
29 shall be supported by private funds. Semiannually the independent  
30 organization shall report on amounts committed by foundations and  
31 others to support the development and implementation of this program.  
32 Leadership academy partners shall include the state level organizations  
33 for school administrators and principals, the superintendent of public  
34 instruction, the professional educator standards board, and others as  
35 the independent organization shall identify.

36 (9) \$3,234,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$3,234,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for grants to school districts to

1 provide a continuum of care for children and families to help children  
2 become ready to learn. Grant proposals from school districts shall  
3 contain local plans designed collaboratively with community service  
4 providers. If a continuum of care program exists in the area in which  
5 the school district is located, the local plan shall provide for  
6 coordination with existing programs to the greatest extent possible.

7 (10) \$1,500,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$1,500,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for the implementation of chapter  
10 288, Laws of 2011 (actual student success program), including  
11 allocations to the opportunity internship program, the jobs for  
12 America's graduates program, the building bridges program, services  
13 provided by a college scholarship organization. Funding shall not be  
14 used in the 2011-2013 fiscal biennium to provide awards for schools and  
15 school districts.

16 (11) \$859,000 of the general fund--state appropriation for fiscal  
17 year 2012, (~~(\$846,000)~~) \$808,000 of the general fund--state  
18 appropriation for fiscal year 2013, and \$248,000 of the education  
19 legacy trust account--state appropriation are for administrative  
20 support of education reform programs.

21 (12) \$2,000,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$2,000,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for a statewide information  
24 technology (IT) academy program. This public-private partnership will  
25 provide educational software, as well as IT certification and software  
26 training opportunities for students and staff in public schools.

27 (13) \$977,000 of the general fund--state appropriation for fiscal  
28 year 2012 and (~~(\$977,000)~~) \$1,077,000 of the general fund--state  
29 appropriation for fiscal year 2013 are provided solely for secondary  
30 career and technical education grants pursuant to chapter 170, Laws of  
31 2008. If equally matched by private donations, \$300,000 of the 2012  
32 appropriation and \$300,000 of the 2013 appropriation shall be used to  
33 support FIRST robotics programs. Of the amounts in this subsection,  
34 \$100,000 of the fiscal year 2013 appropriation is provided solely for  
35 the purpose of statewide supervision activities for career and  
36 technical education student leadership organizations.

37 (14) \$125,000 of the general fund--state appropriation for fiscal  
38 year 2012 and \$125,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for (a) staff at the office of the  
2 superintendent of public instruction to coordinate and promote efforts  
3 to develop integrated math, science, technology, and engineering  
4 programs in schools and districts across the state; and (b) grants of  
5 \$2,500 to provide twenty middle and high school teachers each year with  
6 professional development training for implementing integrated math,  
7 science, technology, and engineering programs in their schools.

8 (15) \$135,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$135,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for science, technology,  
11 engineering and mathematics lighthouse projects, consistent with  
12 chapter 238, Laws of 2010.

13 (16) \$1,000,000 of the general fund--state appropriation for fiscal  
14 year 2012 and \$1,000,000 of the general fund--state appropriation for  
15 fiscal year 2013 are provided solely for a beginning educator support  
16 program. School districts and/or regional consortia may apply for  
17 grant funding. The superintendent shall implement this program in 5 to  
18 15 school districts and/or regional consortia. The program provided by  
19 a district and/or regional consortia shall include: A paid  
20 orientation; assignment of a qualified mentor; development of a  
21 professional growth plan for each beginning teacher aligned with  
22 professional certification; release time for mentors and new teachers  
23 to work together; and teacher observation time with accomplished peers.  
24 \$250,000 may be used to provide statewide professional development  
25 opportunities for mentors and beginning educators.

26 (17) \$5,767,000 of the general fund--state appropriation for fiscal  
27 year 2013 is provided solely pursuant to Engrossed Substitute Senate  
28 Bill No. 5895 (certificated employee evaluations). If the bill is not  
29 enacted by June 30, 2012, the amount provided in this subsection shall  
30 lapse.

31 (18) \$200,000 of the general fund--state appropriation for fiscal  
32 year 2013 is provided solely for social support and academic  
33 intervention for students who have been suspended or expelled, are  
34 pregnant or parenting teens, have dropped out of school, or are  
35 significantly at risk of dropping out of school. Students are eligible  
36 to participate with the recommendation and approval of their resident  
37 school district.

1       **Sec. 512.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read  
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
4 **BILINGUAL PROGRAMS**

5	General Fund--State Appropriation (FY 2012) . . . . .	(\$79,496,000)
6		<u>\$79,575,000</u>
7	General Fund--State Appropriation (FY 2013) . . . . .	(\$82,856,000)
8		<u>\$80,666,000</u>
9	General Fund--Federal Appropriation . . . . .	\$71,001,000
10	TOTAL APPROPRIATION . . . . .	(\$233,353,000)
11		<u>\$231,242,000</u>

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

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

17       (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
18 shall allocate funding to school districts for transitional bilingual  
19 programs as provided in RCW 28A.150.260(10)(b). In calculating the  
20 allocations, the superintendent shall assume the following averages:  
21 (i) Additional instruction of 4.7780 hours per week per transitional  
22 bilingual program student; (ii) fifteen transitional bilingual program  
23 students per teacher; (iii) 36 instructional weeks per year; (iv) 900  
24 instructional hours per teacher; and (v) the district's average staff  
25 mix and compensation rates as provided in sections 503 and 504 of this  
26 act.  
27

28       (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
29 allocate funding to school districts for transitional bilingual  
30 instruction programs as provided in section 514, chapter 564, Laws of  
31 2009, as amended through section 1411 of this act.

32       (c) The allocations in this section reflect the implementation of  
33 a new funding formula for the transitional bilingual instructional  
34 program, effective September 1, 2011, as specified in RCW  
35 28A.150.260(10)(b).

36       (3) The superintendent may withhold allocations to school districts  
37 in subsection (2) of this section solely for the central provision of  
38 assessments as provided in RCW 28A.180.090 (1) and (2) up to the

1 following amounts: 2.79 percent for school year 2011-12 and ~~((2.09))~~  
2 2.11 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  
8 shall 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. 513.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read  
26 as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
28 **ASSISTANCE PROGRAM**

29 General Fund--State Appropriation (FY 2012) . . . . . ((\$102,470,000))  
30 \$102,619,000

31 General Fund--State Appropriation (FY 2013) . . . . . ((\$103,666,000))  
32 \$128,779,000

33 General Fund--Federal Appropriation . . . . . \$492,207,000

34 Education Legacy Trust Account--State  
35 Appropriation . . . . . ((\$47,980,000))  
36 \$23,990,000

37 TOTAL APPROPRIATION . . . . . ((\$746,323,000))

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

(1) The general fund--state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages:

(A) Additional instruction of 1.51560 hours per week per funded learning assistance program student; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 564, Laws of 2009, as amended through section 1412 of this act.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund--federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state or education legacy trust funds

1 allocated under this program; however, carryover funds shall be  
2 expended for the learning assistance program.

3 (5) The office of the superintendent of public instruction shall  
4 research and recommend options for an adjustment factor for middle  
5 school and high school free and reduced price lunch eligibility  
6 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report  
7 to the fiscal committees of the legislature by June 1, 2012. For the  
8 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

9 **Sec. 514.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to  
10 read as follows:

11 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

12 (1) Amounts distributed to districts by the superintendent through  
13 part V of this act are for allocations purposes only and do not entitle  
14 a particular district, district employee, or student to a specific  
15 service, beyond what has been expressly provided in statute. Part V of  
16 this act restates the requirements of various sections of Title 28A  
17 RCW. If any conflict exists, the provisions of Title 28A RCW control  
18 unless this act explicitly states that it is providing an enhancement.

19 Any amounts provided in part V of this act in excess of the amounts  
20 required by Title 28A RCW provided in statute, are not within the  
21 program of basic education.

22 (2) To the maximum extent practicable, when adopting new or revised  
23 rules or policies relating to the administration of allocations in part  
24 V of this act that result in fiscal impact, the office of the  
25 superintendent of public instruction shall attempt to seek legislative  
26 approval through the budget request process.

27 (3) Appropriations made in this act to the office of the  
28 superintendent of public instruction shall initially be allotted as  
29 required by this act. Subsequent allotment modifications shall not  
30 include transfers of moneys between sections of this act except as  
31 expressly provided in subsection (4) of this section.

32 (4) The appropriations to the office of the superintendent of  
33 public instruction in this act shall be expended for the programs and  
34 amounts specified in this act. However, after May 1, 2012, unless  
35 specifically prohibited by this act and after approval by the director  
36 of financial management, the superintendent of public instruction may  
37 transfer state general fund appropriations for fiscal year 2012 among



1 the following programs to meet the apportionment schedule for a  
2 specified formula in another of these programs: General apportionment;  
3 employee compensation adjustments; pupil transportation; special  
4 education programs; institutional education programs; transitional  
5 bilingual programs; and learning assistance programs.

6 (5) The director of financial management shall notify the  
7 appropriate legislative fiscal committees in writing prior to approving  
8 any allotment modifications or transfers under this section.

(End of part)

PART VI  
HIGHER EDUCATION

Sec. 601. 2011 2nd sp.s. c 9 s 601 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$533,009,000</del> ))
	<u>\$532,841,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$525,644,000</del> ))
	<u>\$516,861,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation . . . . .	(( <del>\$8,037,000</del> ))
	<u>\$12,793,000</u>
Education Legacy Trust Account--State	
Appropriation . . . . .	(( <del>\$95,370,000</del> ))
	<u>\$95,256,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$1,162,060,000</del> ))
	<u>\$1,157,751,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2012 and \$28,761,000 of the general fund--state appropriation for fiscal year 2013 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2012 and at least 6,200 full-time equivalent students in fiscal year 2013.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2012 and \$2,725,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

1 (3) \$4,500,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$4,500,000 of the general fund--state appropriation for  
3 fiscal year 2013 is provided solely for worker retraining.

4 (4) Of the amounts appropriated in this section, \$5,000,000 is  
5 provided solely for the student achievement initiative.

6 (5) When implementing the appropriations in this section, the state  
7 board and the trustees of the individual community and technical  
8 colleges shall minimize impact on academic programs, maximize  
9 reductions in administration, and shall at least maintain, and endeavor  
10 to increase, enrollment opportunities and degree and certificate  
11 production in high employer-demand fields of study at their academic  
12 year 2008-09 levels.

13 (6) Community and technical colleges are not required to send mass  
14 mailings of course catalogs to residents of their districts. Community  
15 and technical colleges shall consider lower cost alternatives, such as  
16 mailing postcards or brochures that direct individuals to online  
17 information and other ways of acquiring print catalogs.

18 (7) Bellevue college is authorized to offer (~~applied~~)  
19 baccalaureate degrees in information technology, health care services  
20 and management, biotechnology, and preprofessional preparation for  
21 medical fields. These degrees shall be directed at high school  
22 graduates and transfer-oriented degree and professional and technical  
23 degree holders. In fiscal year 2012, Bellevue college will develop a  
24 two-year plan for offering these new degrees. The plan will assume  
25 funding for these new degrees shall come through redistribution of its  
26 current per full-time enrollment funding. The plan shall be delivered  
27 to the legislature by June 30, 2012.

28 (8) The Seattle community college district is authorized to offer  
29 applied baccalaureate degree programs in business/international  
30 business and technology management, interactive and artistic digital  
31 media, sustainability, building science technology, and allied and  
32 global health. These degrees shall be directed at high school  
33 graduates and professional and technical degree holders. In fiscal  
34 year 2012, Seattle community colleges shall develop a two-year plan for  
35 offering these new degrees. The plan will assume that funding for  
36 these new degrees comes through redistribution of its current per full-  
37 time enrollment funding. The plan shall be delivered to the  
38 legislature by June 30, 2012.

1 (9) \$100,000 of the general fund--state appropriation for fiscal  
2 year 2013 is provided solely for the Jefferson education center.

3 (10) \$2,000,000 of the general fund--state appropriation for fiscal  
4 year 2013 is provided solely for an expansion in enrollments in  
5 science, technology, engineering, and math. Amounts provided in this  
6 subsection may be used only to cover direct costs of instruction  
7 associated with this enrollment expansion. By June 30, 2012, the state  
8 board for community and technical colleges shall provide a report to  
9 the legislature that provides specific detail on how these amounts will  
10 be spent. Each June 30th thereafter, the state board for community and  
11 technical colleges shall provide an updated report that provides  
12 specific detail on how these amounts were spent in the preceding twelve  
13 months.

14 (11) Amounts appropriated in this section are sufficient for the  
15 state board for community and technical colleges to conduct a  
16 comprehensive review of its tuition waiver policies. The resulting  
17 report shall include an overview of tuition waiver uses and costs  
18 (forgone revenue) and outcomes and any recommendations for changes to  
19 tuition waiver policy and shall be provided to the legislature no later  
20 than December 1, 2012.

21 (12) \$131,000 of the general fund--state appropriation for fiscal  
22 year 2013 is provided solely for the implementation of Second  
23 Substitute House Bill No. 2156 (workforce training/aerospace). If the  
24 bill is not enacted by June 30, 2012, the amount provided in this  
25 subsection shall lapse.

26 (13) The state board for community and technical colleges shall not  
27 use funds appropriated in this section to support intercollegiate  
28 athletics programs.

29 **Sec. 602.** 2011 2nd sp.s. c 9 s 602 (uncodified) is amended to read  
30 as follows:

31 **FOR THE UNIVERSITY OF WASHINGTON**

32	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$201,388,000</del> ))
33		<u>\$201,226,000</u>
34	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$206,358,000</del> ))
35		<u>\$201,612,000</u>
36	Education Legacy Trust Account--State Appropriation . . . .	\$18,579,000
37	<u>Economic Development Strategic Reserve Account--</u>	

1	<u>State Appropriation . . . . .</u>	<u>\$1,500,000</u>
2	Biotoxin Account--State Appropriation . . . . .	\$450,000
3	Accident Account--State Appropriation . . . . .	<del>(\$6,699,000)</del>
4		<u>\$6,681,000</u>
5	Medical Aid Account--State Appropriation . . . . .	<del>(\$6,502,000)</del>
6		<u>\$6,488,000</u>
7	TOTAL APPROPRIATION . . . . .	<del>(\$439,976,000)</del>
8		<u>\$436,536,000</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 regents shall seek to minimize impacts on student  
13 services and instructional programs by maximizing reductions in  
14 administration and other noninstructional activities.

15 (2) \$150,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$150,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for the development of integrated  
18 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho  
19 (WWAMI) medical education program in Spokane and eastern Washington.  
20 Funding is contingent on appropriations being provided to Washington  
21 State University for WWAMI program expansion in Spokane and eastern  
22 Washington.

23 (3) \$52,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$52,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for the center for international  
26 trade in forest products in the college of forest resources.

27 (4) \$88,000 of the general fund--state appropriation for fiscal  
28 year 2012 is provided solely for implementation of Engrossed Second  
29 Substitute Senate Bill No. 5485 (state's natural resources). If the  
30 bill is not enacted by June 30, 2011, the amount provided in this  
31 subsection shall lapse.

32 (5) \$143,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$144,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for the ongoing management of the  
35 Washington park arboretum.

36 (6) \$3,800,000 of the general fund--state appropriation for fiscal  
37 year 2013 is provided solely for an expansion in engineering  
38 enrollments, including enrollments in the field of computer science.

1 Amounts provided in this subsection may be used only to cover direct  
2 costs of instruction associated with this enrollment expansion. By  
3 June 30, 2012, the university shall provide a report to the legislature  
4 that provides specific detail on how these amounts will be spent. Each  
5 September 1st thereafter, the university shall provide an updated  
6 report that provides specific detail on how these amounts were spent in  
7 the preceding twelve months.

8 (7) Amounts appropriated in this section are sufficient for the  
9 university to conduct a comprehensive review of its tuition waiver  
10 policies. The resulting report shall include an overview of tuition  
11 waiver uses and costs (forgone revenue) and outcomes and any  
12 recommendations for changes to tuition waiver policy and shall be  
13 provided to the legislature no later than December 1, 2012.

14 (8) \$610,000 of the general fund--state appropriation for fiscal  
15 year 2012 is provided solely to expand health sciences capacity at the  
16 University of Washington for Washington, Wyoming, Alaska, Montana,  
17 Idaho (WWAMI) and \$190,000 of the general fund--state appropriation for  
18 fiscal year 2012 is provided solely to expand health sciences capacity  
19 at the University of Washington for Regional Initiatives in Dental  
20 Education (RIDE) for the WWAMI-RIDE program expansion to achieve full  
21 ramp-up of first-year medical students and dental students each year of  
22 the four-year programs.

23 (9) The University of Washington shall not use funds appropriated  
24 in this section to support intercollegiate athletics programs.

25 (10) Amounts appropriated in this section are sufficient to cover  
26 the costs associated with the implementation of Engrossed Substitute  
27 Senate Bill No. 6486 (collective bargaining for post-doctoral  
28 researchers).

29 **Sec. 603.** 2011 2nd sp.s. c 9 s 603 (uncodified) is amended to read  
30 as follows:

31 **FOR WASHINGTON STATE UNIVERSITY**

32	General Fund--State Appropriation (FY 2012) . . . . .	(( \$134,512,000 ))
33		<u>\$134,454,000</u>
34	General Fund--State Appropriation (FY 2013) . . . . .	(( \$136,087,000 ))
35		<u>\$133,692,000</u>
36	Education Legacy Trust Account--State Appropriation . . . . .	\$33,065,000
37	TOTAL APPROPRIATION . . . . .	(( \$303,664,000 ))

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) Within available funds, Washington State University shall serve an additional cohort of fifteen full-time equivalent students in the mechanical engineering program located at Olympic College.

(3) \$300,000 of the general fund--state appropriation for fiscal year 2012 and \$300,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the expansion of health sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho (WWAMI) medical education program in Spokane and eastern Washington. Funding is contingent on appropriations being provided to the University of Washington for integrated medical curriculum development for WWAMI.

(4) \$3,800,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for an expansion in engineering enrollments, including enrollments in the field of computer science, including thirty additional full-time equivalent students in the mechanical engineering program located at Olympic College. Amounts provided in this subsection may be used only to cover direct costs of instruction associated with this enrollment expansion. By June 30, 2012, the university shall provide a report to the legislature that provides specific detail on how these amounts will be spent. Each June 30th thereafter, the university shall provide an updated report that provides specific detail on how these amounts were spent in the preceding twelve months.

(5) Amounts appropriated in this section are sufficient for the university to conduct a comprehensive review of its tuition waiver policies. The resulting report shall include an overview of tuition waiver uses and costs (forgone revenue) and outcomes and any recommendations for changes to tuition waiver policy and shall be provided to the legislature no later than December 1, 2012.

(6) Washington State University shall not use funds appropriated in this section to support intercollegiate athletics programs.

