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ENGROSSED SENATE BILL 5967

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Murray and Zarelli; by request of Governor Gregoire

Read first time 12/01/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal matters; amending RCW 28B.15.067,  
2 43.30.720, 43.320.110, 70.146.100, 76.04.610, 77.12.201, 77.12.203,  
3 77.95.090, 79.22.010, 79.22.040, 79.64.100, 79.105.150, 79A.25.200,  
4 86.26.007, and 90.48.390; amending 2011 2nd sp.s. c 9 ss 101, 102, 103,  
5 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,  
6 119, 120, 121, 122, 123, 125, 128, 129, 130, 131, 132, 201, 202, 203,  
7 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217,  
8 218, 219, 220, 221, 302, 303, 304, 305, 306, 307, 308, 309, 311, 401,  
9 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 511, 513, 514, 515,  
10 601, 602, 603, 604, 605, 606, 607, 612, 613, 614, 701, 702, 704, 707,  
11 and 801 (uncodified); amending 2011 1st sp.s. c 50 ss 103, 104, 106,  
12 117, 120, 124, 128, 132, 133, 137, 151, 214, 516, 616, 715, 801, 802,  
13 803, 910, 920, 921, and 922 (uncodified); reenacting and amending RCW  
14 2.68.020, 41.05.120, 70.105D.070, and 79.64.040; adding new sections to  
15 2011 1st sp.s. c 50 (uncodified); repealing 2011 2nd sp.s. c 9 ss 610,  
16 611, and 705 (uncodified); making appropriations; and declaring an  
17 emergency.

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

19

PART I

GENERAL GOVERNMENT

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

FOR THE HOUSE OF REPRESENTATIVES

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), Motor Vehicle Account--State Appropriation, and TOTAL APPROPRIATION.

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

FOR THE SENATE

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), Motor Vehicle Account--State Appropriation, and TOTAL APPROPRIATION.

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

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), Medical Aid Account--State Appropriation, Accident Account--State Appropriation, and TOTAL APPROPRIATION.

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

- (1) Notwithstanding the provisions of this section, the joint

1 legislative audit and review committee may adjust the due dates for  
2 projects included on the committee's 2011-13 work plan as necessary to  
3 efficiently manage workload.

4 (2) Within the amounts appropriated in this section, the committee  
5 shall conduct a review of the state's workplace safety and health  
6 program. The review shall examine workplace safety inspection,  
7 enforcement, training, and outreach efforts compared to other states  
8 and federal programs; analyze workplace injury and illness rates and  
9 trends in Washington; identify factors that may influence workplace  
10 safety and health; and identify practices that may improve workplace  
11 safety and health and/or impact insurance rates.

12 (3) Within the amounts appropriated in this section, the committee  
13 shall conduct a review of marketing and vendor expenditures and  
14 incentive payment programs at the state lottery commission to identify  
15 cost savings and efficiencies to maximize contributions to  
16 beneficiaries under this act. This review shall include examination of  
17 the following:

18 (a) An analysis of marketing expenses and the impact on ticket  
19 sales; the impact to sales of tickets from the change in lottery  
20 beneficiaries; the competitive contracting processes for marketing  
21 services and vendors and comparison to other states; identification of  
22 whether there are duplicative or unproductive marketing activities; and  
23 identification of whether savings may occur from changing vendors.

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

27 (4) \$85,000 of the medical aid account--state appropriation and  
28 \$85,000 of the accident account--state appropriation are provided  
29 solely for the purposes of House Bill No. 2123 (workers' compensation).  
30 If the bill is not enacted by June 30, 2011, the amounts provided in  
31 this subsection shall lapse.

32 (5) The joint legislative audit and review committee will assess  
33 the costs of the department of fish and wildlife to produce trout to  
34 achieve the department's desired freshwater stocking objectives and  
35 compare these costs to the costs of the alternatives for producing  
36 trout such as contracting for services. As part of its assessment, the  
37 committee will consider the following:

1       (a) The total costs to the department for producing trout at  
2 department trout production facilities, by category of trout  
3 production, to achieve the department's desired freshwater stocking  
4 objectives;

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

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

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

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

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

15	General Fund--State Appropriation (FY 2012) . . . . .	\$2,027,000
16	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$2,193,000 ))</del>
17		<u>\$1,708,000</u>
18	TOTAL APPROPRIATION . . . . .	<del>(( \$4,220,000 ))</del>
19		<u>\$3,735,000</u>

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

22 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

23	General Fund--State Appropriation (FY 2012) . . . . .	\$8,016,000
24	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$7,911,000 ))</del>
25		<u>\$7,516,000</u>
26	TOTAL APPROPRIATION . . . . .	<del>(( \$15,927,000 ))</del>
27		<u>\$15,532,000</u>

28       **Sec. 106.** 2011 2nd sp.s. c 9 s 103 (uncodified) is amended to read  
29 as follows:

30 **FOR THE STATUTE LAW COMMITTEE**

31	General Fund--State Appropriation (FY 2012) . . . . .	\$4,248,000
32	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$4,689,000 ))</del>
33		<u>\$4,455,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(( \$8,937,000 ))</del>
35		<u>\$8,703,000</u>



1       **Sec. 111.** 2011 2nd sp.s. c 9 s 107 (uncodified) is amended to read  
2 as follows:

3 **FOR THE ADMINISTRATOR FOR THE COURTS**

4	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$50,692,000</del> ))
5		<u>\$50,756,000</u>
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$50,235,000</del> ))
7		<u>\$48,668,000</u>
8	General Fund--Federal Appropriation . . . . .	\$2,532,000
9	General Fund--Private/Local Appropriation . . . . .	\$390,000
10	Judicial Information Systems Account--State	
11	Appropriation . . . . .	\$42,414,000
12	Judicial Stabilization Trust Account--State	
13	Appropriation . . . . .	(( <del>\$5,414,000</del> ))
14		<u>\$7,354,000</u>
15	TOTAL APPROPRIATION . . . . .	(( <del>\$151,677,000</del> ))
16		<u>\$152,114,000</u>

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

19       (1) \$1,800,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$1,800,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for school districts for petitions  
22 to juvenile court for truant students as provided in RCW 28A.225.030  
23 and 28A.225.035. The office of the administrator for the courts shall  
24 develop an interagency agreement with the superintendent of public  
25 instruction to allocate the funding provided in this subsection.  
26 Allocation of this money to school districts shall be based on the  
27 number of petitions filed. This funding includes amounts school  
28 districts may expend on the cost of serving petitions filed under RCW  
29 28A.225.030 by certified mail or by personal service or for the  
30 performance of service of process for any hearing associated with RCW  
31 28A.225.030.

32       (2)(a) \$8,252,000 of the general fund--state appropriation for  
33 fiscal year 2012 and \$8,253,000 of the general fund--state  
34 appropriation for fiscal year 2013 are provided solely for distribution  
35 to county juvenile court administrators to fund the costs of processing  
36 truancy, children in need of services, and at-risk youth petitions.  
37 The administrator for the courts, in conjunction with the juvenile  
38 court administrators, shall develop an equitable funding distribution

1 formula. The formula shall neither reward counties with higher than  
2 average per-petition processing costs nor shall it penalize counties  
3 with lower than average per-petition processing costs.

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

15 (3) The distributions made under this subsection and distributions  
16 from the county criminal justice assistance account made pursuant to  
17 section 801 of this act constitute appropriate reimbursement for costs  
18 for any new programs or increased level of service for purposes of RCW  
19 43.135.060.

20 (4) \$265,000 of the general fund--state appropriation for fiscal  
21 year 2012 is provided solely for the office of public guardianship to  
22 provide guardianship services for low-income incapacitated persons.

23 (5) \$1,178,000 of the judicial information systems account--state  
24 appropriation is provided solely for replacing computer equipment at  
25 state courts and state judicial agencies.

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

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

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

25 (9) \$540,000 of the judicial stabilization trust account--state  
26 appropriation for fiscal year 2013 is provided solely for the office of  
27 public guardianship to continue guardianship services for those low-  
28 income incapacitated persons who were receiving services on June 30,  
29 2012.

30 **Sec. 112.** 2011 2nd sp.s. c 9 s 108 (uncodified) is amended to read  
31 as follows:

32 **FOR THE OFFICE OF PUBLIC DEFENSE**

33 General Fund--State Appropriation (FY 2012) . . . . .	(\$25,030,000)
	<u>\$25,027,000</u>
35 General Fund--State Appropriation (FY 2013) . . . . .	(\$24,972,000)
36	<u>\$31,031,000</u>
37 Judicial Stabilization Trust Account--State	



1	Appropriation . . . . .	\$2,490,000
2	TOTAL APPROPRIATION . . . . .	<del>(\$52,492,000)</del>
3		<u>\$58,548,000</u>

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

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

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

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

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

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

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

34 (3) \$6,065,000 of the general fund--state appropriation for fiscal  
35 year 2013 is provided solely to implement Substitute Senate Bill No.  
36 6493 (sexual predator commitment). If the bill is not enacted by June  
37 30, 2012, the amount provided in this subsection shall lapse.



1		<u>\$2,021,000</u>
2	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,129,000</del> ))
3		<u>\$2,002,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$4,235,000</del> ))
5		<u>\$4,023,000</u>

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

12 **Sec. 116.** 2011 2nd sp.s. c 9 s 111 (uncodified) is amended to read  
13 as follows:

14 **FOR THE SECRETARY OF STATE**

15	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$16,014,000</del> ))
16		<u>\$16,013,000</u>
17	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$12,862,000</del> ))
18		<u>\$8,862,000</u>
19	General Fund--Federal Appropriation . . . . .	\$7,338,000
20	Public Records Efficiency, Preservation, and Access	
21	Account--State Appropriation . . . . .	(( <del>\$7,950,000</del> ))
22		<u>\$7,156,000</u>
23	Charitable Organization Education Account--State	
24	Appropriation . . . . .	(( <del>\$452,000</del> ))
25		<u>\$362,000</u>
26	Local Government Archives Account--State	
27	Appropriation . . . . .	(( <del>\$10,557,000</del> ))
28		<u>\$8,557,000</u>
29	Election Account--Federal Appropriation . . . . .	\$17,288,000
30	Washington State Heritage Center Account--State	
31	Appropriation . . . . .	(( <del>\$1,028,000</del> ))
32		<u>\$5,028,000</u>
33	TOTAL APPROPRIATION . . . . .	(( <del>\$73,489,000</del> ))
34		<u>\$70,604,000</u>

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

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

7 (2)(a) \$1,847,000 of the general fund--state appropriation for  
8 fiscal year 2012 and \$1,926,000 of the general fund--state  
9 appropriation for fiscal year 2013 are provided solely for contracting  
10 with a nonprofit organization to produce gavel- to-gavel television  
11 coverage of state government deliberations and other events of  
12 statewide significance during the 2011-2013 biennium. The funding  
13 level for each year of the contract shall be based on the amount  
14 provided in this subsection. The nonprofit organization shall be  
15 required to raise contributions or commitments to make contributions,  
16 in cash or in kind, in an amount equal to forty percent of the state  
17 contribution. The office of the secretary of state may make full or  
18 partial payment once all criteria in this subsection have been  
19 satisfactorily documented.

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

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

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

31 (i) Attempting to influence the passage or defeat of any  
32 legislation by the legislature of the state of Washington, by any  
33 county, city, town, or other political subdivision of the state of  
34 Washington, or by the congress, or the adoption or rejection of any  
35 rule, standard, rate, or other legislative enactment of any state  
36 agency;

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

1 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,  
2 lodging, meals, or entertainment to a public officer or employee.  
3 (3) Any reductions to funding for the Washington talking book and  
4 Braille library may not exceed in proportion any reductions taken to  
5 the funding for the library as a whole.