1 (7) Amounts appropriated in this section are sufficient to cover  
2 the costs associated with the implementation of Engrossed Substitute  
3 Senate Bill No. 6486 (collective bargaining for post-doctoral  
4 researchers).

5 **Sec. 604.** 2011 2nd sp.s. c 9 s 604 (uncodified) is amended to read  
6 as follows:

7 **FOR EASTERN WASHINGTON UNIVERSITY**

8	General Fund--State Appropriation (FY 2012) . . . . .	(\$26,257,000)
9		<u>\$26,239,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(\$26,541,000)
11		<u>\$25,759,000</u>
12	Education Legacy Trust Account--State Appropriation . . . . .	\$16,087,000
13	TOTAL APPROPRIATION . . . . .	(\$68,885,000)
14		<u>\$68,085,000</u>

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

17 (1) In implementing the appropriations in this section, the  
18 president and governing board shall seek to minimize impacts on student  
19 services and instructional programs by maximizing reductions in  
20 administration and other noninstructional activities.

21 (2) At least \$200,000 of the general fund--state appropriation for  
22 fiscal year 2012 and at least \$200,000 of the general fund--state  
23 appropriation for fiscal year 2013 shall be expended on the Northwest  
24 autism center.

25 (3) Amounts appropriated in this section are sufficient for the  
26 university to conduct a comprehensive review of its tuition waiver  
27 policies. The resulting report shall include an overview of tuition  
28 waiver uses and costs (forgone revenue) and outcomes and any  
29 recommendations for changes to tuition waiver policy and shall be  
30 provided to the legislature no later than December 1, 2012.

31 (4) \$479,000 of the general fund--state appropriation for fiscal  
32 year 2013 is provided solely for an expansion in enrollments in  
33 science, technology, engineering and math as defined in RCW  
34 28B.76.270(2)(k). Amounts provided in this subsection may be used only  
35 to cover direct costs of instruction associated with this enrollment  
36 expansion. By June 30, 2012, the university shall provide a report to  
37 the legislature that provides specific detail on how these amounts will



1 be spent. Each September 1 thereafter, the college shall provide an  
2 updated report that provides specific detail on how these amounts were  
3 spent in the preceding twelve months.

4 (5) Eastern Washington University shall not use funds appropriated  
5 in this section to support intercollegiate athletics programs.

6 **Sec. 605.** 2011 2nd sp.s. c 9 s 605 (uncodified) is amended to read  
7 as follows:

8 **FOR CENTRAL WASHINGTON UNIVERSITY**

9	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$22,468,000</del> ))
10		<u>\$22,449,000</u>
11	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$22,525,000</del> ))
12		<u>\$21,906,000</u>
13	Education Legacy Trust Account--State Appropriation . . . .	\$19,076,000
14	TOTAL APPROPRIATION . . . . .	(( <del>\$64,069,000</del> ))
15		<u>\$63,431,000</u>

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

18 (1) In implementing the appropriations in this section, the  
19 president and governing board shall seek to minimize impacts on student  
20 services and instructional programs by maximizing reductions in  
21 administration and other noninstructional activities.

22 (2) Amounts appropriated in this section are sufficient for the  
23 university to conduct a comprehensive review of its tuition waiver  
24 policies. The resulting report shall include an overview of tuition  
25 waiver uses and costs (forgone revenue) and outcomes and any  
26 recommendations for changes to tuition waiver policy and shall be  
27 provided to the legislature no later than December 1, 2012.

28 (3) \$406,000 of the general fund--state appropriation for fiscal  
29 year 2013 is provided solely for an expansion in enrollments in  
30 science, technology, engineering and math as defined in RCW  
31 28B.76.270(2)(k). Amounts provided in this subsection may be used only  
32 to cover direct costs of instruction associated with this enrollment  
33 expansion. By June 30, 2012, the university shall provide a report to  
34 the legislature that provides specific detail on how these amounts will  
35 be spent. Each September 1 thereafter, the college shall provide an  
36 updated report that provides specific detail on how these amounts were  
37 spent in the preceding twelve months.

1       (4) Central Washington University shall not use funds appropriated  
2 in this section to support intercollegiate athletics programs.

3       **Sec. 606.** 2011 2nd sp.s. c 9 s 606 (uncodified) is amended to read  
4 as follows:

5 **FOR THE EVERGREEN STATE COLLEGE**

6	General Fund--State Appropriation (FY 2012) . . . . .	(\$15,595,000)
7		<u>\$15,634,000</u>
8	General Fund--State Appropriation (FY 2013) . . . . .	(\$15,339,000)
9		<u>\$15,164,000</u>
10	Education Legacy Trust Account--State Appropriation . . . . .	\$5,450,000
11	<u>Forest Fire Protection Assessment Account--State</u>	
12	<u>Appropriation . . . . .</u>	<u>\$100,000</u>
13	TOTAL APPROPRIATION . . . . .	(\$36,384,000)
14		<u>\$36,348,000</u>

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

17       (1) In implementing the appropriations in this section, the  
18 president and governing board shall seek to minimize impacts on student  
19 services and instructional programs by maximizing reductions in  
20 administration and other noninstructional activities.

21       (2) \$50,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$25,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the Washington state institute  
24 for public policy to conduct a detailed study of the commitment of  
25 sexually violent predators to the special commitment center pursuant to  
26 chapter 71.09 RCW and the subsequent release of those persons to  
27 less-restrictive alternatives.

28       (a) Specifically, the institute's study shall examine:

29       (i) The projected future demand for the special commitment center,  
30 including profiles and characteristics of persons referred and  
31 committed to the special commitment center since its inception, whether  
32 the profiles of those persons have changed over time, and, given  
33 current trends, the likelihood of the continuing rate of referral;

34       (ii) Residents' participation in treatment over time and the impact  
35 of treatment on eventual release to a less-restrictive alternative;

36       (iii) The annual review process and the process for a committed

1 person to petition for conditional or unconditional release,  
2 specifically:

- 3 (A) The time frames for conducting mandatory reviews;
- 4 (B) The role of the special commitment center clinical team;
- 5 (C) Options and standards utilized by other jurisdictions or  
6 similar processes to conduct periodic reviews, including specialized  
7 courts, parole boards, independent review boards, and other commitment  
8 proceedings;

9 (iv) The capacity and future demand for appropriate less  
10 restrictive alternatives for moving residents out of the special  
11 commitment center, including:

- 12 (A) The capacity and demand for secure community transition  
13 facilities;
- 14 (B) Options for specialized populations such as the elderly or  
15 those with developmental disabilities and whether more cost-efficient  
16 options might be used to house those populations while keeping the  
17 public safe;
- 18 (C) Prospects for moving residents to noninstitutionalized settings  
19 beyond a secure community transition facility.

20 (b) The department of social and health services shall cooperate  
21 with the institute in conducting its examination and must provide the  
22 institute with requested data and records in a timely manner.

23 (c) The institute shall provide a status report to the governor and  
24 the legislature no later than November 1, 2011, with a final report due  
25 no later than November 1, 2012.

26 (3) \$50,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$50,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for the institute for public  
29 policy to provide research support to the council on quality education.

30 (4) To the extent federal or private funding is available for this  
31 purpose, the Washington state institute for public policy and the  
32 center for reinventing public education at the University of Washington  
33 shall examine the relationship between participation in pension systems  
34 and teacher quality and mobility patterns in the state. The department  
35 of retirement systems shall facilitate researchers' access to necessary  
36 individual-level data necessary to effectively conduct the study. The  
37 researchers shall ensure that no individually identifiable information  
38 will be disclosed at any time. An interim report on project findings

1 shall be completed by November 15, 2010, and a final report shall be  
2 submitted to the governor and to the relevant committees of the  
3 legislature by October 15, 2011.

4 (5) Funding provided in this section is sufficient for The  
5 Evergreen State College to continue operations of the Longhouse Center  
6 and the Northwest Indian applied research institute.

7 (6) If, and to the extent that private funding is available for  
8 this purpose, the Washington state institute for public policy shall  
9 study and report on the child welfare and educational characteristics  
10 and outcomes for foster youth who are served by educational advocates.  
11 The department of social and health services and the office of the  
12 superintendent of public instruction shall facilitate researchers'  
13 access to data necessary to effectively complete the study. The  
14 institute shall submit an interim report with baseline characteristics  
15 of youth served by educational advocates by December 2011 and a final  
16 report by October 31, 2012, to the governor and to the appropriate  
17 committees of the legislature.

18 (7) \$75,000 of the general fund--state appropriation for fiscal  
19 year 2012 is provided to the Washington state institute for public  
20 policy (WSIPP) to conduct a review of state investments in the family  
21 caregiver and support program. Funding for this program is provided by  
22 assumed savings from diverting seniors from entering into long-term  
23 care medicaid placements by supporting informal caregivers. WSIPP  
24 shall work with the department of social and health services to  
25 establish and review outcome data for this investment. A preliminary  
26 report on the outcomes of the investment into this program is due to  
27 the appropriate legislative committees by December 15, 2011, and a  
28 final report is due to the appropriate legislative committees by August  
29 30, 2012.

30 (8) \$50,000 of the general fund--state appropriation for fiscal  
31 year 2013 is provided solely to implement Second Substitute House Bill  
32 No. 2264 (child welfare/contracting). If the bill is not enacted by  
33 June 30, 2012, the amount provided in this subsection shall lapse.

34 (9) Amounts appropriated in this section are sufficient for the  
35 college to conduct a comprehensive review of its tuition waiver  
36 policies. The resulting report shall include an overview of tuition  
37 waiver uses and costs (forgone revenue) and outcomes and any

1 recommendations for changes to tuition waiver policy and shall be  
2 provided to the legislature no later than December 1, 2012.

3 (10) \$276,000 of the general fund--state appropriation for fiscal  
4 year 2013 is provided solely for an expansion in enrollments in  
5 science, technology, engineering and math as defined in RCW  
6 28B.76.270(2)(k). Amounts provided in this subsection may be used only  
7 to cover direct costs of instruction associated with this enrollment  
8 expansion. By June 30, 2012, the college shall provide a report to the  
9 legislature that provides specific detail on how these amounts will be  
10 spent. Each September 1 thereafter, the college shall provide an  
11 updated report that provides specific detail on how these amounts were  
12 spent in the preceding twelve months.

13 (11) \$17,000 of the general fund--state appropriation for fiscal  
14 year 2013 are provided solely to implement Substitute Senate Bill No.  
15 6492 (competency to stand trial). If the bill is not enacted by June  
16 30, 2012, the amount provided in this subsection shall lapse.

17 (12) \$40,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$60,000 of the general fund--state appropriation for  
19 fiscal year 2013 are provided solely for the Washington state institute  
20 for public policy to conduct a longitudinal study of the state need  
21 grant program. The purpose of this study is to determine to what  
22 extent this program has increased access and degree attainment for low-  
23 income students and to determine whether the funding for the state need  
24 grant has been utilized in the most efficient way possible to maximize  
25 the enrollment and degree attainment of low-income students. This  
26 study shall include, but not be limited to, a review of the following:  
27 (a) The demographics of recipients of the state need grant program,  
28 including, but not limited to, gender, race, and income; (b) the effect  
29 of the state need grant on enrollment rates of low-income students at  
30 the different institutions of higher education and whether these  
31 students attend full-time or part-time; (c) the effect of the state  
32 need grant on recipients' persistence, performance, degree or  
33 certificate completion, and time to degree or certificate completion at  
34 the different institutions of higher education; (d) an inventory of the  
35 types of degrees and certifications at the different institutions of  
36 higher education, by field of study, obtained by recipients; and (e)  
37 the interplay of the state need grant program with other forms of  
38 financial aid and the effect of this interplay on access and degree

1 attainment of low-income students. A preliminary report of the  
2 findings shall be submitted to the governor and the appropriate  
3 committees of the legislature by December 1, 2012. A final report of  
4 the findings shall be submitted to the governor and the appropriate  
5 committees of the legislature by December 1, 2013. The preliminary  
6 report shall provide a comparison of Washington's state need grant  
7 program to similar programs in other states. The reports shall include  
8 recommendations for using more efficiently the funds provided to the  
9 state need grant program to increase access and degree attainment of  
10 low-income students. To the maximum extent possible, this report shall  
11 disaggregate the demographic and institution specific data in a manner  
12 that will inform policymakers of the enrollment patterns and success of  
13 specific subsets of recipients within the different institutions of  
14 higher education. The higher education coordinating board, or its  
15 successor agency, the education data center, and the institutions of  
16 higher education shall cooperate with the Washington state institute  
17 for public policy in the conduct of this study and shall provide to the  
18 institute the necessary data and information to complete this study.

19 (13) \$15,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$50,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for the Washington state institute  
22 for public policy to conduct an evaluation of the benefits provided in  
23 the pension plans offered by public employers in the state.

24 (a) Specifically, the study shall examine:

25 (i) The level of benefits offered by the state retirement plans and  
26 retirement plans sponsored by local government employers relative to  
27 the benefits provided in other states;

28 (ii) The adequacy of pension benefits provided to public employees,  
29 including barriers to retirement;

30 (iii) Barriers to the portability of retirement benefits between  
31 public employers in the state, including opportunities to improve  
32 benefit portability and compatibility; and

33 (iv) The treatment of overtime earnings in public employee  
34 retirement plans relative to the treatment of earnings in other states,  
35 including the impact of excess compensation on state retirement system  
36 contribution rates with a particular emphasis on agencies that operate  
37 on a 24-hour basis, such as the state patrol, ferry system, and state  
38 prisons.

1 (b) In conducting the study, the institute shall collaborate with  
2 the office of the state actuary and shall solicit input from local  
3 government plan sponsors.

4 (c) The institute shall report its findings to the select committee  
5 on pension policy and the committees on ways and means of the house of  
6 representatives and the senate by December 1, 2012.

7 (14) \$5,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$10,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for the Washington state institute  
10 for public policy to assess the potential costs and benefits of  
11 implementing the national academy of pediatricians' "bright futures"  
12 recommended schedule of well-child visits, developmental, and autism  
13 screenings in state medical assistance programs. The assessment shall  
14 be conducted in consultation with subject area experts, and shall  
15 include an estimate of the full cost of implementing the revised  
16 standards; identification and estimation of the fiscal and nonfiscal  
17 benefits; and computation of an estimated return on investment. The  
18 health care authority shall provide the institute with confidential  
19 access to claims and encounter data as necessary to complete this  
20 project. The institute shall report its finding to the relevant policy  
21 and fiscal committees of the legislature by December 31, 2012.

22 (15) The Evergreen State College shall not use funds appropriated  
23 in this section to support intercollegiate athletics programs.

24 (16) \$46,000 of the general fund--state appropriation for fiscal  
25 year 2013 is provided solely for the implementation of section 10 of  
26 Engrossed Substitute House Bill No. 2363 (domestic violence). If the  
27 bill is not enacted by June 30, 2012, the amount provided in this  
28 subsection shall lapse.

29 (17) The Washington state institute for public policy shall conduct  
30 a review of the evaluation literature to determine the effectiveness of  
31 chemical dependency programs delivered in adult criminal justice and  
32 juvenile justice systems. The review shall identify characteristics of  
33 chemical dependency programs that are cost-effective at reducing crime  
34 and substance abuse. Specifically, the review will include an  
35 examination of the types of chemical dependency treatments, including  
36 residential and outpatient treatments; the efficacy of aftercare  
37 following formal treatment; and the impact of the duration of treatment  
38 on outcomes. The department of corrections and the department of

1 social and health services shall provide information identified by the  
2 institute as necessary to complete this review. A report on the  
3 outcomes of the study is due to the appropriate legislative committees  
4 by December 15, 2012.

5 (18) \$100,000 of the forest fire protection assessment account--  
6 state appropriation is provided solely for the Washington state  
7 institute of public policy to conduct a detailed analysis of potential  
8 mechanisms for reducing the amount of and variation in the state's fire  
9 suppression costs. The detailed analysis must include: (a) An  
10 examination of Oregon's excess forest fire suppression cost insurance  
11 program and analysis of the potential application of this model in  
12 Washington, including the necessary steps for implementation and  
13 potential costs and benefits to the state; and (b) an examination of  
14 Washington's total and marginal costs related to staffing and overtime  
15 and whether these total or marginal costs are in excess of market  
16 rates. The Washington state institute of public policy must provide  
17 the detailed analysis to the appropriate committees of the senate and  
18 house of representatives by December 1, 2012.

19 **Sec. 607.** 2011 2nd sp.s. c 9 s 607 (uncodified) is amended to read  
20 as follows:

21 **FOR WESTERN WASHINGTON UNIVERSITY**

22	General Fund--State Appropriation (FY 2012) . . . . .	(( \$33,754,000 ))
23		<u>\$33,728,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	(( \$33,743,000 ))
25		<u>\$32,783,000</u>
26	Education Legacy Trust Account--State	
27	Appropriation . . . . .	(( \$13,266,000 ))
28		<u>\$13,204,000</u>
29	TOTAL APPROPRIATION . . . . .	(( \$80,763,000 ))
30		<u>\$79,715,000</u>

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

33 (1) In implementing the appropriations in this section, the  
34 president and governing board shall seek to minimize impacts on student  
35 services and instructional programs by maximizing reductions in  
36 administration and other noninstructional activities.



1       (2) Amounts appropriated in this section are sufficient for the  
2 university to conduct a comprehensive review of its tuition waiver  
3 policies. The resulting report shall include an overview of tuition  
4 waiver uses and costs (forgone revenue) and outcomes and any  
5 recommendations for changes to tuition waiver policy and shall be  
6 provided to the legislature no later than December 1, 2012.

7       (3) \$606,000 of the general fund--state appropriation for fiscal  
8 year 2013 is provided solely for an expansion in enrollments in  
9 science, technology, engineering and math as defined in RCW  
10 28B.76.270(2)(k). Amounts provided in this subsection may be used only  
11 to cover direct costs of instruction associated with this enrollment  
12 expansion. By June 30, 2012, the university shall provide a report to  
13 the legislature that provides specific detail on how these amounts will  
14 be spent. Each September 1 thereafter, the college shall provide an  
15 updated report that provides specific detail on how these amounts were  
16 spent in the preceding twelve months.

17       (4) Western Washington University shall not use funds appropriated  
18 in this section to support intercollegiate athletics programs.

19       NEW SECTION. Sec. 608. 2011 2nd sp.s. c 9 s 610 (uncodified) and  
20 2011 1st sp.s. c 50 s 614 (uncodified) are repealed.

21       NEW SECTION. Sec. 609. 2011 2nd sp.s. c 9 s 611 (uncodified) and  
22 2011 1st sp.s. c 50 s 615 (uncodified) are repealed.

23       Sec. 610. 2011 2nd sp.s. c 9 s 608 (uncodified) is amended to read  
24 as follows:

25 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**  
26 **ADMINISTRATION**

27	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,036,000</del> ))
28		<u>\$1,041,000</u>
29	General Fund--Federal Appropriation . . . . .	\$1,976,000
30	TOTAL APPROPRIATION . . . . .	(( <del>\$3,012,000</del> ))
31		<u>\$3,017,000</u>

32       The appropriations in this section are subject to the following  
33 conditions and limitations: The higher education coordinating board is  
34 authorized to increase or establish fees for initial degree

1 authorization, degree authorization renewal, degree authorization  
2 reapplication, new program applications, and new site applications  
3 pursuant to RCW 28B.85.060.

4 **Sec. 611.** 2011 2nd sp.s. c 9 s 609 (uncodified) is amended to read  
5 as follows:

6 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
7 **PROGRAMS**

8	General Fund--State Appropriation (FY 2012) . . . . .	\$217,939,000
9	General Fund--Federal Appropriation . . . . .	\$5,829,000
10	Opportunity Pathways Account--State Appropriation . . . . .	\$73,500,000
11	TOTAL APPROPRIATION . . . . .	\$297,268,000

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

14 (1) \$200,413,000 of the general fund--state appropriation for  
15 fiscal year 2012 and \$73,500,000 of the opportunity pathways account--  
16 state appropriation are provided solely for student financial aid  
17 payments under the state need grant and the state work study program  
18 including up to a four percent administrative allowance for the state  
19 work study program.

20 (2) Within the funds appropriated in this section, eligibility for  
21 the state need grant shall include students with family incomes at or  
22 below 70 percent of the state median family income (MFI), adjusted for  
23 family size, and shall include students enrolled in three to five  
24 credit-bearing quarter credits, or the equivalent semester credits.  
25 The higher education coordinating board shall report to the legislature  
26 by December 1, 2013, regarding the number of students enrolled in three  
27 to five credit-bearing quarter credits, or the equivalent semester  
28 credits, and their academic progress including degree completion.  
29 Awards for all students shall be adjusted by the estimated amount by  
30 which Pell grant increases exceed projected increases in the  
31 noninstructional costs of attendance. Awards for students with incomes  
32 between 51 and 70 percent of the state median shall be prorated at the  
33 following percentages of the award amount granted to those with incomes  
34 below 51 percent of the MFI: 70 percent for students with family  
35 incomes between 51 and 55 percent MFI; 65 percent for students with  
36 family incomes between 56 and 60 percent MFI; 60 percent for students

1 with family incomes between 61 and 65 percent MFI; and 50 percent for  
2 students with family incomes between 66 and 70 percent MFI.

3 (3) For fiscal year 2012, the board shall defer loan or conditional  
4 scholarship repayments to the future teachers conditional scholarship  
5 and loan repayment program for up to one year for each participant if  
6 the participant has shown evidence of efforts to find a teaching job  
7 but has been unable to secure a teaching job per the requirements of  
8 the program.

9 (4) \$500,000 of the general fund--state appropriation for fiscal  
10 year 2012 is provided solely for the leadership 1000 program.

11 (5) \$2,436,000 of the general fund--state appropriation for fiscal  
12 year 2012 is provided solely for the passport to college program. The  
13 maximum scholarship award shall be \$5,000. The board shall contract  
14 with a nonprofit organization to provide support services to increase  
15 student completion in their postsecondary program and shall, under this  
16 contract provide a minimum of \$500,000 in fiscal year 2012. Any  
17 amounts provided in this subsection that remain unobligated at the  
18 close of fiscal year 2012 must be transferred to the state education  
19 trust account in RCW 28B.92.140 for purposes of the passport to college  
20 program.

21 (6) \$250,000 of the general fund--state appropriation for fiscal  
22 year 2012 is provided solely for implementation of the aerospace  
23 training scholarship and student loan program as specified in Engrossed  
24 Substitute House Bill No. 1846 (aerospace student loans). If this bill  
25 is not enacted by June 30, 2011, the amount provided in this subsection  
26 shall lapse.

27 NEW SECTION. Sec. 612. A new section is added to 2011 1st sp.s.  
28 c 50 (uncodified) to read as follows:

29 **FOR THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION AND**  
30 **ADMINISTRATION**

31	General Fund--State Appropriation (FY 2013) . . . . .	\$4,934,000
32	General Fund--Federal Appropriation . . . . .	\$2,376,000
33	TOTAL APPROPRIATION . . . . .	\$7,310,000

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

36 (1) The student achievement council is authorized to increase or

1 establish fees for initial degree authorization, degree authorization  
2 renewal, degree authorization reapplication, new program applications,  
3 and new site applications pursuant to RCW 28B.85.060.

4 (2) \$1,043,000 of the general fund--state appropriation for fiscal  
5 year 2013 is provided solely for the implementation of Engrossed Second  
6 Substitute House Bill No. 2483 (higher education coordination). If the  
7 bill is not enacted by June 30, 2012, the amount provided in this  
8 subsection shall lapse.

9 NEW SECTION. **Sec. 613.** A new section is added to 2011 1st sp.s.  
10 c 50 (uncodified) to read as follows:

11 **FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL**  
12 **ASSISTANCE**

13	General Fund--State Appropriation (FY 2013) . . . . .	\$247,034,000
14	General Fund--Federal Appropriation . . . . .	\$5,812,000
15	Washington Opportunity Pathways Account--State	
16	Appropriation . . . . .	\$73,500,000
17	TOTAL APPROPRIATION . . . . .	\$326,346,000

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

20 (1) \$237,018,000 of the general fund--state appropriation for  
21 fiscal year 2013, and \$73,500,000 of the opportunity pathways account--  
22 state appropriation are provided solely for student financial aid  
23 payments under the state need grant and the state work study programs  
24 including up to a four percent administrative allowance for the state  
25 work study program.

26 (2) Within the funds appropriated in this section, eligibility for  
27 the state need grant shall include students with family incomes at or  
28 below 70 percent of the state median family income (MFI), adjusted for  
29 family size, and shall include students enrolled in three to five  
30 credit-bearing quarter credits, or the equivalent semester credits.  
31 The higher education coordinating board shall report to the legislature  
32 by December 1, 2013, regarding the number of students enrolled in three  
33 to five credit-bearing quarter credits, or the equivalent semester  
34 credits, and their academic progress including degree completion.  
35 Awards for all students shall be adjusted by the estimated amount by  
36 which Pell grant increases exceed projected increases in the  
37 noninstructional costs of attendance. Awards for students with incomes

1 between 51 and 70 percent of the state median shall be prorated at the  
2 following percentages of the award amount granted to those with incomes  
3 below 51 percent of the MFI: 70 percent for students with family  
4 incomes between 51 and 55 percent MFI; 65 percent for students with  
5 family incomes between 56 and 60 percent MFI; 60 percent for students  
6 with family incomes between 61 and 65 percent MFI; and 50 percent for  
7 students with family incomes between 66 and 70 percent MFI.

8 (3) \$1,250,000 of the general fund--state appropriation for fiscal  
9 year 2013 is provided solely for implementation of the aerospace  
10 training scholarship and student loan program as specified in Engrossed  
11 Substitute House Bill No. 1846 (aerospace student loans). If the bill  
12 is not enacted by June 30, 2012, the amount provided in this subsection  
13 shall lapse.

14 (4) For fiscal year 2013, the board shall defer loan or conditional  
15 scholarship repayments to the future teachers conditional scholarship  
16 and loan repayment program for up to one year for each participant if  
17 the participant has shown evidence of efforts to find a teaching job  
18 but has been unable to secure a teaching job per the requirements of  
19 the program.

20 (5) \$1,000,000 of the education legacy trust account--state  
21 appropriation is provided solely for the gaining early awareness and  
22 readiness for undergraduate programs project.

23 (6) \$1,500,000 of the general fund--state appropriation for fiscal  
24 year 2013 is provided solely for the leadership 1000 program.

25 (7) \$2,436,000 of the general fund--state appropriation for fiscal  
26 year 2013 is provided solely for the passport to college program. The  
27 maximum scholarship award shall be \$5,000. The board shall contract  
28 with a nonprofit organization to provide support services to increase  
29 student completion in their postsecondary program and shall, under this  
30 contract, provide a minimum of \$500,000 in fiscal year 2013 for this  
31 purpose.

32 (8) In addition to the entities listed in RCW 28B.122.010, the  
33 aerospace student loan program may provide loans to students attending  
34 an aerospace training program at Renton technical college.

35 (9) The office of student financial assistance and the department  
36 of health shall prioritize a portion of any nonfederal balances in the  
37 health professional loan repayment and scholarship fund for conditional  
38 loan repayment contracts with psychiatrists and with advanced

1 registered nurse practitioners for work at one of the state-operated  
2 psychiatric hospitals. The office and department shall designate the  
3 state hospitals as health professional shortage areas if necessary for  
4 this purpose. The office of student financial assistance shall  
5 coordinate with the department of social and health services to  
6 effectively incorporate these conditional loan repayments into the  
7 department's advanced psychiatric professional recruitment and  
8 retention strategies.

9 (10) \$50,000 of the amount provided in this section shall be used  
10 to convene the higher education loan program work group. The work  
11 group shall develop methods for funding the loan program in the future,  
12 as well as recommendations regarding the best loan program structure  
13 for providing financial aid to underserved populations. The work group  
14 shall seek out technical advice from the housing finance commission.  
15 At a minimum, the recommendations regarding the proposed loan program  
16 must take into account the following: Whether students could benefit  
17 from the creation of a new student loan program; the relationship  
18 between the student loan program and the state need grant program and  
19 the state need grant qualified student population; mechanisms to  
20 achieve interest rates that are below those offered in federally  
21 guaranteed and private bank student loans; sources of initial and  
22 on-going funding for loans and program operation; and default risks,  
23 reserve requirements, and other conditions required for the student  
24 loan program. The work group shall provide a report to the legislature  
25 no later than December 1, 2012.

26 **Sec. 614.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to  
27 read as follows:

28 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

29	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,382,000</del> ))
30		<u>\$1,310,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,388,000</del> ))
32		<u>\$1,345,000</u>
33	General Fund--Federal Appropriation . . . . .	(( <del>\$62,758,000</del> ))
34		<u>\$62,733,000</u>
35	TOTAL APPROPRIATION . . . . .	(( <del>\$65,528,000</del> ))
36		<u>\$65,388,000</u>

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

3 (1) For the 2011-2013 fiscal biennium the board shall not designate  
4 recipients of the Washington award for vocational excellence or  
5 recognize them at award ceremonies as provided in RCW 28C.04.535.

6 (2) \$36,000 of the general fund--state appropriation for fiscal  
7 year 2013 is provided solely for the implementation of Second  
8 Substitute House Bill No. 2156 (workforce training/aerospace). If this  
9 bill is not enacted by June 30, 2012, the amount provided in the  
10 subsection shall lapse.

11 **Sec. 615.** 2011 2nd sp.s. c 9 s 612 (uncodified) is amended to read  
12 as follows:

13 **FOR THE DEPARTMENT OF EARLY LEARNING**

14	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$27,571,000</del> ))
15		<u>\$25,497,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$27,558,000</del> ))
17		<u>\$27,200,000</u>
18	General Fund--Federal Appropriation . . . . .	(( <del>\$261,753,000</del> ))
19		<u>\$280,619,000</u>
20	Opportunity Pathways Account--State Appropriation . . .	(( <del>\$80,000,000</del> ))
21		<u>\$78,000,000</u>
22	<u>Home Visiting Services Account--Federal Appropriation . . . . .</u>	<u>\$300,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$396,882,000</del> ))
24		<u>\$411,616,000</u>

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

27 (1) \$16,028,000 of the general fund--state appropriation for fiscal  
28 year 2012, ((~~\$16,028,000~~)) \$18,028,000 of the general fund--state  
29 appropriation of fiscal year 2013, ((~~\$80,000,000~~)) \$78,000,000 of the  
30 opportunity pathways account appropriation, and \$2,256,000 of the  
31 general fund--federal appropriation are provided solely for the early  
32 childhood education assistance program services. Of these amounts,  
33 \$10,284,000 is a portion of the biennial amount of state maintenance of  
34 effort dollars required to receive federal child care and development  
35 fund grant dollars.

36 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the  
37 department is authorized to increase child care center and child care

1 family home licensure fees in fiscal years 2012 and 2013 for costs to  
2 the department for the licensure activity, including costs of necessary  
3 inspection. These increases are necessary to support expenditures  
4 authorized in this section.

5 (3) (~~(\$638,000)~~) \$64,000 of the general fund--state appropriation  
6 for fiscal year 2012 (~~(and)~~), \$638,000 of the general fund--state  
7 appropriation for fiscal year 2013, and \$574,000 of the general fund--  
8 federal appropriation are provided solely for child care resource and  
9 referral network services.

10 (4) \$200,000 of the general fund--state appropriation for fiscal  
11 year 2012 and \$200,000 of the general fund--state appropriation for  
12 fiscal year 2013 are provided solely to develop and provide culturally  
13 relevant supports for parents, family, and other caregivers.

14 (5) The department is the lead agency for and recipient of the  
15 federal child care and development fund grant. Amounts within this  
16 grant shall be used to fund child care licensing, quality initiatives,  
17 agency administration, and other costs associated with child care  
18 subsidies. The department shall transfer a portion of this grant to  
19 the department of social and health services to fund the child care  
20 subsidies paid by the department of social and health services on  
21 behalf of the department of early learning.

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

28 (7) \$934,000 of the general fund--state appropriation for fiscal  
29 year 2012, \$934,000 of the general fund--state appropriation for fiscal  
30 year 2013, and \$2,400,000 of the general fund--federal appropriation  
31 are provided solely for expenditure into the home visiting services  
32 account. This funding is intended to meet federal maintenance of  
33 effort requirements and to secure private matching funds.

34 (a) All federal funds received by the department for home visiting  
35 activities must be deposited into the home visiting services account.

36 (b) The department must consult with stakeholders during the  
37 development of the Washington home visiting plan and any future  
38 proposals for federal funding.



1       (c) No more than \$300,000 of the home visiting services account--  
2 federal appropriation may be expended for program administration for  
3 fiscal year 2013 pursuant to RCW 43.215.130. No other funds may be  
4 expended for that purpose.

5       (8)(a) \$153,558,000 of the general fund--federal appropriation is  
6 provided solely for the working connections child care program under  
7 RCW 43.215.135.

8       (b) In addition to groups that were given prioritized access to the  
9 working connections child care program effective March 1, 2011, the  
10 department shall also give prioritized access into the program to  
11 families in which a parent of a child in care is a minor who is not  
12 living with a parent or guardian and who is a full-time student in a  
13 high school that has a school-sponsored on-site child care center.

14       (9)(a) \$50,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$1,050,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for implementation and  
17 administration of an electronic benefit transfer system. The system  
18 shall include electronic time keeping, integrated with an eligibility  
19 information technology system, and an electronic payment system. The  
20 department shall coordinate implementation of this system with the  
21 department of social and health services.

22       (b) \$100,000 of the general fund--state appropriation in this  
23 subsection is provided solely for the department to contract for an  
24 independent consultant to evaluate and recommend the optimum system for  
25 the eligibility determination process. The evaluation must include an  
26 analysis of lean management processes that, if adopted, could improve  
27 the cost effectiveness and delivery of eligibility determination. The  
28 department shall coordinate with the department of social and health  
29 services for this evaluation. The department must report to the office  
30 of financial management and the appropriate fiscal and policy  
31 committees of the legislature by December 1, 2012.

32       (10) Within available amounts, the department in consultation with  
33 the office of financial management and the department of social and  
34 health services shall report quarterly enrollments and active caseload  
35 for the working connections child care program to the legislative  
36 fiscal committees and the legislative-executive WorkFirst oversight  
37 task force. The report shall also identify the number of cases

1 participating in both temporary assistance for needy families and  
2 working connections child care.

3 ~~((+10+))~~ (11) \$1,025,000 of the general fund--state appropriation  
4 for fiscal year 2013 and \$6,712,000 of the general fund--federal  
5 appropriation are provided solely for the seasonal child care program  
6 in fiscal year 2013.

7 (12) \$2,522,000 of the general fund--state appropriation for fiscal  
8 year 2012, \$2,522,000 of the general fund--state appropriation for  
9 fiscal year 2013, and \$4,304,000 of the general fund--federal  
10 appropriation are provided solely for the medicaid treatment child care  
11 (MTCC) program. The department shall contract for MTCC services to  
12 provide therapeutic child care and other specialized treatment services  
13 to abused, neglected, at-risk, and/or drug-affected children. Priority  
14 for services shall be given to children referred from the department of  
15 social and health services children's administration. In addition to  
16 referrals made by children's administration, the department shall  
17 authorize services for children referred to the MTCC program, as long  
18 as the children meet the eligibility requirements as outlined in the  
19 Washington state plan for the MTCC program. Of the amounts  
20 appropriated in this subsection, \$60,000 per fiscal year may be used by  
21 the department for administering the MTCC program, if needed.

22 (13)(a) The department shall establish a birth-to-three  
23 subcommittee of the early learning advisory council. The subcommittee  
24 will be cochaired by the department and nongovernmental private-public  
25 partnership created in RCW 43.215.070. The subcommittee shall include  
26 at least one representative from each of the following:

- 27 (i) The early learning advisory council;
- 28 (ii) The office of the superintendent of public instruction;
- 29 (iii) The department of social and health services;
- 30 (iv) The department of early learning;
- 31 (v) The nongovernmental private-public partnership created in RCW  
32 43.215.070;
- 33 (vi) The early learning action alliance; and
- 34 (vii) Additional stakeholders with expertise in birth-to-three  
35 policy and programs and quality child care, as designated by the early  
36 learning advisory council.

37 (b) The subcommittee may convene advisory subgroups on specific

1 topics as necessary to assure participation and input from a broad  
2 array of diverse stakeholders.

3 (c) The subcommittee shall be monitored and overseen by the early  
4 learning advisory council created in RCW 43.215.090.

5 (d) The subcommittee shall develop a birth-to-three implementation  
6 proposal, which shall include further development of the Washington  
7 state birth-to-three plan.

8 (e) The subcommittee must include recommendations on the following  
9 in its birth-to-three proposal:

10 (i) Eligibility criteria for providers and programs;

11 (ii) The level of funding necessary to implement birth-to-three  
12 programs, including an option which makes available funding equivalent  
13 to thirty percent of the funding provided for the program of early  
14 learning established in RCW 43.215.141;

15 (iii) Options for funding sources for birth-to-three programs;

16 (iv) Governance responsibilities for the department of early  
17 learning; and

18 (v) A timeline for implementation that is concurrent with the  
19 expansion to the early learning program outlined in RCW 43.215.142.

20 The subcommittee must present its recommendations to the early  
21 learning advisory council and the appropriate committees of the  
22 legislature by December 1, 2012.

23 (14) \$10,000 of the general fund--state appropriation is provided  
24 solely for:

25 (a) The department shall convene a subcommittee to the early  
26 learning advisory council to make recommendations development and  
27 implementation of a Washington preschool program. The subcommittee's  
28 recommendations should include, but are not limited to:

29 (i) Criteria and processes for lead and assistant teachers to  
30 demonstrate the required competencies or equivalent competencies;

31 (ii) Qualifications and continuing education requirements for other  
32 staff in addition to lead and assistant teachers; and

33 (iii) A schedule to phase in degree and equivalent competency  
34 requirements provided for lead and assistant teachers.