6 **Sec. 117.** 2011 1st sp.s. c 50 s 120 (uncodified) is amended to  
7 read as follows:

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

9	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$259,000</del> ))
10		<u>\$246,000</u>
11	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$267,000</del> ))
12		<u>\$254,000</u>
13	TOTAL APPROPRIATION . . . . .	(( <del>\$526,000</del> ))
14		<u>\$500,000</u>

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

26 **Sec. 118.** 2011 2nd sp.s. c 9 s 112 (uncodified) is amended to read  
27 as follows:

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

29	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$236,000</del> ))
30		<u>\$224,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$219,000</del> ))
32		<u>\$208,000</u>
33	TOTAL APPROPRIATION . . . . .	(( <del>\$455,000</del> ))
34		<u>\$432,000</u>



1 contained in government auditing standards, issued by the comptroller  
2 general of the United States, and OMB circular A-133, audits of states,  
3 local governments, and nonprofit organizations.

4 **Sec. 121.** 2011 1st sp.s. c 50 s 124 (uncodified) is amended to  
5 read as follows:

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

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$158,000</del> ))
8		<u>\$145,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$195,000</del> ))
10		<u>\$190,000</u>
11	TOTAL APPROPRIATION . . . . .	(( <del>\$353,000</del> ))
12		<u>\$335,000</u>

13 **Sec. 122.** 2011 2nd sp.s. c 9 s 115 (uncodified) is amended to read  
14 as follows:

15 **FOR THE ATTORNEY GENERAL**

16	General Fund--State Appropriation (FY 2012) . . . . .	\$4,758,000
17	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,727,000</del> ))
18		<u>\$7,740,000</u>
19	General Fund--Federal Appropriation . . . . .	(( <del>\$8,819,000</del> ))
20		<u>\$10,015,000</u>
21	New Motor Vehicle Arbitration Account--State	
22	Appropriation . . . . .	\$972,000
23	Legal Services Revolving Account--State	
24	Appropriation . . . . .	(( <del>\$206,617,000</del> ))
25		<u>\$196,105,000</u>
26	Tobacco Prevention and Control Account--State	
27	Appropriation . . . . .	\$270,000
28	<u>Medicaid Fraud Penalty Account--State</u>	
29	<u>Appropriation . . . . .</u>	<u>\$1,129,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$224,163,000</del> ))
31		<u>\$220,989,000</u>

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

34 (1) The attorney general shall report each fiscal year on actual  
35 legal services expenditures and actual attorney staffing levels for  
36 each agency receiving legal services. The report shall be submitted to

1 the office of financial management and the fiscal committees of the  
2 senate and house of representatives no later than ninety days after the  
3 end of each fiscal year. As part of its by agency report to the  
4 legislative fiscal committees and the office of financial management,  
5 the office of the attorney general shall include information detailing  
6 the agency's expenditures for its agency-wide overhead and a breakdown  
7 by division of division administration expenses.

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

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

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

25 (5) \$62,000 of the legal services revolving fund--state  
26 appropriation is provided solely to implement House Bill No. 1770  
27 (state purchasing). If the bill is not enacted by June 30, 2011, the  
28 amount provided in this subsection shall lapse.

29 (6) \$5,924,000 of the legal services revolving account--state  
30 appropriation is provided solely to implement House Bill No. 2123  
31 (workers' compensation). If the bill is not enacted by June 30, 2011,  
32 the amount provided in this subsection shall lapse.

33 (7) The office of the attorney general is authorized to expend  
34 \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer  
35 protection costs in accordance with uses authorized in the court  
36 orders.

37 (8) \$96,000 of the legal services revolving fund--state



1 appropriation is provided solely to implement Senate Bill No. 5076  
2 (financial institutions). If the bill is not enacted by June 30, 2011,  
3 the amount provided in this subsection shall lapse.

4 (9) \$99,000 of the legal services revolving fund--state  
5 appropriation is provided solely to implement Engrossed Second  
6 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill  
7 is not enacted by June 30, 2011, the amount provided in this subsection  
8 shall lapse.

9 (10) \$416,000 of the legal services revolving fund--state  
10 appropriation is provided solely to implement Substitute Senate Bill  
11 No. 5801 (industrial insurance system). If the bill is not enacted by  
12 June 30, 2011, the amount provided in this subsection shall lapse.

13 (11) \$31,000 of the legal services revolving fund--state  
14 appropriation is provided solely to implement Engrossed Substitute  
15 Senate Bill No. 5021 (election campaign disclosure). If the bill is  
16 not enacted by June 30, 2011, the amount provided in this subsection  
17 shall lapse.

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

30 (13) \$5,743,000 of the general fund--state appropriation for fiscal  
31 year 2013 is provided solely for the legal costs associated with the  
32 evaluation, filing, prosecution, response to petitions for release, and  
33 appeal of sexually violent predator civil commitment cases as provided  
34 in chapter 71.09 RCW. Within the amount provided in this subsection,  
35 the attorney general may enter into an interagency agreement with a  
36 county prosecutor to perform prosecution services pursuant to chapter  
37 71.09 RCW.

1       **Sec. 123.** 2011 2nd sp.s. c 9 s 116 (uncodified) is amended to read  
2 as follows:

3       **FOR THE CASELOAD FORECAST COUNCIL**

4	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,310,000</del> ))
5		<u>\$1,243,000</u>
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,309,000</del> ))
7		<u>\$1,241,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$2,619,000</del> ))
9		<u>\$2,484,000</u>

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

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

21       (2) \$57,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$57,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the implementation of Senate  
24 Bill No. 5304 (college bound scholarship).

25       **Sec. 124.** 2011 2nd sp.s. c 9 s 117 (uncodified) is amended to read  
26 as follows:

27       **FOR THE DEPARTMENT OF COMMERCE**

28	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$57,261,000</del> ))
29		<u>\$35,648,000</u>
30	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$72,459,000</del> ))
31		<u>\$36,826,000</u>
32	General Fund--Federal Appropriation . . . . .	(( <del>\$282,185,000</del> ))
33		<u>\$338,284,000</u>
34	General Fund--Private/Local Appropriation . . . . .	(( <del>\$4,989,000</del> ))
35		<u>\$4,988,000</u>
36	Public Works Assistance Account--State	
37	Appropriation . . . . .	\$2,764,000

1	Drinking Water Assistance Administrative	
2	Account--State Appropriation . . . . .	\$437,000
3	Lead Paint Account--State Appropriation . . . . .	\$65,000
4	Building Code Council Account--State Appropriation . . . . .	\$13,000
5	Home Security Fund Account--State Appropriation . . . . .	\$16,652,000
6	Affordable Housing for All Account--State	
7	Appropriation . . . . .	\$11,902,000
8	County Research Services Account--State	
9	Appropriation . . . . .	(( <del>\$1,081,000</del> ))
10		<u>\$512,000</u>
11	Financial Fraud and Identity Theft Crimes Investigation	
12	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
13	Low-Income Weatherization Assistance Account--State	
14	Appropriation . . . . .	(( <del>\$5,778,000</del> ))
15		<u>\$2,430,000</u>
16	City and Town Research Services Account--State	
17	Appropriation . . . . .	(( <del>\$5,166,000</del> ))
18		<u>\$2,447,000</u>
19	( <del>Manufacturing Innovation and Modernization</del>	
20	<del>Account--State Appropriation . . . . .</del>	<del>\$61,000</del> )
21	Community and Economic Development Fee Account--State	
22	Appropriation . . . . .	(( <del>\$6,488,000</del> ))
23		<u>\$6,786,000</u>
24	Washington Housing Trust Account--State	
25	Appropriation . . . . .	(( <del>\$17,498,000</del> ))
26		<u>\$23,498,000</u>
27	Prostitution Prevention and Intervention Account--	
28	State Appropriation . . . . .	\$86,000
29	Public Facility Construction Loan Revolving	
30	Account--State Appropriation . . . . .	\$755,000
31	Washington Community Technology Opportunity Account--	
32	State Appropriation . . . . .	\$713,000
33	<u>Liquor Revolving Account--State Appropriation . . . . .</u>	<u>\$2,802,000</u>
34	TOTAL APPROPRIATION . . . . .	(( <del>\$487,519,000</del> ))
35		<u>\$488,774,000</u>

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

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

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

15 (3) \$306,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$306,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for a grant to the retired senior  
18 volunteer program.

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

22 (5) \$1,800,000 of the home security fund--state appropriation is  
23 provided for transitional housing assistance or partial payments for  
24 rental assistance under the independent youth housing program.

25 (6) \$5,000,000 of the home security fund--state appropriation is  
26 for the operation, repair, and staffing of shelters in the homeless  
27 family shelter program.

28 (7) (~~(\$198,000)~~) \$115,000 of the general fund--state appropriation  
29 for fiscal year 2012 (~~(and \$198,000 of the general fund--state~~  
30 ~~appropriation for fiscal year 2013 are))~~) is provided solely for the  
31 Washington new Americans program.

32 (8) \$2,949,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$2,949,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for associate development  
35 organizations.

36 (9) \$127,000 of the general fund--federal appropriation is provided  
37 solely for implementation of Substitute House Bill No. 1886

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

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

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

22 (12) \$2,000,000 of the community and economic development fee  
23 account appropriation is provided solely for the department of commerce  
24 for services to homeless families through the Washington families fund.

25 (13) (~~(\$260,000)~~) \$173,000 of the general fund--state appropriation  
26 for fiscal year 2012 (~~(and \$259,000 of the general fund state~~  
27 ~~appropriation for fiscal year 2013 are))~~) is provided solely for the  
28 Washington asset building coalitions.

29 (14) \$1,859,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$1,859,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for innovative research teams,  
32 also known as entrepreneurial STARS, at higher education research  
33 institutions, and for entrepreneurs-in-residence programs at higher  
34 education research institutions and entrepreneurial assistance  
35 organizations. Of these amounts no more than \$50,000 in fiscal year  
36 2012 and no more than \$50,000 in fiscal year 2013 may be provided for  
37 the operation of entrepreneurs-in-residence programs at entrepreneurial

1 assistance organizations external to higher education research  
2 institutions.

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

8 (16) \$16,000 of the general fund--state appropriation for fiscal  
9 year 2012 is provided solely to implement section 503 of Substitute  
10 House Bill No. 1277 (licensed settings for vulnerable adults). The  
11 long-term care ombudsman shall convene an adult family home quality  
12 assurance panel to review problems concerning the quality of care for  
13 residents in adult family homes. If Substitute House Bill No. 1277  
14 (licensed settings for vulnerable adults) is not enacted by June 30,  
15 2011, the amount provided in this subsection shall lapse.

16 (17) (~~(\$24,605,000)~~) \$4,291,000 of the general fund--state  
17 appropriation for fiscal year 2012 (~~(and \$39,527,000)~~), \$6,882,000 of  
18 the general fund--state appropriation for fiscal year 2013, and  
19 \$6,000,000 of the home security fund--state appropriation are provided  
20 solely for establishment of the essential needs and housing support  
21 program created in Engrossed Substitute House Bill No. 2082 (essential  
22 needs and assistance program). The department of commerce shall  
23 contract for these services with counties or community-based  
24 organizations involved in providing essential needs and housing  
25 supports to low-income persons who meet eligibility pursuant to  
26 Engrossed Substitute House Bill No. 2082. The department shall limit  
27 the funding used for administration of the program to no more than five  
28 percent. Counties and community providers shall limit the funding  
29 used for administration of the program to no more than seven percent.

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

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

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

10 **Sec. 125.** 2011 1st sp.s. c 50 s 128 (uncodified) is amended to  
11 read as follows:

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

13	General Fund--State Appropriation (FY 2012) . . . . .	(( \$674,000 ))
14		<u>\$639,000</u>
15	General Fund--State Appropriation (FY 2013) . . . . .	(( \$728,000 ))
16		<u>\$693,000</u>
17	Lottery Administrative Account--State Appropriation . . . . .	\$50,000
18	TOTAL APPROPRIATION . . . . .	(( \$1,452,000 ))
19		<u>\$1,382,000</u>

20 **Sec. 126.** 2011 2nd sp.s. c 9 s 118 (uncodified) is amended to read  
21 as follows:

22 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

23	General Fund--State Appropriation (FY 2012) . . . . .	(( \$18,627,000 ))
24		<u>\$18,112,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( \$18,851,000 ))
26		<u>\$18,027,000</u>
27	General Fund--Federal Appropriation . . . . .	\$31,534,000
28	General Fund--Private/Local Appropriation . . . . .	(( \$1,270,000 ))
29		<u>\$1,370,000</u>
30	Performance Audits of Government Account--	
31	State Appropriation . . . . .	(( \$25,000 ))
32		<u>\$198,000</u>
33	Economic Development Strategic Reserve Account--	
34	State Appropriation . . . . .	\$280,000
35	Department of Personnel Services--State	
36	Appropriation . . . . .	(( \$7,827,000 ))





1 (a) The report on the initiation of the process must document:  
2 (i) Ownership issues, including consultation with the federal  
3 government about its current legal requirements associated with the  
4 island;  
5 (ii) Federal and state decision-making processes to change use or  
6 ownership;  
7 (iii) Tribal treaty interests;  
8 (iv) Fish and wildlife species and their habitats;  
9 (v) Land use and public safety needs;  
10 (vi) Recreational opportunities for the general public;  
11 (vii) Historic and archaeological resources; and  
12 (viii) Revenue from and necessary to support potential future uses  
13 of the island.

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

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

21 (d) The office of financial management shall engage in broad  
22 consultation with interested parties, including, but not limited to:  
23 (i) Federal agencies with relevant responsibilities;  
24 (ii) Tribal governments;  
25 (iii) State agencies;  
26 (iv) Local governments and communities in the area, including the  
27 Anderson Island community, Steilacoom, and Pierce county; and  
28 (v) Interested private organizations and individuals.

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

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

1 expenditure authority schedule produced by the office of financial  
2 management in accordance with chapter 43.88 RCW.

3 (5)(a) \$250,000 of the forest fire protection assessment account--  
4 state appropriation is provided solely for the office of financial  
5 management to contract for analysis and recommendations to improve the  
6 efficiency and effectiveness of the state's mechanisms for funding fire  
7 prevention and suppression activities.

8 (b) The contract must provide for: (i) Consultation with the  
9 appropriate committees of the legislature, the office of financial  
10 management, the department of natural resources, and appropriate  
11 stakeholders at the onset of the contract regarding the scope of and  
12 timeline for the analysis and recommendations; (ii) by September 1,  
13 2012, development of initial analysis of potential means to improve the  
14 efficiency and effectiveness of the state's mechanisms for funding fire  
15 prevention and suppression activities, including analysis of such  
16 options as the use of private or state insurance, the increased use of  
17 revolving accounts, and any examples where those mechanisms have been  
18 previously utilized; (iii) following development of the initial  
19 analysis under (b)(ii) of this subsection, distribution of the analysis  
20 and solicitation of input from the entities identified in (b)(i) of  
21 this subsection; and (iv) based on the input under (b)(iii) of this  
22 subsection, development of recommendations for implementation of select  
23 potential means to improve the efficiency and effectiveness of the  
24 state's mechanisms for funding fire prevention and suppression  
25 activities, including the necessary steps for implementation and  
26 opportunities and risks associated with the identified mechanisms.

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

31 (6) The appropriations in this section for the office of regulatory  
32 assistance assume the implementation of Senate Bill No. 6023 (permit  
33 efficiency).

34 **Sec. 127.** 2011 2nd sp.s. c 9 s 119 (uncodified) is amended to read  
35 as follows:

36 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

37 Administrative Hearings Revolving Account--State

1 Appropriation . . . . . ((~~\$34,043,000~~))  
2 \$35,847,000

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

9 **Sec. 128.** 2011 2nd sp.s. c 9 s 120 (uncodified) is amended to read  
10 as follows:

11 **FOR THE WASHINGTON STATE LOTTERY**

12 Lottery Administrative Account--State  
13 Appropriation . . . . . ((~~\$25,709,000~~))  
14 \$24,908,000

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

24 **Sec. 129.** 2011 1st sp.s. c 50 s 132 (uncodified) is amended to  
25 read as follows:

26 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

27 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$246,000~~))  
28 \$234,000  
29 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$250,000~~))  
30 \$237,000  
31 TOTAL APPROPRIATION . . . . . ((~~\$496,000~~))  
32 \$471,000

33 **Sec. 130.** 2011 1st sp.s. c 50 s 133 (uncodified) is amended to  
34 read as follows:

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

36 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$239,000~~))

1		<u>\$221,000</u>
2	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$238,000</del> ))
3		<u>\$232,000</u>
4	TOTAL APPROPRIATION . . . . .	(( <del>\$477,000</del> ))
5		<u>\$453,000</u>

6       **Sec. 131.** 2011 2nd sp.s. c 9 s 121 (uncodified) is amended to read  
7 as follows:

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

9 Department of Retirement Systems Expense

10	Account--State Appropriation . . . . .	(( <del>\$47,049,000</del> ))
11		<u>\$47,128,000</u>

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

14       (1) \$146,000 of the department of retirement systems--state  
15 appropriation is provided solely for the administrative costs  
16 associated with implementation of House Bill No. 2070 (state and local  
17 government employees). If the bill is not enacted by June 30, 2011,  
18 the amount provided in this subsection shall lapse.

19       (2) \$65,000 of the department of retirement systems--state  
20 appropriation is provided solely for the administrative costs  
21 associated with implementation of House Bill No. 1625 (plan 3 default  
22 investment option). If the bill is not enacted by June 30, 2011, the  
23 amount provided in this subsection shall lapse.

24       (3) \$133,000 of the department of retirement systems--state  
25 appropriation is provided solely for the administrative costs  
26 associated with implementation of Engrossed House Bill No. 1981 as  
27 amended (post-retirement employment). If the bill is not enacted by  
28 June 30, 2011, the amount provided in this subsection shall lapse.

29       (4) \$15,000 of the department of retirement systems expense  
30 account--state appropriation is provided solely for the administrative  
31 costs associated with implementation of Substitute House Bill No. 2021  
32 (plan 1 annual increase amounts). If the bill is not enacted by June  
33 30, 2011, the amount provided in this section shall lapse.

34       (5) \$64,000 of the department of retirement systems expense  
35 account--state appropriation is provided solely for the administrative  
36 costs associated with implementation of House Bill No. 2441 (limiting

1 excess compensation). If the bill is not enacted by June 30, 2012, the  
2 amount provided in this subsection shall lapse.

3 (6) \$32,000 of the department of retirement systems expense  
4 account--state appropriation is provided solely for the administrative  
5 costs associated with implementation of Senate Bill No. 5159 (transfer  
6 of service into the Washington state patrol retirement system). If the  
7 bill is not enacted by June 30, 2012, the amount provided in this  
8 subsection shall lapse.

9 **Sec. 132.** 2011 2nd sp.s. c 9 s 122 (uncodified) is amended to read  
10 as follows:

11 **FOR THE DEPARTMENT OF REVENUE**

12	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$100,927,000</del> ))
13		<u>\$101,044,000</u>
14	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$100,801,000</del> ))
15		<u>\$101,929,000</u>
16	Timber Tax Distribution Account--State Appropriation . . . . .	\$5,940,000
17	Waste Reduction/Recycling/Litter Control--State	
18	Appropriation . . . . .	\$129,000
19	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
20	State Toxics Control Account--State Appropriation . . . . .	\$87,000
21	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
22	Master License Fund--State Appropriation . . . . .	(( <del>\$14,012,000</del> ))
23		<u>\$14,810,000</u>
24	Vehicle License Fraud Account--State Appropriation . . . . .	\$5,000
25	Performance Audits of Government Account--State	
26	Appropriation . . . . .	\$3,188,000
27	TOTAL APPROPRIATION . . . . .	(( <del>\$225,110,000</del> ))
28		<u>\$227,153,000</u>

29 The appropriations in this section are subject to the following  
30 conditions and limitations: \$120,000 of the general fund--state  
31 appropriation for fiscal year 2012, \$1,133,000 of the general fund--  
32 state appropriation for fiscal year 2013, and \$798,000 of the master  
33 license fund--state appropriation are provided solely for  
34 implementation of Engrossed Substitute Senate Bill No. 6356 (single  
35 portal for business). If the bill is not enacted by June 30, 2012, the  
36 amounts provided in this subsection shall lapse.

1       **Sec. 133.** 2011 1st sp.s. c 50 s 137 (uncodified) is amended to  
2 read as follows:

3       **FOR THE BOARD OF TAX APPEALS**

4	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,241,000</del> ))
5		<u>\$1,179,000</u>
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,219,000</del> ))
7		<u>\$1,158,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$2,460,000</del> ))
9		<u>\$2,337,000</u>

10       **Sec. 134.** 2011 2nd sp.s. c 9 s 123 (uncodified) is amended to read  
11 as follows:

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

13	OMWBE Enterprises Account--State Appropriation . . . . .	(( <del>\$3,264,000</del> ))
14		<u>\$3,680,000</u>

15       **Sec. 135.** 2011 2nd sp.s. c 9 s 125 (uncodified) is amended to read  
16 as follows:

17       **FOR THE INSURANCE COMMISSIONER**

18	General Fund--Federal Appropriation . . . . .	\$4,452,000
19	Insurance Commissioners Regulatory Account--State	
20	Appropriation . . . . .	(( <del>\$47,514,000</del> ))
21		<u>\$47,512,000</u>
22	TOTAL APPROPRIATION . . . . .	(( <del>\$51,966,000</del> ))
23		<u>\$51,964,000</u>

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

- 26       (1) \$75,000 of the insurance commissioner's regulatory  
27 account--state appropriation is provided solely for the implementation  
28 of Substitute Senate Bill No. 5445 (health benefit exchange).
- 29       (2) \$42,000 of the insurance commissioner's regulatory  
30 account--state appropriation is provided solely for the implementation  
31 of Senate Bill No. 5213 (insurance statutes).

32       **Sec. 136.** 2011 2nd sp.s. c 9 s 128 (uncodified) is amended to read  
33 as follows:

34       **FOR THE LIQUOR CONTROL BOARD**

35       Liquor Control Board Construction and Maintenance

1	Account--State Appropriation . . . . .	(( <del>\$10,081,000</del> ))
2		<u>\$3,063,000</u>
3	Liquor Revolving Account--State Appropriation . . . . .	(( <del>\$176,238,000</del> ))
4		<u>\$170,409,000</u>
5	General Fund--Federal Appropriation . . . . .	(( <del>\$120,000</del> ))
6		<u>\$945,000</u>
7	<u>General Fund--Private/Local Appropriation . . . . .</u>	<u>\$25,000</u>
8	<u>Liquor Excise Tax Account--State Appropriation . . . . .</u>	<u>\$5,675,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$186,439,000</del> ))
10		<u>\$180,117,000</u>

11       **Sec. 137.** 2011 2nd sp.s. c 9 s 129 (uncodified) is amended to read  
12 as follows:

13 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

14	General Fund--Federal Appropriation . . . . .	\$502,000
15	General Fund--Private/Local Appropriation . . . . .	\$11,175,000
16	Public Service Revolving Account--State	
17	Appropriation . . . . .	(( <del>\$30,992,000</del> ))
18		<u>\$31,145,000</u>
19	Pipeline Safety Account--State Appropriation . . . . .	\$3,201,000
20	Pipeline Safety Account--Federal Appropriation . . . . .	\$2,848,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$48,718,000</del> ))
22		<u>\$48,871,000</u>

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

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

30       (2) \$15,000 of the pipeline safety account--state appropriation is  
31 provided solely for the implementation of Engrossed Second Substitute  
32 House Bill No. 1634 (underground utilities).