35 The subcommittee shall report its initial recommendations to the  
36 early learning advisory council and the appropriate committees of  
37 legislature by December 31, 2012.

1       (b) The subcommittee must develop the schedule in (a)(iii) of this  
2 subsection in consultation with: The professional educator standards  
3 board, state board for community and technical colleges, higher  
4 education coordinating board, nongovernmental private-public  
5 partnership created in RCW 43.215.070, tribes, labor organizations  
6 representing child care workers, representatives from child care  
7 centers, early childhood education and assistance program and head  
8 start association, and the Puget Sound education service district to  
9 determine:

10       (i) Capacity at higher education institutions to implement degree  
11 requirements;

12       (ii) Availability of financial aid to ensure access to degree  
13 requirements;

14       (iii) Availability of classes for nontraditional students including  
15 online, evening, and weekend offerings;

16       (iv) Availability of additional resources to meet the unique needs  
17 of tribes, family child care providers, and other nontraditional  
18 caregivers including, but not limited to, mentoring, coaching,  
19 resource-sharing models or other resources to ensure child care  
20 providers have access to ongoing education opportunities;

21       (v) Additional pathways to demonstrate competencies, including  
22 consideration of the quality rating and improvement system ratings as  
23 a mechanism to demonstrate eligibility to apply for contracts for the  
24 early learning program outlined in RCW 43.215.142; and

25       (vi) Development of a teacher compensation model.

26       (15) \$300,000 of the general fund--federal appropriation is  
27 provided solely for a contract with a nonprofit entity experienced in  
28 the provision of promoting early literacy for children through  
29 pediatric office visits.

30       **Sec. 616.** 2011 2nd sp.s. c 9 s 613 (uncodified) is amended to read  
31 as follows:

32 **FOR THE STATE SCHOOL FOR THE BLIND**

33	General Fund--State Appropriation (FY 2012) . . . . .	(( \$5,782,000 ))
34		<u>\$5,776,000</u>
35	General Fund--State Appropriation (FY 2013) . . . . .	(( \$5,749,000 ))
36		<u>\$5,671,000</u>
37	<del>(( General Fund--Private/Local Appropriation . . . . .</del>	<del>\$1,961,000 ))</del>

1 TOTAL APPROPRIATION . . . . . ((\$13,492,000))  
2 \$11,447,000

3 ((The appropriations in this section are subject to the following  
4 conditions — and — limitations:— \$271,000 — of — the — general — fund—  
5 private/local appropriation is provided solely for the school for the  
6 blind to offer short course programs, allowing students the opportunity  
7 to leave their home schools for short periods and receive intensive  
8 training. The school for the blind shall provide this service to the  
9 extent that it is funded by contracts with school districts and  
10 educational services districts.))

11 **Sec. 617.** 2011 2nd sp.s. c 9 s 614 (uncodified) is amended to read  
12 as follows:

13 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**  
14 **LOSS**

15 General Fund--State Appropriation (FY 2012) . . . . . ((\$8,449,000))  
16 \$8,439,000  
17 General Fund--State Appropriation (FY 2013) . . . . . ((\$8,446,000))  
18 \$8,335,000  
19 ((General Fund Private/Local Appropriation . . . . . \$526,000))  
20 TOTAL APPROPRIATION . . . . . ((\$17,421,000))  
21 \$16,774,000

22 **Sec. 618.** 2011 2nd sp.s. c 9 s 615 (uncodified) is amended to read  
23 as follows:

24 **FOR THE WASHINGTON STATE ARTS COMMISSION**

25 General Fund--Federal Appropriation . . . . . \$2,065,000  
26 General Fund--Private/Local Appropriation . . . . . \$1,056,000  
27 Washington State Heritage Center Account--State  
28 Appropriation . . . . . ((\$2,213,000))  
29 \$2,186,000  
30 TOTAL APPROPRIATION . . . . . ((\$5,334,000))  
31 \$5,307,000

32 **Sec. 619.** 2011 2nd sp.s. c 9 s 616 (uncodified) is amended to read  
33 as follows:

34 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

35 Washington State Heritage Center Account--State

1 Appropriation . . . . . ((~~\$4,241,000~~))  
2 \$4,204,000

3 **Sec. 620.** 2011 2nd sp.s. c 9 s 617 (uncodified) is amended to read  
4 as follows:

5 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

6 Washington State Heritage Center Account--State  
7 Appropriation . . . . . ((~~\$2,962,000~~))  
8 \$2,957,000

(End of part)

PART VII  
SPECIAL APPROPRIATIONS

Sec. 701. 2011 2nd sp.s. c 9 s 701 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund--State Appropriation (FY 2012)	(\$919,198,000)
	<u>\$911,643,000</u>
General Fund--State Appropriation (FY 2013)	(\$967,749,000)
	<u>\$949,349,000</u>
State Building Construction Account--State	
Appropriation	\$3,866,000
Columbia River Basin Water Supply Development	
Account--State Appropriation	\$121,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$4,000
State Taxable Building Construction Account--State	
Appropriation	\$90,000
Gardner-Evans Higher Education Construction	
Account--State Appropriation	\$13,000
Debt-Limit Reimbursable Bond Retire Account--State	
Appropriation	\$2,300,000
TOTAL APPROPRIATION	(\$1,893,341,000)
	<u>\$1,867,386,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 702. 2011 2nd sp.s. c 9 s 702 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**  
2 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

3	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$27,516,000</del> ))
4		<u>\$27,400,000</u>
5	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$30,758,000</del> ))
6		<u>\$30,572,000</u>
7	Nondebt-Limit Reimbursable Bond Retirement	
8	Account--State Appropriation . . . . .	\$140,128,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$198,402,000</del> ))
10		<u>\$198,100,000</u>

11 The appropriations in this section are subject to the following  
12 conditions and limitations: The general fund appropriation is for  
13 expenditure into the nondebt-limit general fund bond retirement  
14 account. The entire general fund--state appropriation for fiscal year  
15 2012 shall be expended into the nondebt-limit general fund bond  
16 retirement account by June 30, 2012.

17 **Sec. 703.** 2011 1st sp.s. c 50 s 715 (uncodified) is amended to  
18 read as follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**  
20 **COSTS**

21	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$591,000</del> ))
22		<u>\$1,102,000</u>

23 The appropriation in this section is subject to the following  
24 conditions and limitations: The director of financial management shall  
25 distribute ((~~\$338,000~~)) \$501,000 to Franklin county, \$128,000 to  
26 Jefferson county, ((and)) \$125,000 to Okanogan county, \$161,000 to  
27 Yakima county, and \$187,000 to King county for extraordinary criminal  
28 justice costs.

29 NEW SECTION. **Sec. 704.** 2011 2nd sp.s. c 9 s 705 (uncodified) is  
30 repealed.

31 NEW SECTION. **Sec. 705.** 2011 2nd sp.s. c 9 s 707 (uncodified) is  
32 repealed.

33 NEW SECTION. **Sec. 706.** A new section is added to 2011 1st sp.s.  
34 c 50 (uncodified) to read as follows:



1 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**  
2 **FROM THE FOREST DEVELOPMENT ACCOUNT**

3 Forest Development Account--State Appropriation . . . . . \$10,000,000

4 The appropriation in this section is provided solely for  
5 distribution of state forest land revenues to taxing authorities that  
6 received such revenue from fiscal year 2002 through fiscal year 2011  
7 and is subject to the following conditions and limitations:

8 (1) Within fifteen days of the effective date of this section, the  
9 department shall transmit funds in the amounts specified in subsection  
10 (3) of this section to the county treasurers of the counties receiving  
11 the funds.

12 (2) The county treasurers of the counties listed in this section  
13 shall distribute funds received from this appropriation to taxing  
14 authorities in proportion to the state forest transfer land funds  
15 distributed to the taxing authorities based on information available  
16 for the fiscal years 2002 through 2011. Funds to be credited to the  
17 state of Washington and funds credited to school district general  
18 levies shall be remitted to the state of Washington within thirty days  
19 after the effective date of this section for deposit into the state  
20 general fund.

21 (3) Funds shall be distributed in the following amounts:

22	Clallam	\$848,854
23	Clark	\$630,368
24	Cowlitz	\$418,159
25	Grays Harbor	\$266,365
26	Jefferson	\$239,722
27	King	\$328,725
28	Kitsap	\$73,839
29	Klickitat	\$197,968
30	Lewis	\$887,679
31	Mason	\$425,935
32	Okanogan	\$4
33	Pacific	\$352,540
34	Pierce	\$334,179
35	Skagit	\$1,534,497

1	Skamania	\$66,648
2	Snohomish	\$1,565,549
3	Stevens	\$6,709
4	Thurston	\$783,735
5	Wahkiakum	\$285,339
6	Whatcom	\$753,186
7	Total	\$10,000,000

8        NEW SECTION.    **Sec. 707.**    A new section is added to 2011 1st sp.s.  
9    c 50 (uncodified) to read as follows:

10    **FOR SUNDRY CLAIMS**

11        The following sums, or so much thereof as may be necessary, are  
12    appropriated from the general fund for fiscal year 2012, unless  
13    otherwise indicated, for relief of various individuals, firms, and  
14    corporations for sundry claims. These appropriations are to be  
15    disbursed on vouchers approved by the director of financial management,  
16    except as otherwise provided, for reimbursement of criminal defendants  
17    acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as  
18    follows:

- 19        (1) Clint L. Powell, Jr., claim number 99970048 . . . . . \$58,155.10
- 20        (2) Chance L. Hawkins, claim number 99970049 . . . . . \$28,838.95
- 21        (3) Edgar L. Hawkins, claim number 99970050 . . . . . \$25,507.00
- 22        (4) James Abbott, claim number 99970051 . . . . . \$9,880.00
- 23        (5) Richard Frisk, claim number 99970052 . . . . . \$32,788.50
- 24        (6) Brian Barnd-Spjut, claim number 99970053 . . . . . \$122,821.79

25        NEW SECTION.    **Sec. 708.**    A new section is added to 2011 1st sp.s.  
26    c 50 (uncodified) to read as follows:

27    **FOR THE OFFICE OF FINANCIAL MANAGEMENT--INCOME AND TAX BURDEN STUDY**

28    General Fund--State Appropriation (FY 2013) . . . . . \$50,000

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

- 31        (1) The entire appropriation is provided solely for conducting the  
32    study required in this section.
- 33        (2) (a) The citizens of Washington state deserve better information  
34    on the disparate impacts of the economic and taxing decisions of state  
35    and local governments.

1 (b) The office of financial management will report to the  
2 appropriate fiscal committees in both legislative chambers on the  
3 income and tax burden of Washingtonians.

4 (c) The report must be delivered by September 1, 2012, and must  
5 include:

6 (i) Estimates of the income and the wealth distribution of  
7 Washingtonians by income quintile, or, if possible, by decile;

8 (ii) The combined state/local tax burden of Washingtonians by  
9 income quintile, or, if possible, decile;

10 (iii) The tax burden of Washingtonians using longitudinal data:

11 (A) As a percentage of aggregate income;

12 (B) Using per capita data; and

13 (C) Using tax burden per \$1,000 of income;

14 (iv) The amount of state and local government revenue combined in  
15 Washington state as a share of the gross state product using  
16 longitudinal data; and

17 (v) Year-over-year estimates of real income gains (or losses) by  
18 income quintile, or, if possible, decile.

19 (d) Where feasible, the office of financial management must use  
20 established state and federal data sets to compile this report. The  
21 office of financial management must make estimates or projections based  
22 on historic data to fill in years if actual data is not yet available.

23 NEW SECTION. **Sec. 709.** A new section is added to 2011 1st sp.s.  
24 c 50 (uncodified) to read as follows:

25 **FOR THE SAVINGS INCENTIVE ACCOUNT AND EDUCATION SAVINGS ACCOUNT**

26 For fiscal years 2012 and 2013, no appropriations are made for  
27 deposit to the savings incentive account or the education savings  
28 account under RCW 43.79.460 and 43.79.465.

29 The following acts or parts of acts are hereby repealed:

30 (1) 2011 1st sp.s. c 50 s 709 (uncodified); and

31 (2) 2011 1st sp.s. c 50 s 710 (uncodified).

32 NEW SECTION. **Sec. 710.** 2011 2nd sp.s. c 9 s 706 (uncodified) is  
33 repealed.

34 NEW SECTION. **Sec. 711.** 2011 2nd sp.s. c 9 s 708 (uncodified) is  
35 repealed.

1        NEW SECTION.    **Sec. 712.**    A new section is added to 2012 c 86 (ESHB  
2 2190) (uncodified) to read as follows:

3    **FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

4        The legislature finds that it is critically important that highway  
5 improvement project lists, incorporated by reference in the biennial  
6 transportation appropriations act, accurately reflect the intent of the  
7 legislature with respect to the identified projects and activities as  
8 listed by fund, project, and amount in the list, including intended  
9 future commitments. The legislature further finds that during the 2012  
10 regular legislative session, Engrossed Substitute House Bill No. 2190,  
11 as recommended by the conference committee, passed the legislature and  
12 that it incorporated by reference a highway improvement project list  
13 containing various technical drafting errors resulting in an inaccurate  
14 reflection of the conference committee report as agreed to by the  
15 conferees. The legislature further finds that a corrected version of  
16 the list is necessary to conform with the recommendations of the  
17 conference committee in a manner that does not change the funding  
18 decisions or appropriations for the current 2011-2013 biennium as  
19 agreed to by the conferees. Therefore, any reference in chapter 86  
20 (ESHB 2190), Laws of 2012 to "LEAP Transportation Document 2012-2 as  
21 developed March 8, 2012, Program - Highway Improvement Program (I)" is  
22 superseded by the corrected version "LEAP Transportation Document 2012-  
23 2C as developed March 14, 2012, Program - Highway Improvements Program  
24 (I)".

25        NEW SECTION.    **Sec. 713.**    A new section is added to 2011 1st sp.s.  
26 c 50 (uncodified) to read as follows:

27    **FOR THE OFFICE OF FINANCIAL MANAGEMENT--LIFE SCIENCES DISCOVERY FUND**

28    General Fund--State Appropriation (FY 2013) . . . . . \$4,000,000

29        The appropriation in this section is subject to the following  
30 conditions and limitations: The general fund appropriation is for  
31 expenditure into the life sciences discovery fund.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance	
premium distributions . . . . .	(( <del>\$8,368,000</del> ))
	<u>\$8,289,000</u>
General Fund Appropriation for public utility	
district excise tax distributions . . . . .	(( <del>\$49,418,000</del> ))
	<u>\$44,078,000</u>
General Fund Appropriation for prosecuting	
attorney distributions . . . . .	\$6,281,000
General Fund Appropriation for boating safety	
and education distributions . . . . .	\$4,000,000
General Fund Appropriation for other tax distributions . . . . .	\$58,000
General Fund Appropriation for habitat conservation	
program distributions . . . . .	\$3,000,000
Death Investigations Account Appropriation for	
distribution to counties for publicly funded	
autopsies . . . . .	\$2,960,000
Aquatic Lands Enhancement Account Appropriation for	
harbor improvement revenue distribution . . . . .	\$160,000
Timber Tax Distribution Account Appropriation for	
distribution to "timber" counties . . . . .	(( <del>\$40,421,000</del> ))
	<u>\$58,229,000</u>
County Criminal Justice Assistance Appropriation . . . . .	(( <del>\$69,801,000</del> ))
	<u>\$69,566,000</u>
Municipal Criminal Justice Assistance	
Appropriation . . . . .	(( <del>\$26,950,000</del> ))
	<u>\$26,843,000</u>
City-County Assistance Account Appropriation for local	
government financial assistance distribution . . . . .	(( <del>\$16,589,000</del> ))
	<u>\$12,159,000</u>
Liquor Excise Tax Account Appropriation for liquor	
excise tax distribution . . . . .	(( <del>\$52,152,000</del> ))



1 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
2 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
3 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
4 215, Laws of 1998 (DUI provisions).

5 **Sec. 803.** 2011 1st sp.s. c 50 s 803 (uncodified) is amended to  
6 read as follows:

7 **FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**  
8 Impaired Driver Safety Account Appropriation . . . . . (~~(\$1,666,000)~~)  
9 \$1,626,000

10 The appropriation in this section is subject to the following  
11 conditions and limitations: The amount appropriated in this section  
12 shall be distributed quarterly during the 2011-2013 biennium to all  
13 cities ratably based on population as last determined by the office of  
14 financial management. The distributions to any city that substantially  
15 decriminalizes or repeals its criminal code after July 1, 1990, and  
16 that does not reimburse the county for costs associated with criminal  
17 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
18 which the city is located. This funding is provided to cities for the  
19 costs of implementing criminal justice legislation including, but not  
20 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
21 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
22 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license  
23 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
24 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
25 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
26 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
27 Laws of 1998 (DUI provisions).