33       (3) \$182,000 of the public service revolving account--state  
34 appropriation is provided solely for the implementation of Engrossed  
35 Second Substitute Senate Bill No. 5769 (coal-fired generation).

36       (4) \$169,000 of the public service revolving account--state

1 appropriation is provided solely for the implementation of Second  
2 Substitute Senate Bill No. 5034 (private infrastructure).

3 **Sec. 138.** 2011 2nd sp.s. c 9 s 130 (uncodified) is amended to read  
4 as follows:

5 **FOR THE MILITARY DEPARTMENT**

6	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$7,175,000</del> ))
7		<u>\$7,173,000</u>
8	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$7,175,000</del> ))
9		<u>\$7,171,000</u>
10	General Fund--Federal Appropriation . . . . .	\$159,181,000
11	Enhanced 911 Account--State Appropriation . . . . .	(( <del>\$46,556,000</del> ))
12		<u>\$48,626,000</u>
13	Disaster Response Account--State Appropriation . . . . .	\$17,933,000
14	Disaster Response Account--Federal Appropriation . . . . .	\$66,266,000
15	Military Department Rent and Lease Account--State	
16	Appropriation . . . . .	\$615,000
17	Worker and Community Right-to-Know Account--State	
18	Appropriation . . . . .	\$2,165,000
19	TOTAL APPROPRIATION . . . . .	(( <del>\$307,066,000</del> ))
20		<u>\$309,130,000</u>

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

23 (1) \$18,018,000 of the disaster response account--state  
24 appropriation and \$66,266,000 of the disaster response account--federal  
25 appropriation may be spent only on disasters declared by the governor  
26 and with the approval of the office of financial management. The  
27 military department shall submit a report to the office of financial  
28 management and the legislative fiscal committees on October 1st and  
29 February 1st of each year detailing information on the disaster  
30 response account, including: (a) The amount and type of deposits into  
31 the account; (b) the current available fund balance as of the reporting  
32 date; and (c) the projected fund balance at the end of the 2011-2013  
33 biennium based on current revenue and expenditure patterns.

34 (2) \$75,000,000 of the general fund--federal appropriation is  
35 provided solely for homeland security, subject to the following  
36 conditions:



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

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

10 **Sec. 139.** 2011 2nd sp.s. c 9 s 131 (uncodified) is amended to read  
11 as follows:

12 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

13	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,346,000</del> ))
14		<u>\$2,110,000</u>
15	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,400,000</del> ))
16		<u>\$2,161,000</u>
17	Higher Education Personnel Services Account--State	
18	Appropriation . . . . .	\$251,000
19	Department of Personnel Service Account--State	
20	Appropriation . . . . .	\$3,309,000
21	TOTAL APPROPRIATION . . . . .	(( <del>\$8,306,000</del> ))
22		<u>\$7,831,000</u>

23 **Sec. 140.** 2011 2nd sp.s. c 9 s 132 (uncodified) is amended to read  
24 as follows:

25 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

26	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$3,501,000</del> ))
27		<u>\$3,328,000</u>
28	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$3,495,000</del> ))
29		<u>\$3,265,000</u>
30	General Fund--Federal Appropriation . . . . .	\$177,000
31	General Fund--Private/Local Appropriation . . . . .	\$368,000
32	Building Code Council Account--State Appropriation . . . . .	\$1,187,000
33	Department of Personnel Service Account--State	
34	Appropriation . . . . .	(( <del>\$11,119,000</del> ))
35		<u>\$11,131,000</u>
36	Enterprise Services Account--State Appropriation . . . . .	(( <del>\$26,540,000</del> ))

1 \$26,585,000  
2 TOTAL APPROPRIATION . . . . . ((~~\$46,387,000~~))  
3 \$46,041,000

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

6 (1) The appropriations in this section are for the operations and  
7 expenses of the department of enterprise services as established by  
8 Engrossed Substitute Senate Bill No. 5931 (central service functions of  
9 state government), effective October 1, 2011. Prior to October 1,  
10 2011, the appropriations in this section may be expended for the  
11 continued operations and expenses of the office of financial  
12 management, the department of general administration, the department of  
13 information services, and the department of personnel, pursuant to the  
14 expenditure authority schedules produced by the office of financial  
15 management, in accordance with chapter 43.88 RCW.

16 (2) ((~~\$3,090,000~~)) \$3,028,000 of the general fund--state  
17 appropriation for fiscal year 2012 and ((~~\$3,090,000~~)) \$2,967,000 of the  
18 general fund--state appropriation for fiscal year 2013 are provided  
19 solely for the payment of facilities and services charges, utilities  
20 and contracts charges, public and historic facilities charges, and  
21 capital projects surcharges allocable to the senate, house of  
22 representatives, statute law committee, and joint legislative systems  
23 committee. The department shall allocate charges attributable to these  
24 agencies among the affected revolving funds. The department shall  
25 maintain an interagency agreement with these agencies to establish  
26 performance standards, prioritization of preservation and capital  
27 improvement projects, and quality assurance provisions for the delivery  
28 of services under this subsection. The legislative agencies named in  
29 this subsection shall continue to enjoy all of the same rights of  
30 occupancy and space use on the capitol campus as historically  
31 established.

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

35 (4) The building code council account appropriation is provided  
36 solely for the operation of the state building code council as required  
37 by statute and modified by the standards established by executive order  
38 10-06. The council shall not consider any proposed code amendment or

1 take any other action not authorized by statute or in compliance with  
2 the standards established in executive order 10-06. No member of the  
3 council may receive compensation, per diem, or reimbursement for  
4 activities other than physical attendance at those meetings of the  
5 state building code council or the council's designated committees, at  
6 which the opportunity for public comment is provided generally and on  
7 all agenda items upon which the council proposes to take action.

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

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

12 **Sec. 141.** 2011 1st sp.s. c 50 s 151 (uncodified) is amended to  
13 read as follows:

14 **FOR INNOVATE WASHINGTON**

15	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,999,000</del> ))
16		<u>\$2,911,000</u>
17	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$3,011,000</del> ))
18		<u>\$2,798,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <del>\$6,010,000</del> ))
20		<u>\$5,709,000</u>

(End of part)



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

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

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

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

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

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

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

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

34	General Fund--State Appropriation (FY 2012) . . . . .	(( \$295,011,000 ))
35		<u>\$285,329,000</u>
36	General Fund--State Appropriation (FY 2013) . . . . .	(( \$294,232,000 ))
37		<u>\$278,374,000</u>

1	General Fund--Federal Appropriation . . . . .	(( <del>\$487,912,000</del> ))
2		<u>\$475,927,000</u>
3	General Fund--Private/Local Appropriation . . . . .	\$1,358,000
4	Home Security Fund--State Appropriation . . . . .	\$10,741,000
5	Domestic Violence Prevention Account--State	
6	Appropriation . . . . .	(( <del>\$1,154,000</del> ))
7		<u>\$1,240,000</u>
8	Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$1,091,133,000</del> ))
10		<u>\$1,053,694,000</u>

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

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

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

35       (3)(a) ((~~\$85,202,000~~)) \$80,402,000 of the general fund--state  
36 appropriation for fiscal year 2012, ((~~\$85,408,000~~)) \$80,477,000 of the  
37 general fund--state appropriation for fiscal year 2013, and  
38 ((~~\$79,279,000~~)) \$74,358,000 of the general fund--federal appropriation

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

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

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

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

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



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

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

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

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

37 (10) \$1,000,000 of the general fund--state appropriation for fiscal  
38 year 2013 and \$616,000 of the general fund--federal appropriation are

1 provided solely for the implementation of Engrossed Substitute Senate  
2 Bill No. 6555 (child protective services). If the bill is not enacted  
3 by June 30, 2012, the amounts provided in this subsection shall lapse.

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

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

8	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$86,684,000</del> ))
9		<u>\$85,756,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$86,505,000</del> ))
11		<u>\$85,816,000</u>
12	General Fund--Federal Appropriation . . . . .	(( <del>\$3,758,000</del> ))
13		<u>\$3,809,000</u>
14	General Fund--Private/Local Appropriation . . . . .	\$1,903,000
15	Washington Auto Theft Prevention Authority Account--	
16	State Appropriation . . . . .	\$196,000
17	Juvenile Accountability Incentive Account--Federal	
18	Appropriation . . . . .	\$2,801,000
19	TOTAL APPROPRIATION . . . . .	(( <del>\$181,847,000</del> ))
20		<u>\$180,281,000</u>

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

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

32 (2) \$2,716,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$2,716,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for the implementation of chapter  
35 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
36 this subsection are intended to provide funding for county impacts

1 associated with the implementation of chapter 338, Laws of 1997 and  
2 shall be distributed to counties as prescribed in the current  
3 consolidated juvenile services (CJS) formula.

4 (3) \$3,482,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$3,482,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely to implement community juvenile  
7 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
8 code revisions). Funds provided in this subsection may be used solely  
9 for community juvenile accountability grants, administration of the  
10 grants, and evaluations of programs funded by the grants.

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

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

35 (6) \$1,537,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$1,537,000 of the general fund--state appropriation for  
37 fiscal year 2013 are provided solely for expansion of the following  
38 treatments and therapies in juvenile rehabilitation administration

1 programs identified by the Washington state institute for public policy  
2 in its October 2006 report: "Evidence-Based Public Policy Options to  
3 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
4 Rates": Multidimensional treatment foster care, family integrated  
5 transitions, and aggression replacement training, or other programs  
6 with a positive benefit-cost finding in the institute's report. The  
7 administration may concentrate delivery of these treatments and  
8 therapies at a limited number of programs to deliver the treatments in  
9 a cost-effective manner.

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

37 (b) The juvenile rehabilitation administration shall phase the

1 implementation of the formula provided in subsection (1) of this  
2 section by including a stop-loss formula of five percent in fiscal year  
3 2012 and five percent in fiscal year 2013.

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

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

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

33 (9) The Washington association of juvenile court administrators and  
34 the juvenile rehabilitation administration, in consultation with the  
35 community juvenile accountability act advisory committee and the  
36 Washington state institute for public policy, shall analyze and review  
37 data elements available from the administrative office of the courts  
38 for possible integration into the evidence-based program quality

1 assurance plans and processes. The administrative office of the courts  
2 shall provide to the Washington association of juvenile court  
3 administrators and the juvenile rehabilitation administration  
4 information necessary to complete the review and analysis. The  
5 Washington association of juvenile court administrators and the  
6 juvenile rehabilitation administration shall report the findings of  
7 their review and analysis, as well as any recommendations, to the  
8 legislature by December 1, 2012.

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

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

13 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

14 General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$317,392,000</del> ))
	<u>\$317,548,000</u>
16 General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$322,982,000</del> ))
	<u>\$324,319,000</u>
18 General Fund--Federal Appropriation . . . . .	(( <del>\$448,732,000</del> ))
	<u>\$449,368,000</u>
20 General Fund--Private/Local Appropriation . . . . .	\$17,864,000
21 Hospital Safety Net Assessment Fund--State	
22 Appropriation . . . . .	(( <del>\$6,802,000</del> ))
	<u>\$5,251,000</u>
24 TOTAL APPROPRIATION . . . . .	(( <del>\$1,113,772,000</del> ))
	<u>\$1,114,350,000</u>

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

28 (a) \$109,342,000 of the general fund--state appropriation for  
29 fiscal year 2012 and \$109,341,000 of the general fund--state  
30 appropriation for fiscal year 2013 are provided solely for persons and  
31 services not covered by the medicaid program. This is a reduction of  
32 \$4,348,000 each fiscal year from the nonmedicaid funding that was  
33 allocated for expenditure by regional support networks during fiscal  
34 year 2011 prior to supplemental budget reductions. This \$4,348,000  
35 reduction shall be distributed among regional support networks  
36 proportional to each network's share of the total state population. To  
37 the extent possible, levels of regional support network spending shall

1 be maintained in the following priority order: (i) Crisis and  
2 commitment services; (ii) community inpatient services; and (iii)  
3 residential care services, including personal care and emergency  
4 housing assistance.

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

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

31 (d) The number of nonforensic beds allocated for use by regional  
32 support networks at eastern state hospital shall be 192 per day. The  
33 number of nonforensic beds allocated for use by regional support  
34 networks at western state hospital shall be 557 per day through  
35 September 2012, 529 per day through January 2013, and 505 per day from  
36 February 2013 through the remainder of fiscal year 2013.

37 (e) From the general fund--state appropriations in this subsection,  
38 the secretary of social and health services shall assure that regional



1 support networks reimburse the aging and disability services  
2 administration for the general fund--state cost of medicaid personal  
3 care services that enrolled regional support network consumers use  
4 because of their psychiatric disability.

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

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

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

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

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

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

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

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

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

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

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

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

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

35 (2) INSTITUTIONAL SERVICES

36	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$115,317,000</del> ))
37		<u>\$115,088,000</u>
38	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$114,111,000</del> ))

1		\$110,201,000
2	General Fund--Federal Appropriation . . . . .	(((\$153,324,000))
3		\$153,780,000
4	General Fund--Private/Local Appropriation . . . . .	\$67,325,000
5	TOTAL APPROPRIATION . . . . .	(((\$450,077,000))
6		\$446,394,000

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

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

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

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

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

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

38 (3) SPECIAL PROJECTS

1	General Fund--State Appropriation (FY 2012) . . . . .	\$1,168,000
2	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$1,164,000 ))</del>
3		<u>\$1,162,000</u>
4	General Fund--Federal Appropriation . . . . .	\$4,109,000
5	General Fund--Private/Local Appropriation . . . . .	\$700,000
6	TOTAL APPROPRIATION . . . . .	<del>(( \$7,141,000 ))</del>
7		<u>\$7,139,000</u>

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

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

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

24 (4) PROGRAM SUPPORT

25	General Fund--State Appropriation (FY 2012) . . . . .	<del>(( \$4,476,000 ))</del>
26		<u>\$4,486,000</u>
27	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$4,261,000 ))</del>
28		<u>\$4,280,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(( \$7,227,000 ))</del>
30		<u>\$7,242,000</u>
31	General Fund--Private/Local Appropriation . . . . .	\$446,000
32	TOTAL APPROPRIATION . . . . .	<del>(( \$16,410,000 ))</del>
33		<u>\$16,454,000</u>

34 (a) The appropriations in this subsection are subject to the  
35 following conditions and limitations: In accordance with RCW  
36 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to  
37 increase license and certification fees in fiscal years 2012 and 2013

1 to support the costs of the regulatory program. The fee schedule  
 2 increases must be developed so that the maximum amount of additional  
 3 fees paid by providers statewide in the 2011-2013 fiscal biennium is  
 4 \$446,000. The department's fee schedule shall have differential rates  
 5 for providers with proof of accreditation from organizations that the  
 6 department has determined to have substantially equivalent standards to  
 7 those of the department, including but not limited to the joint  
 8 commission on accreditation of health care organizations, the  
 9 commission on accreditation of rehabilitation facilities, and the  
 10 council on accreditation. To reflect the reduced costs associated with  
 11 regulation of accredited programs, the department's fees for  
 12 organizations with such proof of accreditation must reflect the lower  
 13 costs of licensing for these programs than for other organizations  
 14 which are not accredited.

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

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

27 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**  
 28 **DISABILITIES PROGRAM**

29 (1) COMMUNITY SERVICES

30	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$418,815,000</del> ))
31		<u>\$405,477,000</u>
32	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$422,854,000</del> ))
33		<u>\$421,762,000</u>
34	General Fund--Federal Appropriation . . . . .	(( <del>\$743,532,000</del> ))
35		<u>\$753,200,000</u>
36	General Fund--Private/Local Appropriation . . . . .	\$184,000
37	TOTAL APPROPRIATION . . . . .	(( <del>\$1,585,385,000</del> ))

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

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

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

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

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

~~(e) ((\$1,871,000 of the general fund state appropriation for fiscal year 2012, \$1,995,000 of the general fund state appropriation for fiscal year 2013, and \$3,865,000 of the general fund federal appropriation are provided solely for home care agencies to purchase health coverage for home care providers. The department shall calculate and distribute payments for health care benefits to home care~~

1 agencies at \$558 per month for each worker who cares for publicly  
2 funded clients at 86 hours or more per month. In order to negotiate  
3 the most comprehensive health benefits package for its employees, each  
4 agency may determine benefit levels according to the hours an employee  
5 works providing state-funded personal care. Health benefits shall be  
6 offered to all employees who care for publicly-funded clients for 86  
7 hours per month or more. At a minimum, employees who care for publicly  
8 funded clients at 140 hours a month or greater must receive a  
9 comprehensive medical benefit. Benefits shall not be provided to  
10 employees who care for publicly-funded clients at 85 hours or less per  
11 month or as interim respite workers. The department shall not pay an  
12 agency for benefits provided to an employee who otherwise receives  
13 health care coverage through other family members, other  
14 employment-based coverage, or military or veteran's coverage. The  
15 department shall require annually, each home care agency to review each  
16 of its employee's available health coverage and to provide a written  
17 declaration to the department verifying that health benefits purchased  
18 with public funds are solely for employees that do not have other  
19 available coverage. Home care agencies may determine a reasonable  
20 employee co-premium not to exceed 20 percent of the total benefit  
21 cost.)) \$104,669,000 of the general fund--state appropriation for  
22 fiscal year 2013 and \$104,669,000 of the general fund--federal  
23 appropriation are provided to the department to provide personal care  
24 services to waiver and nonwaiver in home clients. Pursuant to Senate  
25 Bill No. 6609 (medicaid personal care services program), the department  
26 shall provide a personal care services benefit for adult clients under  
27 section 1915 (i) of the social security act exclusively utilizing the  
28 option that allows for client self-direction of an individualized  
29 budget. Clients will be able to spend their budget to secure services  
30 from appropriate providers, purchase other support services and  
31 therapies, and purchase equipment or make other expenditures as  
32 necessary to address the clients' health and safety. The per-client  
33 individualized budget shall be established using a methodology that is  
34 objective and evidence-based, uses valid, reliable cost data; includes  
35 a calculation of the expected cost of each service available under this  
36 option; and can be applied consistently to individuals. The department  
37 shall operate the program within the amounts specifically provided.

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

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

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

37 (iii) The appropriation in this subsection includes funding to  
38 provide employment or community access services to 168 medicaid



1 eligible young adults with developmental disabilities living with their  
2 families who need employment opportunities and assistance after high  
3 school graduation.

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

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

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

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

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

32 The department shall work with legislators and stakeholders to  
33 develop a new approach to employment and day services. The objective  
34 of this plan is to ensure that adults with developmental disabilities  
35 have optimum choices, and that employment and day offerings are  
36 comprehensive enough to meet the needs of all clients currently served  
37 on a home and community based waiver. The proposal shall be submitted  
38 to the 2012 legislature for consideration and shall be constructed such

1 that a client ultimately receives employment, community access, or the  
2 community day option but not more than one service at a time. The  
3 proposal shall include options for program efficiencies within the  
4 current employment and day structure and shall provide details on the  
5 plan to implement a consistent, statewide outcome-based vendor contract  
6 for employment and day services as specified in (c) of this subsection.

7 (2) INSTITUTIONAL SERVICES

8	General Fund--State Appropriation (FY 2012) . . . . .	(\$80,815,000)
9		<u>\$75,503,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(\$79,939,000)
11		<u>\$80,271,000</u>
12	General Fund--Federal Appropriation . . . . .	(\$154,388,000)
13		<u>\$154,403,000</u>
14	General Fund--Private/Local Appropriation . . . . .	\$22,043,000
15	TOTAL APPROPRIATION . . . . .	(\$337,185,000)
16		<u>\$332,220,000</u>

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

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

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

30 (c) \$100,000 of the general fund--state appropriation for fiscal  
31 year 2013 is provided solely for operations of the Rainier school  
32 vision development committee, hereby established to create a long-range  
33 vision and development plan for the Rainier school.

34 (a) The committee shall consist of:

35 (i) Three members of the legislature representing the thirty-first  
36 legislative district;

37 (ii) Two persons representing the cities of Enumclaw and Buckley;

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

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

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

7        (b) 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) . . . . .	(( \$1,380,000 ))
15		<u>\$1,382,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	(( \$1,371,000 ))
17		<u>\$1,374,000</u>
18	General Fund--Federal Appropriation . . . . .	\$1,323,000
19	TOTAL APPROPRIATION . . . . .	(( \$4,074,000 ))
20		<u>\$4,079,000</u>

21            (4) SPECIAL PROJECTS

22	General Fund--State Appropriation (FY 2012) . . . . .	(( \$4,648,000 ))
23		<u>\$4,658,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	(( \$4,637,000 ))
25		<u>\$4,657,000</u>
26	General Fund--Federal Appropriation . . . . .	(( \$9,575,000 ))
27		<u>\$9,588,000</u>
28	General Fund--Private/Local Appropriation . . . . .	\$998,000
29	TOTAL APPROPRIATION . . . . .	(( \$19,858,000 ))
30		<u>\$19,901,000</u>

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

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

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

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

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

19	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$781,995,000</del> ))
20		<u>\$791,974,000</u>
21	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$804,465,000</del> ))
22		<u>\$812,180,000</u>
23	General Fund--Federal Appropriation . . . . .	(( <del>\$1,680,450,000</del> ))
24		<u>\$1,693,938,000</u>
25	General Fund--Private/Local Appropriation . . . . .	\$27,517,000
26	Traumatic Brain Injury Account--State Appropriation . . . . .	\$3,388,000
27	Nursing Facility Quality Assurance Account--State	
28	Appropriation . . . . .	(( <del>\$88,071,000</del> ))
29		<u>\$88,000,000</u>
30	TOTAL APPROPRIATION . . . . .	(( <del>\$3,385,886,000</del> ))
31		<u>\$3,416,997,000</u>

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

34 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
 35 average nursing facility payment rate shall not exceed \$170.37 for  
 36 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,  
 37 including the rate add-ons described in (a) and (b) of this subsection.

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

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

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

1 individual nursing facilities as an add-on payment per medicaid  
2 resident day.

3 (c) During the comparative analysis performed in subsection (b) of  
4 this section, if it is found that the direct care rate for any facility  
5 calculated using the payment methodology defined in (~~Engrossed~~  
6 ~~Substitute Senate Bill No. 5581 (nursing home payments)~~) chapter 74.46  
7 RCW and including the add-on in (a) of this subsection is greater than  
8 the direct care rate in effect on June 30, 2010, then the facility  
9 shall receive a ten percent direct care rate add-on to compensate that  
10 facility for taking on more acute clients than they have in the past.

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

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

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

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

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

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

7 (6) \$1,883,000 of the general fund--state appropriation for fiscal  
8 year 2012, \$1,883,000 of the general fund--state appropriation for  
9 fiscal year 2013, and \$3,766,000 of the general fund--federal  
10 appropriation are provided solely for state contributions for  
11 individual provider health care benefits. Pursuant to the collective  
12 bargaining agreement negotiated with the exclusive bargaining  
13 representative of individual providers established under RCW  
14 74.39A.270, the state shall contribute to the multiemployer health  
15 benefits trust fund ((~~\$1.96~~)) \$2.21 per paid hour worked by individual  
16 providers.