28 **Sec. 804.** 2011 2nd sp.s. c 9 s 801 (uncodified) is amended to read  
29 as follows:

30 **FOR THE STATE TREASURER--TRANSFERS**  
31 State Treasurer's Service Account: For transfer to  
32 the state general fund, \$16,300,000  
33 for fiscal year 2012 and (~~(\$21,300,000)~~)  
34 \$24,800,000 for fiscal year 2013 . . . . . (~~(\$37,600,000)~~)  
35 \$41,100,000  
36 Waste Reduction, Recycling, and Litter Control

1 Account: For transfer to the state general  
 2 fund, (~~(\$3,500,000)~~) \$4,847,000 for fiscal year  
 3 2012 and (~~(\$3,500,000)~~) \$4,847,000 for fiscal year  
 4 2013 . . . . . (~~(\$7,000,000)~~)  
 5 \$9,694,000  
 6 Aquatics Lands Enhancement Account: For transfer to  
 7 the state general fund, \$3,500,000 for fiscal  
 8 year 2012 and \$3,500,000 for fiscal year 2013 . . . . . \$7,000,000  
 9 Savings Incentive Account: For transfer to the state  
 10 general fund, \$44,618,000 for fiscal year 2012 . . . . . \$44,618,000  
 11 Distinguished Professorship Trust Fund: For transfer to  
 12 the state general fund for fiscal year 2012, an amount  
 13 not to exceed the actual cash balance of the fund . . . . . \$3,024,000  
 14 Washington Graduate Fellowship Trust Fund: For transfer  
 15 to the state general fund for fiscal year 2012, an  
 16 amount not to exceed the actual cash balance of  
 17 the fund . . . . . \$1,028,000  
 18 College Faculty Awards Trust Fund: For transfer  
 19 to the state general fund for fiscal year 2012, an amount  
 20 not to exceed the actual cash balance of the fund . . . . . \$1,996,000  
 21 Data Processing Revolving Account: For transfer  
 22 to the state general fund, \$5,960,000 for fiscal  
 23 year 2012 . . . . . \$5,960,000  
 24 Drinking Water Assistance Account: For transfer to  
 25 the drinking water assistance repayment account . . . . . \$38,000,000  
 26 Economic Development Strategic Reserve Account: For  
 27 transfer to the state general fund, \$2,100,000  
 28 for fiscal year 2012 and \$2,100,000 for fiscal  
 29 year 2013 . . . . . \$4,200,000  
 30 General Fund: For transfer to the streamlined sales  
 31 and use tax account, (~~(\$24,846,000)~~) \$24,520,000  
 32 for fiscal year 2012 and \$24,789,000 for fiscal  
 33 year 2013 . . . . . (~~(\$49,635,000)~~)  
 34 \$49,309,000  
 35 Public Works Assistance Account: For transfer to the  
 36 water pollution control revolving account,  
 37 \$7,750,000 for fiscal year 2012 and \$7,750,000 for  
 38 fiscal year 2013 . . . . . \$15,500,000



1 The Charitable, Educational, Penal, and Reformatory  
2 Institutions Account: For transfer to the state  
3 general fund, \$4,500,000 for fiscal year 2012 and  
4 \$4,500,000 for fiscal year 2013 . . . . . \$9,000,000  
5 Thurston County Capital Facilities Account: For  
6 transfer to the state general fund, \$4,000,000  
7 for fiscal year 2012 and \$4,000,000 for fiscal  
8 year 2013 . . . . . \$8,000,000  
9 Public Works Assistance Account: For transfer to the  
10 drinking water assistance account, \$10,000,000 for  
11 fiscal year 2012 and \$5,000,000 for fiscal year  
12 2013 . . . . . \$15,000,000  
13 Liquor Control Board Construction and Maintenance  
14 Account: For transfer to the state general fund,  
15 \$500,000 for fiscal year 2012 (~~and \$500,000 for~~  
16 ~~fiscal year 2013~~) . . . . . ((~~\$1,000,000~~))  
17 \$500,000  
18 Education Savings Account: For transfer to the state  
19 general fund, \$54,431,000 for fiscal  
20 year 2012 (~~and \$22,500,000 for fiscal year~~  
21 ~~2013~~) . . . . . ((~~\$76,931,000~~))  
22 \$54,431,000  
23 Department of Retirement Systems Expense Account:  
24 For transfer to the state general fund, (~~(\$250,000)~~)  
25 \$2,330,000 for fiscal year 2012 and (~~(\$250,000)~~)  
26 \$4,330,000 for fiscal year 2013 . . . . . ((~~\$500,000~~))  
27 \$6,660,000  
28 Education Construction Account: For transfer to the  
29 state general fund, \$102,000,000 for fiscal year  
30 2012 and \$102,000,000 for fiscal year 2013 . . . . . \$204,000,000  
31 (~~Public Works Assistance Account: For transfer to the~~  
32 ~~state general fund, \$25,000,000 for fiscal year 2012~~  
33 ~~and \$25,000,000 for fiscal year 2013 . . . . . \$50,000,000~~)  
34 Foster Care Endowed Scholarship Trust Fund: For transfer  
35 to the state general fund, \$200,000 for fiscal year  
36 2012 and \$200,000 for fiscal year 2013 . . . . . \$400,000  
37 Affordable Housing For All Account: For transfer to  
38 the home security fund, \$1,000,000 for fiscal year

1           2012 and \$1,000,000 for fiscal year 2013 . . . . . \$2,000,000  
 2 Tobacco Settlement Account: For transfer to the state  
 3       general fund, in an amount not to exceed the actual  
 4       amount of the annual base payment to the tobacco  
 5       settlement account . . . . . \$158,205,000  
 6 Tobacco Settlement Account: For transfer to the basic  
 7       health plan stabilization account from the amounts  
 8       deposited in the account that are attributable to the  
 9       annual strategic contribution payment received in  
 10      fiscal year 2012 . . . . . \$22,000,000  
 11 Tobacco Settlement Account: For transfer to the basic  
 12      health plan stabilization account from the amounts  
 13      deposited in the account that are attributable to the  
 14      annual strategic contribution payment received in  
 15      fiscal year 2013 . . . . . \$22,000,000  
 16 Tobacco Settlement Account: For transfer to the life  
 17      sciences discovery fund, in an amount not to exceed  
 18      the actual remaining amount of the annual strategic  
 19      contribution payment to the tobacco settlement account  
 20      for fiscal year 2012 . . . . . \$6,000,000  
 21 Tobacco Settlement Account: For transfer to the life  
 22      sciences discovery fund, in an amount not to exceed  
 23      the actual remaining amount of the annual strategic  
 24      contribution payment to the tobacco settlement account  
 25      for fiscal year 2013 . . . . . \$6,000,000  
 26        The transfer to the life sciences discovery fund is subject to the  
 27        following conditions: All new grants awarded during the 2011-2013  
 28        fiscal biennium shall support and accelerate the commercialization of  
 29        an identifiable product.  
 30 Financial Services Regulation Fund: For transfer to  
 31       the state general fund, \$4,000,000 for fiscal  
 32       year 2012 . . . . . \$4,000,000  
 33 State Nursery Revolving Account: For transfer to the  
 34       state general fund, \$250,000 for fiscal year 2012 and  
 35       \$250,000 for fiscal year 2013 . . . . . \$500,000  
 36 Washington State Heritage Center Account: For transfer  
 37       to the state general fund, \$2,000,000 for fiscal  
 38       year 2013 . . . . . \$2,000,000

1    Local Toxics Control Account: For transfer to the state  
2        toxics control account, \$15,000,000 for fiscal  
3        year 2012 and \$15,000,000 for fiscal year 2013 . . . . . \$30,000,000  
4    Coastal Protection Account: For transfer to the state  
5        general fund, \$500,000 for fiscal year 2012 and  
6        \$500,000 for fiscal year 2013 . . . . . \$1,000,000  
7    Multimodal Transportation Account--State: For transfer  
8        to the Public Transportation Grant Program Account  
9        for the purposes of distributions of \$3,000,000 on  
10       each of the last working days of December, March,  
11       and June in fiscal year 2013 . . . . . \$9,000,000  
12    Aquatic Lands Enhancement Account: For transfer to  
13        the marine resources stewardship trust account,  
14        \$100,000 for fiscal year 2013 . . . . . \$100,000

(End of part)



1 **COALITION, WFSE CC COALITION, WFSE CWU, WFSE TESC**

2 Agreements have been reached between the governor and the following  
3 unions: Washington public employees association, Washington public  
4 employees association higher education community college coalition,  
5 Washington federation of state employees higher education community  
6 college coalition, Washington federation of state employees Central  
7 Washington University, and Washington federation of state employees The  
8 Evergreen State College, under the provisions of chapter 41.80 RCW for  
9 fiscal year 2013. Funding is reduced to reflect a 3.0 percent  
10 temporary salary reduction for all employees whose monthly full-time  
11 equivalent salary is \$2,500 or more per month through June 29, 2013.  
12 Effective June 30, 2013, the salary schedules effective July 1, 2009,  
13 through June 30, 2011, will be reinstated. For employees entitled to  
14 leave, temporary salary reduction leave is granted for fiscal year  
15 2013.

16 NEW SECTION. **Sec. 903.** A new section is added to 2011 1st sp.s.  
17 c 50 (uncodified) to read as follows:

18 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--YAKIMA VALLEY**  
19 **COMMUNITY COLLEGE--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION**

20 An agreement has been reached between Yakima Valley Community  
21 College and Washington public employees association under the  
22 provisions of chapter 41.80 RCW for fiscal year 2013. The agreement is  
23 consistent with the funding reduction provided in the 2011-2013 omnibus  
24 appropriations act, which reflected a 3.0 percent temporary salary  
25 reduction to all employees whose monthly full-time equivalent salary is  
26 \$2,500 or more per month through June 29, 2013.

27 NEW SECTION. **Sec. 904.** A new section is added to 2011 1st sp.s.  
28 c 50 (uncodified) to read as follows:

29 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**  
30 **UNIVERSITY--PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

31 An agreement has been reached between Western Washington University  
32 and the Washington public school employees of Washington bargaining  
33 units D and PTE under the provisions of chapter 41.80 RCW for fiscal  
34 year 2013. The agreement is consistent with the funding reduction  
35 provided in the 2011-2013 omnibus appropriations act, which reflected  
36 a 3.0 percent temporary salary reduction to all employees whose monthly

1 full-time equivalent salary is \$2,500 or more per month through June  
2 29, 2013. The reduction will be implemented according to the terms and  
3 conditions of this agreement.

4 NEW SECTION. **Sec. 905.** A new section is added to 2011 1st sp.s.  
5 c 50 (uncodified) to read as follows:

6 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**  
7 **UNIVERSITY--WFSE**

8 An agreement has been reached between Western Washington University  
9 and the Washington federation of state employees bargaining units A, B,  
10 and E under the provisions of chapter 41.80 RCW for fiscal year 2013.  
11 The agreement is consistent with the funding reduction provided in the  
12 2011-2013 omnibus appropriations act, which reflected a 3.0 percent  
13 temporary salary reduction to all employees whose monthly full-time  
14 equivalent salary is \$2,500 or more per month through June 29, 2013.  
15 The reduction will be implemented according to the terms and conditions  
16 of this agreement.

17 NEW SECTION. **Sec. 906.** A new section is added to 2011 1st sp.s.  
18 c 50 (uncodified) to read as follows:

19 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--EASTERN WASHINGTON**  
20 **UNIVERSITY--WFSE**

21 An agreement has been reached between Eastern Washington University  
22 and the Washington federation of state employees under the provisions  
23 of chapter 41.80 RCW for fiscal year 2013. The agreement is consistent  
24 with the funding reduction provided in the 2011-2013 omnibus  
25 appropriations act, which reflected a 3.0 percent temporary salary  
26 reduction to all employees whose monthly full-time equivalent salary is  
27 \$2,500 or more per month through June 29, 2013. The reduction will be  
28 implemented according to the terms and conditions of this agreement.

29 NEW SECTION. **Sec. 907.** A new section is added to 2011 1st sp.s.  
30 c 50 (uncodified) to read as follows:

31 **COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU**  
32 **HEALTHCARE 775NW HOMECARE WORKERS**

33 If the governor and the service employees international union  
34 healthcare 775nw under chapter 74.39A RCW reach agreement on the  
35 state's contribution to the training partnership pursuant to the

1 appropriations in sections 205 and 206 of this act, the new  
2 contribution amount shall become a part of the parties' existing  
3 2011-2013 collective bargaining agreement.

4 NEW SECTION. **Sec. 908.** A new section is added to 2011 1st sp.s.  
5 c 50 (uncodified) to read as follows:

6 **COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--WSRCC ADULT**  
7 **FAMILY HOMES**

8 If the governor and the Washington state residential care council  
9 under chapter 41.56 RCW reach agreement on a modification of the daily  
10 rate for training and license fees pursuant to the appropriations in  
11 sections 205 and 206 of this act, the new rate shall become a part of  
12 the parties' existing 2011-2013 collective bargaining agreement.

13 **Sec. 909.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to  
14 read as follows:

15 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

16 Appropriations for state agencies in this act are sufficient for  
17 nonrepresented state employee health benefits for state agencies,  
18 including institutions of higher education, and are subject to the  
19 following conditions and limitations:

20 (1)(a) The monthly employer funding rate for insurance benefit  
21 premiums, public employees' benefits board administration, and the  
22 uniform medical plan, shall not exceed \$850 per eligible employee for  
23 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
24 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

25 (b) In order to achieve the level of funding provided for health  
26 benefits, the public employees' benefits board shall require any or all  
27 of the following: Employee premium copayments, increases in point-of-  
28 service cost sharing, the implementation of managed competition, or  
29 make other changes to benefits consistent with RCW 41.05.065.

30 (c) The health care authority shall deposit any moneys received on  
31 behalf of the uniform medical plan as a result of rebates on  
32 prescription drugs, audits of hospitals, subrogation payments, or any  
33 other moneys recovered as a result of prior uniform medical plan claims  
34 payments, into the public employees' and retirees' insurance account to  
35 be used for insurance benefits. Such receipts shall not be used for  
36 administrative expenditures.

1 (2) The health care authority, subject to the approval of the  
2 public employees' benefits board, shall provide subsidies for health  
3 benefit premiums to eligible retired or disabled public employees and  
4 school district employees who are eligible for medicare, pursuant to  
5 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
6 \$150.00 per month.

7 (3) Technical colleges, school districts, and educational service  
8 districts shall remit to the health care authority for deposit into the  
9 public employees' and retirees' insurance account established in RCW  
10 41.05.120 the following amounts:

11 (a) For each full-time employee, \$66.01 per month beginning  
12 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

13 (b) For each part-time employee, who at the time of the remittance  
14 is employed in an eligible position as defined in RCW 41.32.010 or  
15 41.40.010 and is eligible for employer fringe benefit contributions for  
16 basic benefits, \$66.01 each month beginning September 1, 2011, and  
17 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the  
18 proportion of employer fringe benefit contributions for a full-time  
19 employee that the part-time employee receives. The remittance  
20 requirements specified in this subsection shall not apply to employees  
21 of a technical college, school district, or educational service  
22 district who purchase insurance benefits through contracts with the  
23 health care authority.

24 **Sec. 910.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to  
25 read as follows:

26 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**  
27 **BENEFITS**

28 Appropriations for state agencies in this act are sufficient for  
29 represented employees outside the super coalition for health benefits,  
30 and are subject to the following conditions and limitations:

31 (1)(a) The monthly employer funding rate for insurance benefit  
32 premiums, public employees' benefits board administration, and the  
33 uniform medical plan, shall not exceed \$850 per eligible employee for  
34 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
35 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

36 (b) In order to achieve the level of funding provided for health  
37 benefits, the public employees' benefits board shall require any or all



1 of the following: Employee premium copayments, increases in point-of-  
2 service cost sharing, the implementation of managed competition, or  
3 make other changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on  
5 behalf of the uniform medical plan as a result of rebates on  
6 prescription drugs, audits of hospitals, subrogation payments, or any  
7 other moneys recovered as a result of prior uniform medical plan claims  
8 payments, into the public employees' and retirees' insurance account to  
9 be used for insurance benefits. Such receipts shall not be used for  
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the  
12 public employees' benefits board, shall provide subsidies for health  
13 benefit premiums to eligible retired or disabled public employees and  
14 school district employees who are eligible for medicare, pursuant to  
15 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
16 \$150.00 per month.

17 (3) Technical colleges, school districts, and educational service  
18 districts shall remit to the health care authority for deposit into the  
19 public employees' and retirees' insurance account established in RCW  
20 41.05.120 the following amounts:

21 (a) For each full-time employee, \$66.01 per month beginning  
22 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

23 (b) For each part-time employee, who at the time of the remittance  
24 is employed in an eligible position as defined in RCW 41.32.010 or  
25 41.40.010 and is eligible for employer fringe benefit contributions for  
26 basic benefits, \$66.01 each month beginning September 1, 2011, and  
27 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the  
28 proportion of employer fringe benefit contributions for a full-time  
29 employee that the part-time employee receives. The remittance  
30 requirements specified in this subsection shall not apply to employees  
31 of a technical college, school district, or educational service  
32 district who purchase insurance benefits through contracts with the  
33 health care authority.

34 **Sec. 911.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to  
35 read as follows:

36 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**  
37 **BENEFITS**

1 The collective bargaining agreement negotiated with the super  
2 coalition under chapter 41.80 RCW includes employer premiums at 85  
3 percent of the total weighted average of the projected health care  
4 premiums across all plans and tiers. Appropriations in this act for  
5 state agencies, including institutions of higher education are  
6 sufficient to fund state employees health benefits for employees  
7 represented by the super coalition on health benefits, and are subject  
8 to the following conditions and limitations:

9 (1)(a) The monthly employer funding rate for insurance benefit  
10 premiums, public employees' benefits board administration, and the  
11 uniform medical plan, shall not exceed \$850 per eligible employee for  
12 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
13 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

14 (b) In order to achieve the level of funding provided for health  
15 benefits, the public employees' benefits board shall require any or all  
16 of the following: Employee premium copayments, increases in point-of-  
17 service cost sharing, the implementation of managed competition, or  
18 make other changes to benefits consistent with RCW 41.05.065.

19 (c) The health care authority shall deposit any moneys received on  
20 behalf of the uniform medical plan as a result of rebates on  
21 prescription drugs, audits of hospitals, subrogation payments, or any  
22 other moneys recovered as a result of prior uniform medical plan claims  
23 payments, into the public employees' and retirees' insurance account to  
24 be used for insurance benefits. Such receipts shall not be used for  
25 administrative expenditures.

26 (2) The health care authority, subject to the approval of the  
27 public employees' benefits board, shall provide subsidies for health  
28 benefit premiums to eligible retired or disabled public employees and  
29 school district employees who are eligible for medicare, pursuant to  
30 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
31 \$150.00 per month.

32 NEW SECTION. **Sec. 912.** A new section is added to 2011 1st sp.s.  
33 c 50 (uncodified) to read as follows:

34 For purposes of RCW 43.88.110(7), any cash deficit in existence at  
35 the close of fiscal year 2012 shall be liquidated over the remainder of  
36 the 2011-2013 fiscal biennium.

1       **Sec. 913.** 2011 1st sp.s. c 7 s 11 (uncodified) is amended to read  
2 as follows:

3       (1) For fiscal years 2012 and 2013 and subject to appropriation,  
4 the department of social and health services shall do a comparative  
5 analysis of the facility-based payment rates calculated on July 1,  
6 ((2011)) 2012, using the payment methodology defined in chapter 74.46  
7 RCW as modified by sections 1 through 9 of this act, to the  
8 facility-based payment rates in effect June 30, 2010. If the facility-  
9 based payment rate calculated on July 1, ((2011)) 2012, is smaller than  
10 the facility-based payment rate on June 30, ((2011)) 2010, the  
11 difference shall be provided to the individual nursing facilities as an  
12 add-on payment per medicaid resident day.

13       (2) During the comparative analysis performed in subsection (1) of  
14 this section, if it is found that the direct care rate for any facility  
15 calculated on March 1, 2012, under sections 1 through 9 ((of this act))  
16 chapter 7, Laws of 2011 1st sp. sess. is greater than the direct care  
17 rate in effect on June 30, 2010, then the facility shall receive a ten  
18 percent direct care rate add-on to compensate that facility for taking  
19 on more acute clients than they have in the past.

20       (3) The rate add-ons provided in subsection (2) of this section are  
21 subject to the reconciliation and settlement process provided in RCW  
22 74.46.022(6).

23       **Sec. 914.** RCW 2.68.020 and 2009 c 564 s 1802 and 2009 c 564 s 918  
24 are each reenacted and amended to read as follows:

25       There is created an account in the custody of the state treasurer  
26 to be known as the judicial information system account. The  
27 administrative office of the courts shall maintain and administer the  
28 account, in which shall be deposited all moneys received from in-state  
29 noncourt users and any out-of-state users of the judicial information  
30 system and moneys as specified in RCW 2.68.040 for the purposes of  
31 providing judicial information system access to noncourt users and  
32 providing an adequate level of automated services to the judiciary.  
33 The legislature shall appropriate the funds in the account for the  
34 purposes of the judicial information system. The account shall be used  
35 for the acquisition of equipment, software, supplies, services, and  
36 other costs incidental to the acquisition, development, operation, and  
37 administration of information services, telecommunications, systems,

1 software, supplies, and equipment, including the payment of principal  
2 and interest on items paid in installments. (~~During the 2007-2009~~  
3 ~~fiscal biennium, the legislature may transfer from the judicial~~  
4 ~~information system account to the state general fund such amounts as~~  
5 ~~reflect the excess fund balance of the account. During the 2009-2011~~  
6 ~~fiscal biennium, the legislature may transfer from the judicial~~  
7 ~~information system account to the state general fund such amounts as~~  
8 ~~reflect the excess fund balance of the account.)) During the 2011-2013  
9 fiscal biennium, the judicial information systems account may be  
10 appropriated to support the state law library.~~

11 **Sec. 915.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each  
12 amended to read as follows:

13 (1) Tuition fees shall be established under the provisions of this  
14 chapter.

15 (2) Beginning in the 2011-12 academic year, reductions or increases  
16 in full-time tuition fees shall be as provided in the omnibus  
17 appropriations act for resident undergraduate students at community and  
18 technical colleges. The governing boards of the state universities,  
19 regional universities, and The Evergreen State College; and the state  
20 board for community and technical colleges may reduce or increase full-  
21 time tuition fees for all students other than resident undergraduates,  
22 including nonresident students, summer school students, and students in  
23 other self-supporting degree programs. Percentage increases in full-  
24 time tuition may exceed the fiscal growth factor. Except during the  
25 2011-2013 fiscal biennium, the state board for community and technical  
26 colleges may pilot or institute differential tuition models. The board  
27 may define scale, scope, and rationale for the models.

28 (3)(a) Beginning with the 2011-12 academic year and through the end  
29 of the 2014-15 academic year, the governing boards of the state  
30 universities, the regional universities, and The Evergreen State  
31 College may reduce or increase full-time tuition fees for all students,  
32 including summer school students and students in other self-supporting  
33 degree programs. Percentage increases in full-time tuition fees may  
34 exceed the fiscal growth factor. Reductions or increases may be made  
35 for all or portions of an institution's programs, campuses, courses, or  
36 students; however, during the 2011-2013 fiscal biennium, reductions or

1 increases in tuition must be uniform among resident undergraduate  
2 students.

3 (b) Prior to reducing or increasing tuition for each academic year,  
4 the governing boards of the state universities, the regional  
5 universities, and The Evergreen State College shall consult with  
6 existing student associations or organizations with student  
7 undergraduate and graduate representatives regarding the impacts of  
8 potential tuition increases. Governing boards shall be required to  
9 provide data regarding the percentage of students receiving financial  
10 aid, the sources of aid, and the percentage of total costs of  
11 attendance paid for by aid.

12 (c) Prior to reducing or increasing tuition for each academic year,  
13 the state board for community and technical college system shall  
14 consult with existing student associations or organizations with  
15 undergraduate student representation regarding the impacts of potential  
16 tuition increases. The state board for community and technical  
17 colleges shall provide data regarding the percentage of students  
18 receiving financial aid, the sources of aid, and the percentage of  
19 total costs of attendance paid for by aid.

20 (4) Beginning with the 2015-16 academic year through the 2018-19  
21 academic year, the governing boards of the state universities, regional  
22 universities, and The Evergreen State College may set tuition for  
23 resident undergraduates as follows:

24 (a) If state funding for a college or university falls below the  
25 state funding provided in the operating budget for fiscal year 2011,  
26 the governing board may increase tuition up to the limits set in (d) of  
27 this subsection, reduce enrollments, or both;

28 (b) If state funding for a college or university is at least at the  
29 level of state funding provided in the operating budget for fiscal year  
30 2011, the governing board may increase tuition up to the limits set in  
31 (d) of this subsection and shall continue to at least maintain the  
32 actual enrollment levels for fiscal year 2011 or increase enrollments  
33 as required in the omnibus appropriations act; (~~and~~)

34 (c) If state funding is increased so that combined with resident  
35 undergraduate tuition the sixtieth percentile of the total per-student  
36 funding at similar public institutions of higher education in the  
37 global challenge states under RCW 28B.15.068 is exceeded, the governing

1 board shall decrease tuition by the amount needed for the total per-  
2 student funding to be at the sixtieth percentile under RCW 28B.15.068;  
3 and

4 (d) The amount of tuition set by the governing board for an  
5 institution under this subsection (4) may not exceed the sixtieth  
6 percentile of the resident undergraduate tuition of similar public  
7 institutions of higher education in the global challenge states.

8 (5) The tuition fees established under this chapter shall not apply  
9 to high school students enrolling in participating institutions of  
10 higher education under RCW 28A.600.300 through 28A.600.400.

11 (6) The tuition fees established under this chapter shall not apply  
12 to eligible students enrolling in a dropout reengagement program  
13 through an interlocal agreement between a school district and a  
14 community or technical college under RCW 28A.175.100 through  
15 28A.175.110.

16 (7) The tuition fees established under this chapter shall not apply  
17 to eligible students enrolling in a community or technical college  
18 participating in the pilot program under RCW 28B.50.534 for the purpose  
19 of obtaining a high school diploma.

20 (8) Beginning in the 2019-20 academic year, reductions or increases  
21 in full-time tuition fees for resident undergraduates at four-year  
22 institutions of higher education shall be as provided in the omnibus  
23 appropriations act.

24 (9) The legislative advisory committee to the committee on advanced  
25 tuition payment established in RCW 28B.95.170 shall:

26 (a) Review the impact of differential tuition rates on the funded  
27 status and future unit price of the Washington advanced college tuition  
28 payment program; and

29 (b) No later than January 14, 2013, make a recommendation to the  
30 appropriate policy and fiscal committees of the legislature regarding  
31 how differential tuition should be addressed in order to maintain the  
32 ongoing solvency of the Washington advanced college tuition payment  
33 program.

34 **Sec. 916.** RCW 38.52.540 and 2010 1st sp.s. c 19 s 18 are each  
35 amended to read as follows:

36 (1) The enhanced 911 account is created in the state treasury. All  
37 receipts from the state enhanced 911 excise taxes imposed by RCW

1 82.14B.030 must be deposited into the account. Moneys in the account  
2 must be used only to support the statewide coordination and management  
3 of the enhanced 911 system, for the implementation of wireless enhanced  
4 911 statewide, for the modernization of enhanced 911 emergency  
5 communications systems statewide, and to help supplement, within  
6 available funds, the operational costs of the system, including  
7 adequate funding of counties to enable implementation of wireless  
8 enhanced 911 service and reimbursement of radio communications service  
9 companies for costs incurred in providing wireless enhanced 911 service  
10 pursuant to negotiated contracts between the counties or their agents  
11 and the radio communications service companies. For the 2011-2013  
12 fiscal biennium, the account may be used for modernizing narrowband  
13 radio capability in the department of corrections. A county must show  
14 just cause, including but not limited to a true and accurate accounting  
15 of the funds expended, for any inability to provide reimbursement to  
16 radio communications service companies of costs incurred in providing  
17 enhanced 911 service.

18 (2) Funds generated by the enhanced 911 excise tax imposed by RCW  
19 82.14B.030(5) may not be distributed to any county that has not imposed  
20 the maximum county enhanced 911 excise tax allowed under RCW  
21 82.14B.030(1). Funds generated by the enhanced 911 excise tax imposed  
22 by RCW 82.14B.030(6) may not be distributed to any county that has not  
23 imposed the maximum county enhanced 911 excise tax allowed under RCW  
24 82.14B.030(2).

25 (3) The state enhanced 911 coordinator, with the advice and  
26 assistance of the enhanced 911 advisory committee, is authorized to  
27 enter into statewide agreements to improve the efficiency of enhanced  
28 911 services for all counties and shall specify by rule the additional  
29 purposes for which moneys, if available, may be expended from this  
30 account.

31 **Sec. 917.** RCW 41.06.560 and 2011 1st sp.s. c 39 s 11 are each  
32 amended to read as follows:

33 From February 15, 2010, until June 30, 2013, no monetary  
34 performance-based awards or incentives may be granted by the director  
35 or employers to employees covered by rules adopted under this section.  
36 This section does not prohibit the payment of awards provided for in  
37 chapter 41.60 RCW. For institutions of higher education, this section

1 does not prohibit the payment of specific cash awards from private  
2 donations from individuals or businesses including, but not limited to,  
3 endowments.

4 From July 1, 2011, until June 30, 2013, no performance-based awards  
5 or incentives may be granted by the director or employers to employees  
6 pursuant to a performance management confirmation granted by the  
7 department of personnel under WAC 357-37-055.

8 **Sec. 918.** RCW 43.07.129 and 2011 1st sp.s. c 50 s 940 are each  
9 amended to read as follows:

10 The Washington state heritage center account is created in the  
11 custody of the state treasurer. All moneys received under RCW  
12 36.18.010(11) and 43.07.128 must be deposited in the account.  
13 Expenditures from the account may be made only for the following  
14 purposes:

15 (1) Payment of the certificate of participation issued for the  
16 Washington state heritage center;

17 (2) Capital maintenance of the Washington state heritage center;  
18 and

19 (3) Program operations that serve the public, relate to the  
20 collections and exhibits housed in the Washington state heritage  
21 center, or fulfill the missions of the state archives, state library,  
22 and capital museum.

23 Only the secretary of state or the secretary of state's designee  
24 may authorize expenditures from the account. An appropriation is not  
25 required for expenditures, but the account is subject to allotment  
26 procedures under chapter 43.88 RCW. During the 2011-2013 fiscal  
27 biennium, the legislature may appropriate from the Washington state  
28 heritage center account for the purposes of state arts, historical, and  
29 library programs. Additionally, during the 2011-2013 fiscal biennium,  
30 the legislature may transfer from the Washington state heritage center  
31 account to the state general fund such amounts as reflect the excess  
32 fund balance of the fund.

33 **Sec. 919.** RCW 43.17.390 and 2009 c 564 s 931 are each amended to  
34 read as follows:

35 Starting in ((2012)) 2014, and at least once every three years  
36 thereafter, each agency shall apply to the Washington state quality



1 award, or similar organization, for an independent assessment of its  
2 quality management, accountability, and performance system. The  
3 assessment shall evaluate the effectiveness of all elements of its  
4 management, accountability, and performance system, including:  
5 Leadership, strategic planning, customer focus, analysis and  
6 information, employee performance management, and process improvement.  
7 The purpose of the assessment is to recognize best practice and  
8 identify improvement opportunities.

9 **Sec. 920.** RCW 43.30.720 and 2003 1st sp.s. c 25 s 938 are each  
10 amended to read as follows:

11 All receipts from the sale of stock or seed shall be deposited in  
12 a state forest nursery revolving fund to be maintained by the  
13 department, which is hereby authorized to use all money in said fund  
14 for the maintenance of the state tree nursery or the planting of  
15 denuded state owned lands.

16 During the ((2003-2005)) 2011-2013 fiscal biennium, the legislature  
17 may transfer from the state forest nursery revolving fund to the state  
18 general fund such amounts as reflect the excess fund balance of the  
19 fund.

20 **Sec. 921.** RCW 43.88.110 and 2009 c 518 s 3 are each amended to  
21 read as follows:

22 This section sets forth the expenditure programs and the allotment  
23 and reserve procedures to be followed by the executive branch for  
24 public funds.

25 (1) Allotments of an appropriation for any fiscal period shall  
26 conform to the terms, limits, or conditions of the appropriation.

27 (2) The director of financial management shall provide all agencies  
28 with a complete set of operating and capital instructions for preparing  
29 a statement of proposed expenditures at least thirty days before the  
30 beginning of a fiscal period. The set of instructions need not include  
31 specific appropriation amounts for the agency.

32 (3) Within forty-five days after the beginning of the fiscal period  
33 or within forty-five days after the governor signs the omnibus biennial  
34 appropriations act, whichever is later, all agencies shall submit to  
35 the governor a statement of proposed expenditures at such times and in  
36 such form as may be required by the governor.

1 (4) The office of financial management shall develop a method for  
2 monitoring capital appropriations and expenditures that will capture at  
3 least the following elements:

4 (a) Appropriations made for capital projects including  
5 transportation projects;

6 (b) Estimates of total project costs including past, current,  
7 ensuing, and future biennial costs;

8 (c) Comparisons of actual costs to estimated costs;

9 (d) Comparisons of estimated construction start and completion  
10 dates with actual dates;

11 (e) Documentation of fund shifts between projects.

12 This data may be incorporated into the existing accounting system  
13 or into a separate project management system, as deemed appropriate by  
14 the office of financial management.

15 (5) The office of financial management, prior to approving  
16 allotments for major capital construction projects valued over five  
17 million dollars, shall institute procedures for reviewing such projects  
18 at the predesign stage that will reduce long-term costs and increase  
19 facility efficiency. The procedures shall include, but not be limited  
20 to, the following elements:

21 (a) Evaluation of facility program requirements and consistency  
22 with long-range plans;

23 (b) Utilization of a system of cost, quality, and performance  
24 standards to compare major capital construction projects; and

25 (c) A requirement to incorporate value-engineering analysis and  
26 constructability review into the project schedule.

27 (6) No expenditure may be incurred or obligation entered into for  
28 such major capital construction projects including, without exception,  
29 land acquisition, site development, predesign, design, construction,  
30 and equipment acquisition and installation, until the allotment of the  
31 funds to be expended has been approved by the office of financial  
32 management. This limitation does not prohibit the continuation of  
33 expenditures and obligations into the succeeding biennium for projects  
34 for which allotments have been approved in the immediate prior  
35 biennium.

36 (7)(a) Beginning January 1, 2013, if at any time during the fiscal  
37 period the governor projects a cash deficit in a particular fund or  
38 account as defined by RCW 43.88.050, the governor shall make across-

1 the-board reductions in allotments for that particular fund or account  
2 so as to prevent a cash deficit, unless the legislature has directed  
3 the liquidation of the cash deficit over one or more fiscal periods.

4 (b)(i) From the effective date of this section until January 1,  
5 2013, if at any time during the fiscal period the governor projects a  
6 cash deficit in a particular fund or account as defined by RCW  
7 43.88.050, then as set forth in (b) of this subsection the governor  
8 shall make across-the-board reductions in the total amount allotted to  
9 each agency from each appropriation from that fund or account so as to  
10 prevent a cash deficit, unless the legislature has directed the  
11 liquidation of the cash deficit over one or more fiscal periods.

12 (ii) The percentage reduction applied to individual allotments of  
13 an agency's total allotments from each appropriation from that fund or  
14 account may vary, but each agency's total allotments from each  
15 appropriation from that fund or account must be uniformly reduced by  
16 the percentage necessary to prevent a cash deficit. Where a portion of  
17 an appropriation is provided solely for a particular purpose,  
18 allotments of that portion of the appropriation may be reduced only by  
19 the same percentage as the overall appropriation.

20 (iii) Allotments for the following programs may be reduced only by  
21 a percentage equal to one-half of the percentage reduction applied to  
22 total allotments of appropriations under (b)(ii) of this subsection:

23 (A) Direct custody in the department of corrections and the  
24 juvenile rehabilitation administration; and

25 (B) The special commitment center of the department of social and  
26 health services.

27 (iv) Basic education programs, debt service on state bonds, state  
28 contributions to retirement systems, and programs for which a defined  
29 benefit is specifically mandated in statute are exempt from across-the-  
30 board allotment reductions under this subsection (7)(b) and allotments  
31 for these purposes shall not be included when calculating the allotment  
32 reductions.

33 (8) Except for the legislative and judicial branches and other  
34 agencies headed by elective officials, the governor shall review the  
35 statement of proposed operating expenditures for reasonableness and  
36 conformance with legislative intent. The governor may request  
37 corrections of proposed allotments submitted by the legislative and

1 judicial branches and agencies headed by elective officials if those  
2 proposed allotments contain significant technical errors.

3 (9) Once the governor approves the proposed allotments, further  
4 revisions may at the request of the office of financial management or  
5 upon the agency's initiative be made on a quarterly basis and must be  
6 accompanied by an explanation of the reasons for significant changes.  
7 If the governor initiates across-the-board allotment revisions under  
8 subsection (7)(b) of this section, the office of financial management  
9 shall provide notice to the appropriate legislative fiscal committees  
10 of the proposed revisions, including the explanation for the  
11 significant changes, and the revisions may not take effect until ten  
12 days after this notice is provided. However, changes in appropriation  
13 level authorized by the legislature, changes required by across-the-  
14 board reductions mandated by the governor, changes caused by executive  
15 increases to spending authority, and changes caused by executive  
16 decreases to spending authority for failure to comply with the  
17 provisions of chapter 36.70A RCW may require additional revisions.  
18 Revisions shall not be made retroactively. However, the governor may  
19 assign to a reserve status any portion of an agency appropriation  
20 withheld as part of across-the-board reductions made by the governor  
21 and any portion of an agency appropriation conditioned on a contingent  
22 event by the appropriations act. The governor may remove these amounts  
23 from reserve status if the across-the-board reductions are subsequently  
24 modified or if the contingent event occurs. The director of financial  
25 management shall enter approved statements of proposed expenditures  
26 into the state budgeting, accounting, and reporting system within  
27 forty-five days after receipt of the proposed statements from the  
28 agencies. If an agency or the director of financial management is  
29 unable to meet these requirements, the director of financial management  
30 shall provide a timely explanation in writing to the legislative fiscal  
31 committees.

32 ~~((+8))~~ (10) It is expressly provided that all agencies shall be  
33 required to maintain accounting records and to report thereon in the  
34 manner prescribed in this chapter and under the regulations issued  
35 pursuant to this chapter. Within ninety days of the end of the fiscal  
36 year, all agencies shall submit to the director of financial management  
37 their final adjustments to close their books for the fiscal year.  
38 Prior to submitting fiscal data, written or oral, to committees of the

1 legislature, it is the responsibility of the agency submitting the data  
2 to reconcile it with the budget and accounting data reported by the  
3 agency to the director of financial management.

4 ~~((9))~~ (11) The director of financial management may exempt  
5 certain public funds from the allotment controls established under this  
6 chapter if it is not practical or necessary to allot the funds.  
7 Allotment control exemptions expire at the end of the fiscal biennium  
8 for which they are granted. The director of financial management shall  
9 report any exemptions granted under this subsection to the legislative  
10 fiscal committees.

11 **Sec. 922.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each  
12 reenacted and amended to read as follows:

13 (1) The state toxics control account and the local toxics control  
14 account are hereby created in the state treasury.