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

1 ~~declaration to the department verifying that health benefits purchased~~  
2 ~~with public funds are solely for employees that do not have other~~  
3 ~~available coverage. Home care agencies may determine a reasonable~~  
4 ~~employee co premium not to exceed 20 percent of the total benefit~~  
5 ~~cost.))~~ \$338,550,000 of the general fund--state appropriation for  
6 fiscal year 2013 and \$338,500,000 of the general fund--federal  
7 appropriation are provided to the department to provide personal care  
8 services to waiver and nonwaiver in home clients. Pursuant to Senate  
9 Bill No. 6609 (medicaid personal care services program), the department  
10 shall provide a personal care services benefit for adult clients under  
11 section 1915 (i) of the social security act exclusively utilizing the  
12 option that allows for client self-direction of an individualized  
13 budget. Clients will be able to spend their budget to secure services  
14 from appropriate providers, purchase other support services and  
15 therapies, and purchase equipment or make other expenditures as  
16 necessary to address the clients' health and safety. The per-client  
17 individualized budget shall be established using a methodology that is  
18 objective and evidence-based, uses valid, reliable cost data; includes  
19 a calculation of the expected cost of each service available under this  
20 option; and can be applied consistently to individuals. The department  
21 shall operate the program within the amounts specifically provided.

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

36 (9) Individuals receiving services as supplemental security income  
37 (SSI) state supplemental payments shall not become eligible for medical



1 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
2 supplemental payments.

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

6 (11) (~~(\$4,588,000)~~) \$4,713,000 of the general fund--state  
7 appropriation for fiscal year 2012, (~~(\$4,559,000)~~) \$6,427,000 of the  
8 general fund--state appropriation for fiscal year 2013, and  
9 (~~(\$9,237,000)~~) \$11,230,000 of the general fund--federal appropriation  
10 are provided solely for the continued operation of community  
11 residential and support services for persons who are older adults or  
12 who have co-occurring medical and behavioral disorders and who have  
13 been discharged or diverted from a state psychiatric hospital. These  
14 funds shall be used to serve individuals whose treatment needs  
15 constitute substantial barriers to community placement, who no longer  
16 require active psychiatric treatment at an inpatient hospital level of  
17 care, and who no longer meet the criteria for inpatient involuntary  
18 commitment. The department shall prioritize services in order to  
19 reduce utilization and maintain a reduction of 60 beds at western state  
20 hospital that were previously used for long-term placements for clients  
21 with dementia, traumatic brain injuries, or other organic brain  
22 disorders. The department shall ensure that a sufficient number of  
23 individuals have been transitioned and diverted from western state  
24 hospital to enable closure of a 30-bed ward by October 1, 2012, and of  
25 another 30-bed ward by February 1, 2013. Coordination of these  
26 services must be done in partnership between the mental health program  
27 and the aging and disability services administration.

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

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

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

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

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

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

31 (14) \$3,316,000 of the traumatic brain injury account--state  
32 appropriation is provided solely to continue services for persons with  
33 traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011  
34 (traumatic brain injury strategic partnership).

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



1 for fiscal year 2013 are provided solely for the implementation and  
2 administration of the electronic benefit transfer system under section  
3 12 of Engrossed Substitute Senate Bill No. 5921 (social services  
4 programs). The department shall transfer these amounts to the  
5 department of early learning for the implementation and administration  
6 of the project.

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

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

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

27 (b) If sufficient savings in subsection (1) of this section are  
28 achieved, the department of early learning shall increase the number of  
29 child care slots available for the working connections child care  
30 program.

31 (3) (~~(\$23,494,000)~~) \$23,679,000 of the general fund--state  
32 appropriation for fiscal year 2012, in addition to supplemental  
33 security income recoveries, is provided solely for financial assistance  
34 and other services to recipients in the program established in section  
35 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates  
36 on October 31, 2011.

37 (4)(a) (~~(\$13,086,000)~~) \$12,457,000 of the general fund--state  
38 appropriation for fiscal year 2012 and (~~(\$24,788,000)~~) \$21,959,000 of

1 the general fund--state appropriation for fiscal year 2013, in addition  
2 to supplemental security income recoveries, are provided solely for the  
3 programs created in Engrossed Substitute House Bill No. 2082 (essential  
4 needs and assistance program) beginning November 1, 2011.

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

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

17 (5) \$1,657,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$1,657,000 of the general fund--state appropriation for  
19 fiscal year 2013 are provided solely for naturalization services.

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

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

35 ~~((8) - To - ensure - expenditures - remain - within - available - funds~~  
36 ~~appropriated in this section, the legislature establishes the benefit~~  
37 ~~under the state food assistance program, pursuant to RCW 74.08A.120, to~~

1 ~~be fifty percent of the federal supplemental nutrition assistance~~  
2 ~~program benefit amount.)~~)

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

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

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$74,287,000</del> ))
8		<u>\$71,649,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$74,422,000</del> ))
10		<u>\$66,986,000</u>
11	General Fund--Federal Appropriation . . . . .	(( <del>\$141,514,000</del> ))
12		<u>\$164,526,000</u>
13	General Fund--Private/Local Appropriation . . . . .	(( <del>\$2,086,000</del> ))
14		<u>\$13,486,000</u>
15	Criminal Justice Treatment Account--State	
16	Appropriation . . . . .	\$20,748,000
17	Problem Gambling Account--State Appropriation . . . . .	\$1,448,000
18	TOTAL APPROPRIATION . . . . .	(( <del>\$314,505,000</del> ))
19		<u>\$338,843,000</u>

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

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

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

32 (3) In accordance with RCW 70.96A.090 and 43.135.055, the  
33 department is authorized to increase fees for the review and approval  
34 of treatment programs in fiscal years 2012 and 2013 as necessary to  
35 support the costs of the regulatory program. The department's fee  
36 schedule shall have differential rates for providers with proof of  
37 accreditation from organizations that the department has determined to

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

9 (4) \$3,500,000 of the general fund--federal appropriation (from the  
10 substance abuse prevention and treatment federal block grant) is  
11 provided solely for the continued funding of existing county drug and  
12 alcohol use prevention programs.

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

15 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**  
16 **REHABILITATION PROGRAM**

17	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$10,874,000</del> ))
18		<u>\$10,854,000</u>
19	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$10,861,000</del> ))
20		<u>\$10,822,000</u>
21	General Fund--Federal Appropriation . . . . .	(( <del>\$105,091,000</del> ))
22		<u>\$105,095,000</u>
23	Telecommunications Devices for the Hearing and	
24	Speech Impaired--State Appropriation . . . . .	\$2,766,000
25	TOTAL APPROPRIATION . . . . .	(( <del>\$129,592,000</del> ))
26		<u>\$129,537,000</u>

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

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

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**

1	<b>PROGRAM</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( \$47,719,000 ))
3		<u>\$47,890,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( \$46,292,000 ))
5		<u>\$35,928,000</u>
6	TOTAL APPROPRIATION . . . . .	(( \$94,011,000 ))
7		<u>\$83,818,000</u>

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

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

12	General Fund--State Appropriation (FY 2012) . . . . .	(( \$26,125,000 ))
13		<u>\$25,764,000</u>
14	General Fund--State Appropriation (FY 2013) . . . . .	(( \$24,586,000 ))
15		<u>\$23,718,000</u>
16	General Fund--Federal Appropriation . . . . .	(( \$39,223,000 ))
17		<u>\$38,807,000</u>
18	General Fund--Private/Local Appropriation . . . . .	\$2,116,000
19	Performance Audits of State Government--State	
20	Appropriation . . . . .	\$4,812,000
21	TOTAL APPROPRIATION . . . . .	(( \$96,862,000 ))
22		<u>\$95,217,000</u>

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

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

31       (2) ~~\$445,000 of the general fund state appropriation for fiscal~~  
32 ~~year 2012 and \$445,000 of the general fund state appropriation for~~  
33 ~~fiscal year 2013 are provided solely for funding of the teamchild~~  
34 ~~project.~~

35       (3) ~~\$178,000 of the general fund state appropriation for fiscal~~  
36 ~~year 2012 and \$178,000 of the general fund state appropriation for~~



1 ~~fiscal year 2013 are provided solely for the juvenile detention~~  
2 ~~alternatives initiative.~~

3 ~~(4))~~ \$4,812,000 of the performance audits of state government--  
4 state appropriation is provided solely for support and expansion of the  
5 division of fraud investigation. The division shall conduct  
6 investigatory and enforcement activities for all department programs,  
7 including the child support and TANF programs.

8 ~~((5))~~ (2) \$1,400,000 of the general fund--state appropriation for  
9 fiscal year 2012 is provided solely for the department to distribute as  
10 support to community public health and safety networks that have a  
11 history of providing training and services related to adverse childhood  
12 experiences. Distribution of these funds is contingent upon securing  
13 funding from a private entity or entities to provide one dollar in  
14 matching funds for each dollar in state funds received by a network so  
15 that the funding received by a community public health and safety  
16 network will be equal portions of state and private funding.

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

19 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**  
20 **AGENCIES PROGRAM**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$62,778,000
22	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$61,927,000)</del>
23		<u>\$58,940,000</u>
24	General Fund--Federal Appropriation . . . . .	\$58,400,000
25	TOTAL APPROPRIATION . . . . .	<del>(\$183,105,000)</del>
26		<u>\$180,118,000</u>

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

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

1	<b>FOR THE STATE HEALTH CARE AUTHORITY</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,130,229,000</del> ))
3		<u>\$2,022,521,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,185,617,000</del> ))
5		<u>\$1,980,272,000</u>
6	General Fund--Federal Appropriation . . . . .	(( <del>\$5,389,627,000</del> ))
7		<u>\$5,227,652,000</u>
8	General Fund--Private/Local Appropriation . . . . .	(( <del>\$45,512,000</del> ))
9		<u>\$51,726,000</u>
10	Emergency Medical Services and Trauma Care Systems	
11	Trust Account--State Appropriation . . . . .	\$15,077,000
12	Hospital Safety Net Assessment Fund--State	
13	Appropriation . . . . .	(( <del>\$394,905,000</del> ))
14		<u>\$433,255,000</u>
15	State Health Care Authority Administration Account--	
16	State Appropriation . . . . .	(( <del>\$34,118,000</del> ))
17		<u>\$34,117,000</u>
18	Basic Health Plan Stabilization Account--	
19	State Appropriation . . . . .	(( <del>\$44,000,000</del> ))
20		<u>\$49,000,000</u>
21	Medical Aid Account--State Appropriation . . . . .	\$529,000
22	<u>Medicaid Fraud Penalty Account--State</u>	
23	<u>Appropriation . . . . .</u>	<u>\$9,200,000</u>
24	TOTAL APPROPRIATION . . . . .	(( <del>\$10,239,614,000</del> ))
25		<u>\$9,823,349,000</u>

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

28 The appropriations to the authority in this act shall be expended  
29 for the purposes and in the amounts specified in this act. To the  
30 extent that appropriations in this section are insufficient to fund  
31 actual expenditures in excess of caseload forecasts and utilization  
32 assumptions, the authority, after May 1, 2012, may transfer general  
33 fund--state appropriations for fiscal year 2012 that are provided  
34 solely for a specified purpose. The authority shall not transfer  
35 funds, and the director of financial management shall not approve the  
36 transfer, unless the transfer is consistent with the objective of  
37 conserving, to the maximum extent possible, the expenditure of state  
38 funds. The director of financial management shall notify the

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

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

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

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

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

32 To further this legislative intent, the state health care authority  
33 shall develop a plan to implement a consolidated health benefits'  
34 system for K-12 employees for the 2013-14 school year. The health care  
35 authority shall deliver a report to the legislature by December 15,  
36 2011, that sets forth the implementation plan to the ways and means  
37 committees of the house of representatives and the senate.