15 (2) The following moneys shall be deposited into the state toxics  
16 control account: (a) Those revenues which are raised by the tax  
17 imposed under RCW 82.21.030 and which are attributable to that portion  
18 of the rate equal to thirty-three one-hundredths of one percent; (b)  
19 the costs of remedial actions recovered under this chapter or chapter  
20 70.105A RCW; (c) penalties collected or recovered under this chapter;  
21 and (d) any other money appropriated or transferred to the account by  
22 the legislature. Moneys in the account may be used only to carry out  
23 the purposes of this chapter, including but not limited to the  
24 following activities:

25 (i) The state's responsibility for hazardous waste planning,  
26 management, regulation, enforcement, technical assistance, and public  
27 education required under chapter 70.105 RCW;

28 (ii) The state's responsibility for solid waste planning,  
29 management, regulation, enforcement, technical assistance, and public  
30 education required under chapter 70.95 RCW;

31 (iii) The hazardous waste cleanup program required under this  
32 chapter;

33 (iv) State matching funds required under the federal cleanup law;

34 (v) Financial assistance for local programs in accordance with  
35 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

36 (vi) State government programs for the safe reduction, recycling,

1 or disposal of hazardous wastes from households, small businesses, and  
2 agriculture;

3 (vii) Hazardous materials emergency response training;

4 (viii) Water and environmental health protection and monitoring  
5 programs;

6 (ix) Programs authorized under chapter 70.146 RCW;

7 (x) A public participation program, including regional citizen  
8 advisory committees;

9 (xi) Public funding to assist potentially liable persons to pay for  
10 the costs of remedial action in compliance with cleanup standards under  
11 RCW 70.105D.030(2)(e) but only when the amount and terms of such  
12 funding are established under a settlement agreement under RCW  
13 70.105D.040(4) and when the director has found that the funding will  
14 achieve both (A) a substantially more expeditious or enhanced cleanup  
15 than would otherwise occur, and (B) the prevention or mitigation of  
16 unfair economic hardship;

17 (xii) Development and demonstration of alternative management  
18 technologies designed to carry out the hazardous waste management  
19 priorities of RCW 70.105.150;

20 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline  
21 update technical assistance;

22 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional  
23 permitting teams; (~~and~~)

24 (xv) During the 2011-2013 fiscal biennium, actions for reducing  
25 public exposure to toxic air pollution; and

26 (xvi) During the 2011-2013 fiscal biennium, the department of  
27 ecology's water quality, shorelands and environmental assessment,  
28 hazardous waste, waste to resources, nuclear waste, and air quality  
29 programs.

30 (3) The following moneys shall be deposited into the local toxics  
31 control account: Those revenues which are raised by the tax imposed  
32 under RCW 82.21.030 and which are attributable to that portion of the  
33 rate equal to thirty-seven one-hundredths of one percent.

34 (a) Moneys deposited in the local toxics control account shall be  
35 used by the department for grants or loans to local governments for the  
36 following purposes in descending order of priority:

37 (i) Remedial actions;

38 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

1 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,  
2 70.95I, and 70.105 RCW;

3 (iv) Funds for a program to assist in the assessment and cleanup of  
4 sites of methamphetamine production, but not to be used for the initial  
5 containment of such sites, consistent with the responsibilities and  
6 intent of RCW 69.50.511; and

7 (v) Cleanup and disposal of hazardous substances from abandoned or  
8 derelict vessels, defined for the purposes of this section as vessels  
9 that have little or no value and either have no identified owner or  
10 have an identified owner lacking financial resources to clean up and  
11 dispose of the vessel, that pose a threat to human health or the  
12 environment.

13 (b) Funds for plans and programs shall be allocated consistent with  
14 the priorities and matching requirements established in chapters  
15 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that  
16 is a Puget Sound partner, as defined in RCW 90.71.010, along with any  
17 project that is referenced in the action agenda developed by the Puget  
18 Sound partnership under RCW 90.71.310, shall, except as conditioned by  
19 RCW 70.105D.120, receive priority for any available funding for any  
20 grant or funding programs or sources that use a competitive bidding  
21 process. During the 2007-2009 fiscal biennium, moneys in the account  
22 may also be used for grants to local governments to retrofit public  
23 sector diesel equipment and for storm water planning and implementation  
24 activities.

25 (c) To expedite cleanups throughout the state, the department shall  
26 partner with local communities and liable parties for cleanups. The  
27 department is authorized to use the following additional strategies in  
28 order to ensure a healthful environment for future generations:

29 (i) The director may alter grant-matching requirements to create  
30 incentives for local governments to expedite cleanups when one of the  
31 following conditions exists:

32 (A) Funding would prevent or mitigate unfair economic hardship  
33 imposed by the clean-up liability;

34 (B) Funding would create new substantial economic development,  
35 public recreational, or habitat restoration opportunities that would  
36 not otherwise occur; or

37 (C) Funding would create an opportunity for acquisition and

1 redevelopment of vacant, orphaned, or abandoned property under RCW  
2 70.105D.040(5) that would not otherwise occur;

3 (ii) The use of outside contracts to conduct necessary studies;

4 (iii) The purchase of remedial action cost-cap insurance, when  
5 necessary to expedite multiparty clean-up efforts.

6 (d) To facilitate and expedite cleanups using funds from the local  
7 toxics control account, during the 2009-2011 fiscal biennium the  
8 director may establish grant-funded accounts to hold and disperse local  
9 toxics control account funds and funds from local governments to be  
10 used for remedial actions.

11 (4) Except for unanticipated receipts under RCW 43.79.260 through  
12 43.79.282, moneys in the state and local toxics control accounts may be  
13 spent only after appropriation by statute.

14 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one  
15 percent of the moneys deposited into the state and local toxics control  
16 accounts shall be allocated only for public participation grants to  
17 persons who may be adversely affected by a release or threatened  
18 release of a hazardous substance and to not-for-profit public interest  
19 organizations. The primary purpose of these grants is to facilitate  
20 the participation by persons and organizations in the investigation and  
21 remedying of releases or threatened releases of hazardous substances  
22 and to implement the state's solid and hazardous waste management  
23 priorities. No grant may exceed sixty thousand dollars. Grants may be  
24 renewed annually. Moneys appropriated for public participation from  
25 either account which are not expended at the close of any biennium  
26 shall revert to the state toxics control account.

27 (6) No moneys deposited into either the state or local toxics  
28 control account may be used for solid waste incinerator feasibility  
29 studies, construction, maintenance, or operation, or, after January 1,  
30 2010, for projects designed to address the restoration of Puget Sound,  
31 funded in a competitive grant process, that are in conflict with the  
32 action agenda developed by the Puget Sound partnership under RCW  
33 90.71.310.

34 (7) The department shall adopt rules for grant or loan issuance and  
35 performance.

36 (8) During the (~~2007-2009 - and - 2009-2011~~) 2011-2013 fiscal  
37 (~~biennia~~) biennium, the legislature may transfer from the local



1 toxics control account to ((either)) the state ((general fund or the  
2 oil spill prevention account, or both)) toxics control account such  
3 amounts as reflect excess fund balance in the account.

4 ((9) During the 2009-2011 fiscal biennium, the local toxics  
5 control account may also be used for a standby rescue tug at Neah Bay,  
6 local government shoreline update grants, private and public sector  
7 diesel equipment retrofit, and oil spill prevention, preparedness, and  
8 response activities.

9 ((10) During the 2009-2011 fiscal biennium, the legislature may  
10 transfer from the state toxics control account to the state general  
11 fund such amounts as reflect the excess fund balance in the account.

12 ((11)) (9) During the 2011-2013 fiscal biennium, the local toxics  
13 control account may also be used for local government shoreline update  
14 grants and actions for reducing public exposure to toxic air pollution.

15 **Sec. 923.** RCW 74.48.090 and 2011 1st sp.s. c 7 s 21 are each  
16 amended to read as follows:

17 (1) The department and the department of health, in consultation  
18 with the Washington state health care association, and aging services  
19 of Washington, shall design a system of skilled nursing facility  
20 quality incentive payments. The design of the system shall be  
21 submitted to the relevant policy and fiscal committees of the  
22 legislature by ((December 15, 2011)) January 1, 2013. For the 2011-  
23 2013 fiscal biennial budget period, the department shall not implement  
24 a system of skilled nursing facility quality incentive payments  
25 designed pursuant to this section. The system shall be based upon the  
26 following principles:

27 (a) Evidence-based treatment and processes shall be used to improve  
28 health care outcomes for skilled nursing facility residents;

29 (b) Effective purchasing strategies to improve the quality of  
30 health care services should involve the use of common quality  
31 improvement measures, while recognizing that some measures may not be  
32 appropriate for application to facilities with high bariatric,  
33 behaviorally challenged, or rehabilitation populations;

34 (c) Quality measures chosen for the system should be consistent  
35 with the standards that have been developed by national quality  
36 improvement organizations, such as the national quality forum, the  
37 federal centers for medicare and medicaid services, or the federal

1 agency for healthcare research and quality. New reporting burdens to  
2 skilled nursing facilities should be minimized by giving priority to  
3 measures skilled nursing facilities that are currently required to  
4 report to governmental agencies, such as the nursing home compare  
5 measures collected by the federal centers for medicare and medicaid  
6 services;

7 (d) Benchmarks for each quality improvement measure should be set  
8 at levels that are feasible for skilled nursing facilities to achieve,  
9 yet represent real improvements in quality and performance for a  
10 majority of skilled nursing facilities in Washington state; and

11 (e) Skilled nursing facilities performance and incentive payments  
12 should be designed in a manner such that all facilities in Washington  
13 are able to receive the incentive payments if performance is at or  
14 above the benchmark score set in the system established under this  
15 section.

16 (2) Pursuant to an appropriation by the legislature, for state  
17 fiscal year ((2013)) 2014 and each fiscal year thereafter, assessments  
18 may be increased to support an additional one percent increase in  
19 skilled nursing facility reimbursement rates for facilities that meet  
20 the quality incentive benchmarks established under this section.

21 **Sec. 924.** RCW 76.04.610 and 2007 c 110 s 1 are each amended to  
22 read as follows:

23 (1)(a) If any owner of forest land within a forest protection zone  
24 neglects or fails to provide adequate fire protection as required by  
25 RCW 76.04.600, the department shall provide such protection and shall  
26 annually impose the following assessments on each parcel of such land:  
27 (i) A flat fee assessment of seventeen dollars and fifty cents; and  
28 (ii) twenty-seven cents on each acre exceeding fifty acres.

29 (b) Assessors may, at their option, collect the assessment on tax  
30 exempt lands. If the assessor elects not to collect the assessment,  
31 the department may bill the landowner directly.

32 (2) An owner who has paid assessments on two or more parcels, each  
33 containing fewer than fifty acres and each within the same county, may  
34 obtain the following refund:

35 (a) If all the parcels together contain less than fifty acres, then  
36 the refund is equal to the flat fee assessments paid, reduced by the

1 total of (i) seventeen dollars and (ii) the total of the amounts  
2 retained by the county from such assessments under subsection (5) of  
3 this section.

4 (b) If all the parcels together contain fifty or more acres, then  
5 the refund is equal to the flat fee assessments paid, reduced by the  
6 total of (i) seventeen dollars, (ii) twenty-seven cents for each acre  
7 exceeding fifty acres, and (iii) the total of the amounts retained by  
8 the county from such assessments under subsection (5) of this section.

9 Applications for refunds shall be submitted to the department on a  
10 form prescribed by the department and in the same year in which the  
11 assessments were paid. The department may not provide refunds to  
12 applicants who do not provide verification that all assessments and  
13 property taxes on the property have been paid. Applications may be  
14 made by mail.

15 In addition to the procedures under this subsection, property  
16 owners with multiple parcels in a single county who qualify for a  
17 refund under this section may apply to the department on an application  
18 listing all the parcels owned in order to have the assessment computed  
19 on all parcels but billed to a single parcel. Property owners with the  
20 following number of parcels may apply to the department in the year  
21 indicated:

22	Year	Number of Parcels
23	2002	10 or more parcels
24	2003	8 or more parcels
25	2004 and thereafter	6 or more parcels

26 The department must compute the correct assessment and allocate one  
27 parcel in the county to use to collect the assessment. The county must  
28 then bill the forest fire protection assessment on that one allocated  
29 identified parcel. The landowner is responsible for notifying the  
30 department of any changes in parcel ownership.

31 (3) Beginning January 1, 1991, under the administration and at the  
32 discretion of the department up to two hundred thousand dollars per  
33 year of this assessment shall be used in support of those rural fire  
34 districts assisting the department in fire protection services on  
35 forest lands.

1           (4) For the purpose of this chapter, the department may divide the  
2 forest lands of the state, or any part thereof, into districts, for  
3 fire protection and assessment purposes, may classify lands according  
4 to the character of timber prevailing, and the fire hazard existing,  
5 and place unprotected lands under the administration of the proper  
6 district. Amounts paid or contracted to be paid by the department for  
7 protection of forest lands from funds at its disposal shall be a lien  
8 upon the property protected, unless reimbursed by the owner within ten  
9 days after October 1st of the year in which they were incurred. The  
10 department shall be prepared to make statement thereof, upon request,  
11 to a forest owner whose own protection has not been previously approved  
12 as to its adequacy, the department shall report the same to the  
13 assessor of the county in which the property is situated. The assessor  
14 shall extend the amounts upon the tax rolls covering the property, and  
15 upon authorization from the department shall levy the forest protection  
16 assessment against the amounts of unimproved land as shown in each  
17 ownership on the county assessor's records. The assessor may then  
18 segregate on the records to provide that the improved land and  
19 improvements thereon carry the millage levy designed to support the  
20 rural fire protection districts as provided for in RCW 52.16.170.

21           (5) The amounts assessed shall be collected at the time, in the  
22 same manner, by the same procedure, and with the same penalties  
23 attached that general state and county taxes on the same property are  
24 collected, except that errors in assessments may be corrected at any  
25 time by the department certifying them to the treasurer of the county  
26 in which the land involved is situated. Assessments shall be known and  
27 designated as assessments of the year in which the amounts became  
28 reimbursable. Upon the collection of assessments the county treasurer  
29 shall place fifty cents of the total assessments paid on a parcel for  
30 fire protection into the county current expense fund to defray the  
31 costs of listing, billing, and collecting these assessments. The  
32 treasurer shall then transmit the balance to the department.  
33 Collections shall be applied against expenses incurred in carrying out  
34 the provisions of this section, including necessary and reasonable  
35 administrative costs incurred by the department in the enforcement of  
36 these provisions. The department may also expend sums collected from  
37 owners of forest lands or received from any other source for necessary

1 administrative costs in connection with the enforcement of RCW  
2 76.04.660.

3 (6) When land against which forest protection assessments are  
4 outstanding is acquired for delinquent taxes and sold at public  
5 auction, the state shall have a prior lien on the proceeds of sale over  
6 and above the amount necessary to satisfy the county's delinquent tax  
7 judgment. The county treasurer, in case the proceeds of sale exceed  
8 the amount of the delinquent tax judgment, shall immediately remit to  
9 the department the amount of the outstanding forest protection  
10 assessments.

11 (7) All nonfederal public bodies owning or administering forest  
12 land included in a forest protection zone shall pay the forest  
13 protection assessments provided in this section and the special forest  
14 fire suppression account assessments under RCW 76.04.630. The forest  
15 protection assessments and special forest fire suppression account  
16 assessments shall be payable by nonfederal public bodies from available  
17 funds within thirty days following receipt of the written notice from  
18 the department which is given after October 1st of the year in which  
19 the protection was provided. Unpaid assessments are not a lien against  
20 the nonfederal publicly owned land but shall constitute a debt by the  
21 nonfederal public body to the department and are subject to interest  
22 charges at the legal rate. During the 2011-2013 fiscal biennium, the  
23 forest fire protection assessment account may be appropriated to the  
24 joint legislative audit review committee for analysis and  
25 recommendations to improve the efficiency and effectiveness of the  
26 state's mechanisms for funding fire prevention and suppression  
27 activities.

28 (8) A public body, having failed to previously pay the forest  
29 protection assessments required of it by this section, which fails to  
30 suppress a fire on or originating from forest lands owned or  
31 administered by it, is liable for the costs of suppression incurred by  
32 the department or its agent and is not entitled to reimbursement of  
33 costs incurred by the public body in the suppression activities.

34 (9) The department may adopt rules to implement this section,  
35 including, but not limited to, rules on levying and collecting forest  
36 protection assessments.

1       **Sec. 925.** RCW 77.12.201 and 2009 c 479 s 63 are each amended to  
2 read as follows:

3       The legislative authority of a county may elect, by giving written  
4 notice to the director and the treasurer prior to January 1st of any  
5 year, to obtain for the following year an amount in lieu of real  
6 property taxes on game lands as provided in RCW 77.12.203. Upon the  
7 election, the county shall keep a record of all fines, forfeitures,  
8 reimbursements, and costs assessed and collected, in whole or in part,  
9 under this title for violations of law or rules adopted pursuant to  
10 this title, with the exception of the 2011-2013 fiscal biennium, and  
11 shall monthly remit an amount equal to the amount collected to the  
12 state treasurer for deposit in the state general fund. The election  
13 shall continue until the department is notified differently prior to  
14 January 1st of any year.

15       **Sec. 926.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to  
16 read as follows:

17       (1) Except as provided in subsection (5) of this section and  
18 notwithstanding RCW 84.36.010 or other statutes to the contrary, the  
19 director shall pay by April 30th of each year on game lands in each  
20 county, if requested by an election under RCW 77.12.201, an amount in  
21 lieu of real property taxes equal to that amount paid on similar  
22 parcels of open space land taxable under chapter 84.34 RCW or the  
23 greater of seventy cents per acre per year or the amount paid in 1984  
24 plus an additional amount for control of noxious weeds equal to that  
25 which would be paid if such lands were privately owned. This amount  
26 shall not be assessed or paid on department buildings, structures,  
27 facilities, game farms, fish hatcheries, tidelands, or public fishing  
28 areas of less than one hundred acres.

29       (2) "Game lands," as used in this section and RCW 77.12.201, means  
30 those tracts one hundred acres or larger owned in fee by the department  
31 and used for wildlife habitat and public recreational purposes. All  
32 lands purchased for wildlife habitat, public access or recreation  
33 purposes with federal funds in the Snake River drainage basin shall be  
34 considered game lands regardless of acreage.

35       (3) This section shall not apply to lands transferred after April  
36 23, 1990, to the department from other state agencies.

1 (4) The county shall distribute the amount received under this  
2 section in lieu of real property taxes to all property taxing districts  
3 except the state in appropriate tax code areas the same way it would  
4 distribute local property taxes from private property. The county  
5 shall distribute the amount received under this section for weed  
6 control to the appropriate weed district.

7 (5) For the 2011-2013 fiscal biennium, the director shall pay by  
8 April 30th of each year on game lands in each county, if requested by  
9 an election under RCW 77.12.201, an amount in lieu of real property  
10 taxes and shall be distributed as follows:

11 **County**

12	
13	<u>Adams .....1,909</u>
14	<u>Asotin .....36,123</u>
15	<u>Chelan .....24,757</u>
16	<u>Columbia ..... 7,795</u>
17	<u>Ferry .....6,781</u>
18	<u>Garfield .....4,840</u>
19	<u>Grant .....37,443</u>
20	<u>Grays Harbor ..... 7,264</u>
21	<u>Kittitas ..... 143,974</u>
22	<u>Klickitat ..... 21,906</u>
23	<u>Lincoln ..... 13,535</u>
24	<u>Okanogan ..... 151,402</u>
25	<u>Pend Oreille ..... 3,309</u>
26	<u>Yakima .....126,225</u>

27 These amounts shall not be assessed or paid on department buildings,  
28 structures, facilities, game farms, fish hatcheries, tidelands, or  
29 public fishing areas of less than one hundred acres.

30 **Sec. 927.** RCW 77.95.090 and 2009 c 340 s 4 are each amended to  
31 read as follows:

32 The dedicated regional fisheries enhancement group account is  
33 created in the custody of the state treasurer. Only the commission or

1 the commission's designee may authorize expenditures from the account.  
2 The account is subject to allotment procedures under chapter 43.88 RCW,  
3 but no appropriation is required for expenditures.

4 A portion of each recreational fishing license fee shall be used as  
5 provided in RCW 77.32.440. A surcharge of one hundred dollars shall be  
6 collected on each commercial salmon fishery license, each salmon  
7 delivery license, and each salmon charter license sold in the state.  
8 All receipts shall be placed in the regional fisheries enhancement  
9 group account and shall be used exclusively for regional fisheries  
10 enhancement group projects for the purposes of RCW 77.95.110. For the  
11 2011-2013 fiscal biennium, the regional fisheries enhancement group  
12 account may be used for the purposes of RCW 77.95.070 and hatcheries.  
13 Except as provided in RCW 77.95.320, funds from the regional fisheries  
14 enhancement group account shall not serve as replacement funding for  
15 department operated salmon projects that exist on January 1, 1991.

16 All revenue from the department's sale of salmon carcasses and eggs  
17 that return to group facilities shall be deposited in the regional  
18 fisheries enhancement group account for use by the regional fisheries  
19 enhancement group that produced the surplus. The commission shall  
20 adopt rules to implement this section pursuant to chapter 34.05 RCW.

21 **Sec. 928.** RCW 79.22.010 and 2003 c 334 s 205 are each amended to  
22 read as follows:

23 (1) The department has the power to accept gifts and bequests of  
24 money or other property, made in its own name, or made in the name of  
25 the state, to promote generally the interests of reforestation or for  
26 a specific named purpose in connection with reforestation, and to  
27 acquire in the name of the state, by purchase or gift, any lands which  
28 by reason of their location, topography, or geological formation, are  
29 chiefly valuable for purpose of developing and growing timber, and to  
30 designate such lands and any lands of the same character belonging to  
31 the state as state forest lands; and may acquire by gift or purchase  
32 any lands of the same character.

33 (2) The department has the power to seed, plant, and develop  
34 forests on any lands, purchased, acquired, or designated by it as state  
35 forest lands, and shall furnish such care and fire protection for such  
36 lands as it shall deem advisable.



1       (3) Upon approval of the board of county commissioners of the  
2 county in which the land is located such gift or donation of land may  
3 be accepted subject to delinquent general taxes thereon, and upon such  
4 acceptance of such gift or donation subject to such taxes, the  
5 department shall record the deed of conveyance thereof and file with  
6 the assessor and treasurer of the county wherein such land is situated,  
7 written notice of acquisition of such land, and that all delinquent  
8 general taxes thereon, except state taxes, shall be canceled, and the  
9 county treasurer shall thereupon proceed to make such cancellation in  
10 the records of the county treasurer. ((~~Thereafter, such lands~~))

11       (4)(a) Lands acquired under this section shall be held in trust,  
12 protected, managed, and administered upon, and the proceeds therefrom  
13 disposed of, under RCW 79.22.040.

14       (b) During the 2011-2013 fiscal biennium, the legislature may  
15 appropriate moneys derived subject to this section from the forest  
16 development account consistent with RCW 79.64.100.

17       **Sec. 929.** RCW 79.22.040 and 2003 c 334 s 206 are each amended to  
18 read as follows:

19       (1) If any land acquired by a county through foreclosure of tax  
20 liens, or otherwise, comes within the classification of land described  
21 in RCW 79.22.010 and can be used as state forest land and if the  
22 department deems such land necessary for the purposes of this chapter,  
23 the county shall, upon demand by the department, deed such land to the  
24 department and the land shall become a part of the state forest lands.

25       (2) Such land shall be held in trust and administered and protected  
26 by the department in the same manner as other state forest lands.

27       (3)(a) In the event that the department sells logs using the  
28 contract harvesting process described in RCW 79.15.500 through  
29 79.15.530, the moneys derived subject to this section are the net  
30 proceeds from the contract harvesting sale.

31       (b) During the 2011-2013 fiscal biennium, the legislature may  
32 appropriate moneys derived subject to this section from the forest  
33 development account consistent with RCW 79.64.100.

34       **Sec. 930.** RCW 79.64.040 and 2011 1st sp.s. c 50 s 966 and 2011 c  
35 216 s 16 are each reenacted and amended to read as follows:

36       (1) The board shall determine the amount deemed necessary in order

1 to achieve the purposes of this chapter and shall provide by rule for  
2 the deduction of this amount from the moneys received from all leases,  
3 sales, contracts, licenses, permits, easements, and rights-of-way  
4 issued by the department and affecting state lands, community forest  
5 trust lands, and aquatic lands, provided that no deduction shall be  
6 made from the proceeds from agricultural college lands.

7 (2) Moneys received as deposits from successful bidders, advance  
8 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150  
9 prior to December 1, 1981, which have not been subjected to deduction  
10 under this section are not subject to deduction under this section.

11 (3) Except as otherwise provided in subsections (4) and (6) of this  
12 section, the deductions authorized under this section shall not exceed  
13 twenty-five percent of the moneys received by the department in  
14 connection with any one transaction pertaining to state lands and  
15 aquatic lands other than second-class tide and shore lands and the beds  
16 of navigable waters, and fifty percent of the moneys received by the  
17 department pertaining to second-class tide and shore lands and the beds  
18 of navigable waters.

19 (4) Deductions authorized under this section for transactions  
20 pertaining to community forest trust lands must be established at a  
21 level sufficient to defray over time the management costs for  
22 activities prescribed in a parcel's management plan adopted pursuant to  
23 RCW 79.155.080, and, if deemed appropriate by the board consistent with  
24 RCW 79.155.090, to reimburse the state and any local entities' eligible  
25 financial contributions for acquisition of the parcel.

26 (5) In the event that the department sells logs using the contract  
27 harvesting process described in RCW 79.15.500 through 79.15.530, the  
28 moneys received subject to this section are the net proceeds from the  
29 contract harvesting sale.

30 (6) During the (~~2009-2011~~) 2011-2013 fiscal biennium (~~and fiscal~~  
31 ~~year 2012~~), the twenty-five percent limitation on deductions set in  
32 subsection (3) of this section may be increased up to thirty percent by  
33 the board.

34 **Sec. 931.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to  
35 read as follows:

36 There is created a forest development account in the state  
37 treasury. The state treasurer shall keep an account of all sums

1 deposited therein and expended or withdrawn therefrom. Any sums placed  
2 in the forest development account shall be pledged for the purpose of  
3 paying interest and principal on the bonds issued by the department  
4 under RCW 79.22.080 and 79.22.090 and the provisions of this chapter,  
5 and for the purchase of land for growing timber. Any bonds issued  
6 shall constitute a first and prior claim and lien against the account  
7 for the payment of principal and interest. No sums for the above  
8 purposes shall be withdrawn or paid out of the account except upon  
9 approval of the department.

10 Appropriations may be made by the legislature from the forest  
11 development account to the department for the purpose of carrying on  
12 the activities of the department on state forest lands, lands managed  
13 on a sustained yield basis as provided for in RCW 79.10.320, and for  
14 reimbursement of expenditures that have been made or may be made from  
15 the resource management cost account in the management of state forest  
16 lands. For the 2011-2013 fiscal biennium, moneys from the forest  
17 development account shall be distributed as directed in section 706 of  
18 this act to the beneficiaries of the revenues derived from state forest  
19 lands. During the 2011-2013 fiscal biennium, the legislature may  
20 appropriate moneys in the forest development account to support  
21 emergency fire suppression activities in a manner that, at a maximum,  
22 represents the proportion of land that the department manages in  
23 comparison to the total land the department conducts emergency fire  
24 suppression activities on.

25 **Sec. 932.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 911 are each  
26 amended to read as follows:

27 (1) After deduction for management costs as provided in RCW  
28 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
29 received by the state from the sale or lease of state-owned aquatic  
30 lands and from the sale of valuable material from state-owned aquatic  
31 lands shall be deposited in the aquatic lands enhancement account which  
32 is hereby created in the state treasury. After appropriation, these  
33 funds shall be used solely for aquatic lands enhancement projects; for  
34 the purchase, improvement, or protection of aquatic lands for public  
35 purposes; for providing and improving access to the lands; and for  
36 volunteer cooperative fish and game projects. During the ((2009-2011  
37 and)) 2011-2013 fiscal ((biennia)) biennium, the aquatic lands

1 enhancement account may also be used for scientific research as part of  
2 the adaptive management process and for developing a planning report  
3 for McNeil Island. During the ((2009-2011-and)) 2011-2013 fiscal  
4 ((biennia)) biennium, the legislature may transfer from the aquatic  
5 lands enhancement account to the state general fund such amounts as  
6 reflect excess fund balance of the account. During the 2011-2013  
7 fiscal biennium, the aquatic lands enhancement account may be used to  
8 support the shellfish program, the ballast water program, parks,  
9 hatcheries, and the Puget Sound toxic sampling program at the  
10 department of fish and wildlife, and the knotweed program at the  
11 department of agriculture. During the 2011-2013 fiscal biennium, the  
12 legislature may transfer from the aquatic lands enhancement account to  
13 the marine resources stewardship trust account funds for the purposes  
14 of RCW 43.372.070.

15 (2) In providing grants for aquatic lands enhancement projects, the  
16 recreation and conservation funding board shall:

17 (a) Require grant recipients to incorporate the environmental  
18 benefits of the project into their grant applications;

19 (b) Utilize the statement of environmental benefits, consideration,  
20 except as provided in RCW 79.105.610, of whether the applicant is a  
21 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
22 referenced in the action agenda developed by the Puget Sound  
23 partnership under RCW 90.71.310, and except as otherwise provided in  
24 RCW 79.105.630, and effective one calendar year following the  
25 development and statewide availability of model evergreen community  
26 management plans and ordinances under RCW 35.105.050, whether the  
27 applicant is an entity that has been recognized, and what gradation of  
28 recognition was received, in the evergreen community recognition  
29 program created in RCW 35.105.030 in its prioritization and selection  
30 process; and

31 (c) Develop appropriate outcome-focused performance measures to be  
32 used both for management and performance assessment of the grants.

33 (3) To the extent possible, the department should coordinate its  
34 performance measure system with other natural resource-related agencies  
35 as defined in RCW 43.41.270.

36 (4) The department shall consult with affected interest groups in  
37 implementing this section.

1 (5) After January 1, 2010, any project designed to address the  
2 restoration of Puget Sound may be funded under this chapter only if the  
3 project is not in conflict with the action agenda developed by the  
4 Puget Sound partnership under RCW 90.71.310.

5 **Sec. 933.** RCW 79A.25.200 and 2007 c 241 s 53 are each amended to  
6 read as follows:

7 The recreation resource account is created in the state treasury.  
8 Moneys in this account are subject to legislative appropriation. The  
9 board shall administer the account in accordance with this chapter and  
10 chapter 79A.35 RCW and shall hold it separate and apart from all other  
11 money, funds, and accounts of the board. Moneys received from the  
12 marine fuel tax refund account under RCW 79A.25.070 shall be deposited  
13 into the account. Grants, gifts, or other financial assistance,  
14 proceeds received from public bodies as administrative cost  
15 contributions, and moneys made available to the state of Washington by  
16 the federal government for outdoor recreation may be deposited into the  
17 account. During the 2011-2013 fiscal biennia, the recreation resource  
18 account may be used by the department of fish and wildlife for the  
19 purposes of activities related to aquatic and marine enforcement.

20 **Sec. 934.** RCW 86.26.007 and 2011 1st sp.s. c 50 s 976 are each  
21 amended to read as follows:

22 The flood control assistance account is hereby established in the  
23 state treasury. At the beginning of the 2005-2007 fiscal biennium, the  
24 state treasurer shall transfer three million dollars from the general  
25 fund to the flood control assistance account. Each biennium thereafter  
26 the state treasurer shall transfer four million dollars from the  
27 general fund to the flood control assistance account, except that  
28 during the ((2009-2011 and)) 2011-2013 fiscal ((biennia)) biennium, the  
29 state treasurer shall transfer ((two)) one million dollars from the  
30 general fund to the flood control assistance account. Moneys in the  
31 flood control assistance account may be spent only after appropriation  
32 for purposes specified under this chapter.

33 **Sec. 935.** RCW 90.48.390 and 2008 c 329 s 925 are each amended to  
34 read as follows:

35 The coastal protection fund is established to be used by the

1 department as a revolving fund for carrying out the purposes of  
2 restoration of natural resources under this chapter and chapter 90.56  
3 RCW. To this fund there shall be credited penalties, fees, damages,  
4 charges received pursuant to the provisions of this chapter and chapter  
5 90.56 RCW, compensation for damages received under this chapter and  
6 chapter 90.56 RCW, and an amount equivalent to one cent per gallon from  
7 each marine use refund claim under RCW 82.36.330.

8 Moneys in the fund not needed currently to meet the obligations of  
9 the department in the exercise of its powers, duties, and functions  
10 under RCW 90.48.142, 90.48.366, 90.48.367, and 90.48.368 shall be  
11 deposited with the state treasurer to the credit of the fund. During  
12 the 2007-2009 fiscal biennium, the coastal protection fund may also be  
13 used for a standby rescue tug at Neah Bay. During the 2011-2013 fiscal  
14 biennium, the legislature may transfer from the coastal protection fund  
15 to the state general fund such amounts as reflect excess fund balance  
16 derived from penalties, forfeits, and seizures.

17 **Sec. 936.** 2010 c 23 s 205 (uncodified) is amended to read as  
18 follows:

19 (1) The legislature finds that this state's tax policy with respect  
20 to the taxation of transactions between affiliated entities and the  
21 income derived from such transactions (intercompany transactions) has  
22 motivated some taxpayers to engage in transactions designed solely or  
23 primarily to minimize the tax effects of intercompany transactions.  
24 The legislature further finds that some intercompany transactions  
25 result from taxpayers that are required to establish affiliated  
26 entities to comply with regulatory mandates and that transactions  
27 between such affiliates effectively increases the tax burden in this  
28 state on the affiliated group of entities.

29 (2) Therefore, as existing resources allow, the department of  
30 revenue is directed to conduct a review of the state's tax policy with  
31 respect to the taxation of intercompany transactions. The review must  
32 include the impacts of such transactions under the state's business and  
33 occupation tax and state and local sales and use taxes. The department  
34 may include other taxes in the review as it deems appropriate.

35 (3) In conducting the review, the department must examine how this  
36 state's tax policy compares to the tax policy of other states with  
37 respect to the taxation of intercompany transactions. The department's

1 review must include an analysis of potential alternatives to the  
2 current policy of taxing intercompany transactions, including their  
3 estimated revenue impacts if practicable.

4 (4) In conducting this review, the department may seek input from  
5 members of the business community and others as it deems appropriate.

6 (5) The department must report its findings to the fiscal  
7 committees of the house of representatives and senate by December 1,  
8 2010. However, if the department has not completed its review by  
9 December 1, 2010, the department must provide the fiscal committees of  
10 the legislature with a brief status report by December 1, 2010, and the  
11 final report by December 1, (~~2011~~) 2012.

12 NEW SECTION. Sec. 937. A new section is added to 2011 1st sp.s.  
13 c 50 (uncodified) to read as follows:

14 It is the intent of the legislature that regulatory agencies  
15 receiving appropriations in this act work with the office of regulatory  
16 assistance to:

17 (1) Establish a small business liaison team to assist small  
18 businesses with permitting and regulatory issues.

19 (2) Take action to assure that additional violations or corrective  
20 actions that could have been discovered and noted in the original  
21 violation or correction notice are not subsequently added and to  
22 provide a single list of any violations discovered during the  
23 regulatory visit or inspection;

24 (3) Provide notice about when the business may expect the results  
25 of a technical assistance or regulatory visit;

26 (4) Provide information about how the business may provide  
27 anonymous feedback regarding a technical assistance or other regulatory  
28 visit; and

29 (5) Provide information regarding the role of the agency's small  
30 business liaison as a neutral party within the agency, as well as  
31 contact information for the liaison.

32 NEW SECTION. Sec. 938. A new section is added to 2011 1st sp.s.  
33 c 50 (uncodified) to read as follows:

34 Chapter 50, Laws of 2011 1st sp. sess. (the biennial operating  
35 budget) included funding for the pension system cost of legislation  
36 adopted during the 2011 session of the legislature. No supplemental

1 rates are authorized for funding that legislation during the remainder  
2 of the 2011-2013 fiscal biennium. Pension contribution rates for the  
3 public employees' retirement system, the public safety employees'  
4 retirement system, the school employees' retirement systems, and the  
5 teachers' retirement system are established.

6 (1) For the public employees' retirement system:

7 (a) Beginning April 1, 2012, an employer contribution rate of 7.08  
8 percent shall be charged;

9 (b) Beginning July 1, 2012, an employer contribution rate of 7.21  
10 percent shall be charged.

11 (2) For the public safety employees' retirement system:

12 (a) Beginning April 1, 2012, an employer contribution rate of 8.74  
13 percent shall be charged;

14 (b) Beginning July 1, 2012, an employer contribution rate of 8.87  
15 percent shall be charged.

16 (3) For the school employees' retirement system:

17 (a) Beginning April 1, 2012, an employer contribution rate of 7.58  
18 percent shall be charged;

19 (b) Beginning September 1, 2012, an employer contribution rate of  
20 7.59 percent shall be charged.

21 (4) For the teachers' retirement system:

22 (a) Beginning April 1, 2012, an employer contribution rate of 8.04  
23 percent shall be charged; and

24 (b) Beginning September 21, 2012, an employer contribution rate of  
25 8.05 percent shall be charged.

26 These rates are inclusive of a department of retirement systems  
27 expense charge of 0.16 percent. The department of retirement systems  
28 shall collect employee contributions as provided in chapter 41.45 RCW.

29 NEW SECTION. **Sec. 939.** If any provision of this act or its  
30 application to any person or circumstance is held invalid, the  
31 remainder of the act or the application of the provision to other  
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 940.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of the



1 state government and its existing public institutions, and takes effect  
2 immediately.

(End of Bill)

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