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

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

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

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

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

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

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

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

16 (iv) Recommendations of ways to limit administrative duplication  
17 and costs, improve transparency to employees, the legislature, and the  
18 public and assure equity among beneficiaries of publicly provided  
19 employee health benefits;

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

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

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

29 (viii) Recommendations regarding methods to reduce inequities  
30 between individual and family coverage;

31 (ix) Consolidation of the purchasing and budget accountability for  
32 school employee benefits to maximize administrative efficiency and  
33 leverage existing skills and resources; and

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

36 (A) Approaches for implementing the transition to a statewide pool,  
37 including administrative and statutory changes necessary to ensure a

1 successful transition, and whether the pool should be separate from, or  
2 combined with, the public employees' benefits pool;

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

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

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

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

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

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

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

28 (4) The administrator shall take at least the following actions to  
29 assure that persons participating in the basic health plan are eligible  
30 for the level of assistance they receive: (a) Require submission of  
31 (i) income tax returns, and recent pay history, from all applicants, or  
32 (ii) other verifiable evidence of earned and unearned income from those  
33 persons not required to file income tax returns; (b) check employment  
34 security payroll records at least once every twelve months on all  
35 enrollees; (c) require enrollees whose income as indicated by payroll  
36 records exceeds that upon which their subsidy is based to document  
37 their current income as a condition of continued eligibility; (d)  
38 require enrollees for whom employment security payroll records cannot

1 be obtained to document their current income at least once every six  
2 months; (e) not reduce gross family income for self-employed persons by  
3 noncash-flow expenses such as, but not limited to, depreciation,  
4 amortization, and home office deductions, as defined by the United  
5 States internal revenue service; and (f) pursue repayment and civil  
6 penalties from persons who have received excessive subsidies, as  
7 provided in RCW 70.47.060(9).

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

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

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

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

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

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

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

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

12 ~~(13) \$665,000 of the general fund state appropriation for fiscal  
13 year 2012, \$665,000 of the general fund state appropriation for fiscal  
14 year 2013, and \$1,330,000 of the general fund federal appropriation  
15 are provided solely for small rural indigent assistance  
16 disproportionate share hospital payments in accordance with RCW  
17 74.09.730(1)).~~

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

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



1 disproportionate share hospital payments for which the hospital can  
2 certify allowable match. If payments during the fiscal year are less  
3 than the baseline amount, the hospital will be paid a state grant equal  
4 to the difference between payments during the fiscal year and the  
5 applicable baseline amount. Payment of the state grant shall be made  
6 in the applicable fiscal year and distributed in monthly payments. The  
7 grants will be recalculated and redistributed as the baseline is  
8 updated during the fiscal year. The grant payments are subject to an  
9 interim settlement within eleven months after the end of the fiscal  
10 year. A final settlement shall be performed. To the extent that  
11 either settlement determines that a hospital has received funds in  
12 excess of what it would have received as described in this subsection,  
13 the hospital must repay the excess amounts to the state when requested.  
14 (~~(\$24,677,000)~~) \$4,168,000 of the general fund--state appropriation for  
15 fiscal year 2012(~~(, of which \$6,570,000 is appropriated)~~) in section  
16 204(1) of this act, and (~~(\$21,531,000)~~) \$2,251,000 of the general  
17 fund--state appropriation for fiscal year 2013(~~(, of which \$6,570,000~~  
18 ~~is appropriated)~~) in section 204(1) of this act, are provided solely  
19 for state grants for the participating hospitals. CPE hospitals will  
20 receive the inpatient and outpatient reimbursement rate restorations in  
21 RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the  
22 hospital safety net assessment fund rather than through the baseline  
23 mechanism specified in this subsection.

24 (~~(+16)~~) (14) The health care authority shall seek public-private  
25 partnerships and federal funds that are or may become available to  
26 provide on-going support for outreach and education efforts under the  
27 federal children's health insurance program reauthorization act of  
28 2009.

29 (~~(+17)~~) (15) The health care authority shall target funding for  
30 maternity support services towards pregnant women with factors that  
31 lead to higher rates of poor birth outcomes, including hypertension, a  
32 preterm or low birth weight birth in the most recent previous birth, a  
33 cognitive deficit or developmental disability, substance abuse, severe  
34 mental illness, unhealthy weight or failure to gain weight, tobacco  
35 use, or African American or Native American race. The health care  
36 authority shall prioritize evidence-based practices for delivery of  
37 maternity support services. To the extent practicable, the health care

1 authority shall develop a mechanism to increase federal funding for  
2 maternity support services by leveraging local public funding for those  
3 services.

4 ~~((18))~~ (16) For children with family incomes above 200 percent of  
5 the federal poverty level in the state-funded children's health program  
6 for children who are not eligible for coverage under the federally  
7 funded children's health insurance program, premiums shall be set every  
8 two years in an amount equal to the average state-only share of the per  
9 capita cost of coverage in the state-funded children's health program  
10 for children in families with incomes at or less than two hundred  
11 percent of the federal poverty level.

12 ~~((19) \$704,000 of the general fund state appropriation for fiscal  
13 year 2012, \$726,000 of the general fund state appropriation for fiscal  
14 year 2013, and \$1,431,000 of the general fund federal appropriation  
15 are provided solely for))~~ (17) Within the amounts appropriated in this  
16 section, the health care authority shall provide disproportionate share  
17 hospital payments to hospitals that provide services to children in the  
18 children's health program who are not eligible for services under Title  
19 XIX or XXI of the federal social security act due to their citizenship  
20 status.

21 ~~((20) \$998,000))~~ (18) \$859,000 of the general fund--state  
22 appropriation for fiscal year 2012, \$979,000 of the general fund--state  
23 appropriation for fiscal year 2013, and ~~((1,980,000))~~ \$1,841,000 of  
24 the general fund--federal appropriation are provided solely to increase  
25 prior authorization activities for advanced imaging procedures.

26 ~~((21) \$249,000))~~ (19) \$196,000 of the general fund--state  
27 appropriation for fiscal year 2012, \$246,000 of the general fund--state  
28 appropriation for fiscal year 2013, and ~~((495,000))~~ \$442,000 of the  
29 general fund--federal appropriation are provided solely to increase  
30 prior authorization activities for surgical procedures, which may  
31 include orthopedic procedures, spinal procedures and interventions, and  
32 nerve procedures.

33 ~~((22))~~ (20) \$300,000 of the general fund--private/local  
34 appropriation and \$300,000 of the general fund--federal appropriation  
35 are provided solely for a prescriptive practices improvement  
36 collaborative focusing upon atypical antipsychotics and other  
37 medications commonly used in the treatment of severe and persistent  
38 mental illnesses among adults. The project shall promote collaboration

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

18 ~~((+23))~~ (21) \$570,000 of the general fund--private/local  
19 appropriation is provided solely for continued operation of the  
20 partnership access line for child mental health consultations. The  
21 health care authority shall enter into an interagency agreement with  
22 the office of the attorney general for expenditure of \$570,000 of the  
23 state's proceeds of the *cy pres* settlement in *State of Washington v.*  
24 *AstraZeneca (Seroquel)* for this purpose.

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

31 ~~((+25))~~ (23) \$75,000 of the general fund--state appropriation for  
32 fiscal year 2012, \$75,000 of the general fund--state appropriation for  
33 fiscal year 2013, and \$150,000 of the general fund--federal  
34 appropriation are provided solely to assist with development and  
35 implementation of evidence-based strategies regarding the appropriate,  
36 safe, and effective role of C-section surgeries and early induced labor  
37 in births and neonatal care. The strategies shall be identified and

1 implemented in consultation with clinical research specialists,  
2 physicians, hospitals, advanced registered nurse practitioners, and  
3 organizations concerned with maternal and child health.

4 ~~((26) \$2,400,000 of the general fund state appropriation for~~  
5 ~~fiscal year 2012, \$2,435,000 of the general fund state appropriation~~  
6 ~~for fiscal year 2013, \$7,253,000 of the general fund private/local~~  
7 ~~appropriation, — and — \$12,455,000 — of — the — general — fund — federal~~  
8 ~~appropriation are provided solely for continued provision of)) (24)~~  
9 Within the amounts appropriated in this section, the health care  
10 authority shall continue to provide school-based medical services by  
11 means of an intergovernmental transfer arrangement. ~~((Under the~~  
12 ~~arrangement,))~~ Until April 1, 2012, the state shall provide forty  
13 percent and school districts sixty percent of the nonfederal matching  
14 funds required for receipt of federal medicaid funding for the service.  
15 After that date, participating school districts shall provide all of  
16 the required nonfederal matching funds.

17 ~~((27))~~ (25) \$263,000 of the general fund--state appropriation for  
18 fiscal year 2012, \$88,000 of the general fund--state appropriation for  
19 fiscal year 2013, and \$351,000 of the general fund--federal  
20 appropriation are provided solely for development and submission to the  
21 federal government by October 1, 2011, of a demonstration project  
22 proposal as provided in Substitute Senate Bill No. 5596 (medicaid  
23 demonstration waiver).

24 ~~((28) \$5,600,000 of the general fund state appropriation for~~  
25 ~~fiscal year 2012, \$4,094,000 of the general fund state appropriation~~  
26 ~~for fiscal year 2013, and \$11,332,000 of the general fund federal~~  
27 ~~appropriation are provided solely for)) (26) Within the amounts~~  
28 appropriated in this section, the health care authority shall provide  
29 spoken-language interpreter services. The authority shall develop and  
30 implement a new model for delivery of such services no later than  
31 January 1, 2012. The model shall include:

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

36 (b) The requirement that the state contract with delivery  
37 organizations, including foreign language agencies, who employ or  
38 subcontract only with language access providers or interpreters working

1 in the state who are certified or authorized by the state. When a  
2 state-certified or state-authorized in-state language access provider  
3 or interpreter is not available, the delivery organization, including  
4 foreign language agencies, may use a provider with other certifications  
5 or qualifications deemed to meet state standards, including  
6 interpreters in other states; and

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

11 Nothing in this subsection affects the ability of health care  
12 providers to provide interpretive services through employed staff or  
13 through telephone and video remote technologies when not reimbursed  
14 directly by the department. The amounts in this subsection do not  
15 include federal administrative funds provided to match nonstate  
16 expenditures by local health jurisdictions and governmental hospitals.

17 ~~((+29+))~~ (27) In its procurement of contractors for delivery of  
18 medical managed care services for nondisabled, nonelderly persons, the  
19 medical assistance program shall (a) place substantial emphasis upon  
20 price competition in the selection of successful bidders; and (b) not  
21 require delivery of any services that would increase the actuarial cost  
22 of service beyond the levels included in current healthy options  
23 contracts.

24 ~~((+30+))~~ (28) \$1,430,000 of the general fund--state appropriation  
25 for fiscal year 2012, \$1,430,000 of the general fund--state  
26 appropriation for fiscal year 2013, and \$2,860,000 of the general  
27 fund--federal appropriation are provided solely to pay  
28 federally-designated rural health clinics their standard encounter rate  
29 for prenatal and well-child visits, whether delivered under a managed  
30 care contract or fee-for-service. In reconciling managed care  
31 enhancement payments for calendar years 2009 and 2010, the department  
32 shall treat well-child and prenatal care visits as encounters subject  
33 to the clinic's encounter rate.

34 ~~((+31+))~~ (29) \$280,000 of the general fund--state appropriation for  
35 fiscal year 2012 and \$282,000 of the general fund--federal  
36 appropriation are provided solely to increase utilization management of  
37 drugs and drug classes for which there is evidence of over-utilization,

1 off-label use, excessive dosing, duplicative therapy, or opportunities  
2 to shift utilization to less expensive, equally effective formulations.

3 ~~((+32+))~~ (30) \$70,000 of the general fund--state appropriation for  
4 fiscal year 2012, \$70,000 of the general fund--state appropriation for  
5 fiscal year 2013, and \$140,000 of the general fund--federal  
6 appropriation are provided solely to continue operation by a nonprofit  
7 organization of a toll-free hotline that assists families to learn  
8 about and enroll in the apple health for kids program.

9 ~~((+33+))~~ (31) \$400,000 of the general fund--state appropriation for  
10 fiscal year 2012 and \$400,000 of the general fund--state appropriation  
11 for fiscal year 2013 is provided solely for the local outreach, case  
12 management, and coordination with dental providers needed to execute  
13 the access to baby and child dentistry program, which provides dental  
14 care to Medicaid eligible children up to age six.

15 ~~((+34) - \$1,868,000 of the general fund--state appropriation for  
16 fiscal year 2012, \$1,873,000 of the general fund--state appropriation  
17 for fiscal year 2013, and \$3,154,000 of the general fund--federal  
18 appropriation are provided solely to continue to))~~ (32) Within the  
19 amounts appropriated in this section, the health care authority shall  
20 provide dental services to pregnant women. Services shall include  
21 preventive, routine, and emergent dental care.

22 ~~((+35+))~~ (33) \$395,000 of the general fund--state appropriation for  
23 fiscal year 2012, \$395,000 of the general fund--state appropriation for  
24 fiscal year 2013, and \$790,000 of the general fund--federal  
25 appropriation are provided solely for continued operation of the  
26 dental education in care of persons with disabilities (DECOD) program  
27 at the University of Washington.

28 ~~((+36) - \$112,000))~~ (34) \$159,000 of the general fund--state  
29 appropriation for fiscal year 2012, ~~(( \$112,000 of the general fund--  
30 state appropriation for fiscal year 2013))~~ \$302,000 of the general  
31 fund--private/local appropriation, and \$1,928,000 of the general fund--  
32 federal appropriation are provided solely for the provider incentive  
33 program and other initiatives related to the health information  
34 technology Medicaid plan. The \_\_ general \_\_ fund--private/local  
35 appropriation in this subsection shall be funded with proceeds from  
36 settlements in the case of State of Washington vs. GlaxoSmithKline.  
37 The authority and the office of the attorney general shall enter an  
38 interagency agreement regarding use of these funds.

1        ~~((37))~~ (35) \$2,926,000 of the general fund--local appropriation  
2 and \$2,928,000 of the general fund--federal appropriation are provided  
3 solely to support medical airlift services.

4        ~~((38))~~ (36) The authority shall collect data on enrollment and  
5 utilization to study whether the expansion of family planning coverage  
6 under Substitute Senate Bill No. 5912 is reducing state medical  
7 expenditures by reducing unwanted pregnancies. The authority shall  
8 report its findings to the legislature by December 1, 2012.

9        ~~((39))~~ (37) \$480,000 of the general fund--state appropriation for  
10 fiscal year 2012, \$480,000 of the general fund--state appropriation for  
11 fiscal year 2013, and \$824,000 of the general fund--federal  
12 appropriation are provided solely for customer services staff. The  
13 authority will attempt to improve the phone answer rate to 40 percent  
14 and reduce the response times to written questions to ten days for  
15 clients and 25 days for providers. The authority will report to the  
16 legislature on its progress toward achieving these goals by January 1,  
17 2012. If the authority has not achieved these goals by July 1, 2012,  
18 then the authority shall reduce expenditures on management staff in  
19 order to increase expenditures on customer service staff until the  
20 goals are achieved.

21        ~~((40))~~ (38) The department shall purchase a brand name drug when  
22 it determines that the cost of the brand name drug after rebates is  
23 less than the cost of generic alternatives and that purchase of the  
24 brand rather than generic version can save at least \$250,000. The  
25 department may purchase generic alternatives when changes in market  
26 prices make the price of the brand name drug after rebates more  
27 expensive than the generic alternatives.

28        ~~((41))~~ (39) The department shall collaborate closely with the  
29 Washington state hospital and medical associations in identification of  
30 the diagnostic codes and retroactive review procedures that will be  
31 used to determine whether an emergency room visit is a nonemergency  
32 condition to assure that conditions that require emergency treatment  
33 continue to be covered.

34        (40) If Substitute Senate Bill No. 6442 is enacted, the health care  
35 authority shall provide a loan in the amount of \$12,393,000 from the  
36 public employees' and retirees insurance account to the school  
37 employees' insurance administrative account in order to fund startup

1 costs during the 2011-2013 fiscal biennium for the school employees'  
2 benefits board, with the following terms:

3 (a) Repayment of the loan shall not commence earlier than January  
4 1, 2014;

5 (b) Repayment of the loan shall not be completed later than June  
6 30, 2017; and

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

13 (41) For periods subsequent to May 31, 2012, no funds are  
14 appropriated in this act for medical care services for persons eligible  
15 for such services under RCW 74.09.035(1)(a) or 74.09.035(c). The  
16 administrator shall therefore immediately commence such actions as may  
17 be necessary to disenroll such persons effective June 1, 2012,  
18 including but not limited to terminating the state's demonstration  
19 waiver agreement with the federal department of health and human  
20 services.

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

33 (43) The authority shall apply the dispense-as-written prior  
34 authorization provisions of RCW 69.41.190(1)(a) to any drug formulary  
35 limitations adopted to operate within the appropriations provided in  
36 this section.





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

3 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

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

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

16       (1) \$5,000,000 of the general fund--state appropriation for fiscal  
17 year 2012 and \$5,000,000 of the general fund--state appropriation for  
18 fiscal year 2013, are provided to the Washington association of  
19 sheriffs and police chiefs solely to verify the address and residency  
20 of registered sex offenders and kidnapping offenders under RCW  
21 9A.44.130.

22       (2) \$321,000 of the general fund--local appropriation is provided  
23 solely to purchase ammunition for the basic law enforcement academy.  
24 Jurisdictions shall reimburse to the criminal justice training  
25 commission the costs of ammunition, based on the average cost of  
26 ammunition per cadet, for cadets that they enroll in the basic law  
27 enforcement academy.

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

30       (4) \$100,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$100,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for a school safety program. The  
33 commission, in collaboration with the school safety center advisory  
34 committee, shall provide the school safety training for all school  
35 administrators and school safety personnel hired after the effective  
36 date of this section.

37       (5) \$96,000 of the general fund--state appropriation for fiscal  
38 year 2012 and \$90,000 of the general fund--state appropriation for

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

15 (6) \$1,000,000 of the general fund--state appropriation for fiscal  
 16 year 2012 and \$1,000,000 of the general fund--state appropriation for  
 17 fiscal year 2013 are provided solely for grants to counties enforcing  
 18 illegal drug laws and which have been underserved by federally funded  
 19 state narcotics task forces. The Washington association of sheriffs  
 20 and police chiefs, the Washington association of prosecuting attorneys,  
 21 and the Washington association of county officials shall jointly  
 22 develop funding allocations for the offices of the county sheriff,  
 23 county prosecutor, and county clerk in qualifying counties. The  
 24 commission shall not impose an administrative cost on this program.

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

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

28	General Fund--State Appropriation (FY 2012) . . . . .	\$17,433,000
29	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$18,374,000)</del>
30		<u>\$18,272,000</u>
31	General Fund--Federal Appropriation . . . . .	\$11,636,000
32	Asbestos Account--State Appropriation . . . . .	<del>(\$395,000)</del>
33		<u>\$379,000</u>
34	Electrical License Account--State Appropriation . . . . .	<del>(\$37,019,000)</del>
35		<u>\$36,520,000</u>
36	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
37	Worker and Community Right-to-Know Account--	

1	State Appropriation . . . . .	(( <del>\$949,000</del> ))
2		<u>\$922,000</u>
3	Public Works Administration Account--State	
4	Appropriation . . . . .	(( <del>\$6,814,000</del> ))
5		<u>\$7,007,000</u>
6	Manufactured Home Installation Training Account--	
7	State Appropriation . . . . .	\$334,000
8	Accident Account--State Appropriation . . . . .	(( <del>\$252,809,000</del> ))
9		<u>\$253,453,000</u>
10	Accident Account--Federal Appropriation . . . . .	\$13,622,000
11	Medical Aid Account--State Appropriation . . . . .	(( <del>\$264,202,000</del> ))
12		<u>\$265,298,000</u>
13	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
14	Plumbing Certificate Account--State Appropriation . . . . .	(( <del>\$1,688,000</del> ))
15		<u>\$1,684,000</u>
16	Pressure Systems Safety Account--State	
17	Appropriation . . . . .	(( <del>\$4,068,000</del> ))
18		<u>\$4,070,000</u>
19	TOTAL APPROPRIATION . . . . .	(( <del>\$632,557,000</del> ))
20		<u>\$633,844,000</u>

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

23 (1) Pursuant to RCW 43.135.055, the department is authorized to  
24 increase fees related to factory assembled structures, contractor  
25 registration, electricians, plumbers, asbestos removal, boilers,  
26 elevators, and manufactured home installers. These increases are  
27 necessary to support expenditures authorized in this section,  
28 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
29 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

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

1 available under the medicaid or medical care services program. In  
2 addition, the program shall make efforts to contact any healthy options  
3 or medical care services health plan in which the client may be  
4 enrolled to help the client obtain authorization to pay the claim on an  
5 out-of-network basis.

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

11 (4) \$51,000 of the accident account--state appropriation and  
12 \$51,000 of the medical aid account--state appropriation are provided  
13 solely for implementation of Engrossed Substitute House Bill No. 1367  
14 (for hire vehicles, operators). If the bill is not enacted by June 30,  
15 2011, the amounts provided in this subsection shall lapse.

16 (5) \$8,727,000 of the medical aid account--state appropriation is  
17 provided solely for implementation of Substitute Senate Bill No. 5801  
18 (industrial insurance system). If the bill is not enacted by June 30,  
19 2011, the amount provided in this subsection shall lapse.

20 (6) \$625,000 of the general fund--state appropriation for fiscal  
21 year 2012, \$625,000 of the general fund--state appropriation for fiscal  
22 year 2013, \$1,250,000 of the public works administration account--state  
23 appropriation, \$708,000 of the accident account--state appropriation,  
24 and \$708,000 of the medical aid account--state appropriation are  
25 provided solely for the purposes of expanding the detecting  
26 unregistered employers targeting system and to support field staff in  
27 investigation and enforcement. Within the funds appropriated in this  
28 subsection, the department shall aggressively combat the underground  
29 economy in construction. Of the amounts provided in this subsection,  
30 \$800,000 shall be used for investigation and enforcement.

31 (7) \$8,583,000 of the accident account--state appropriation and  
32 \$18,278,000 of the medical aid account--state appropriation are  
33 provided solely for implementation of House Bill No. 2123 (workers'  
34 compensation). If the bill is not enacted by June 30, 2011, the  
35 amounts 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	General Fund--State Appropriation (FY 2013) . . . . .	\$1,826,000
5	Charitable, Educational, Penal, and Reformatory	
6	Institutions Account--State Appropriation . . . . .	\$10,000
7	TOTAL APPROPRIATION . . . . .	\$3,668,000

8 (2) FIELD SERVICES

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

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

25 (3) INSTITUTIONAL SERVICES

26	General Fund--State Appropriation (FY 2012) . . . . .	<del>(\$899,000)</del>
27		<u>\$1,755,000</u>
28	<del>((General Fund--State Appropriation (FY 2013) . . . . .</del>	<del>\$71,000)</del>
29	General Fund--Federal Appropriation . . . . .	<del>(\$59,177,000)</del>
30		<u>\$61,734,000</u>
31	General Fund--Private/Local Appropriation . . . . .	<del>(\$32,094,000)</del>
32		<u>\$29,724,000</u>
33	TOTAL APPROPRIATION . . . . .	<del>(\$92,241,000)</del>
34		<u>\$93,213,000</u>

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

1	<b>FOR THE DEPARTMENT OF HEALTH</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$79,888,000</del> ))
3		<u>\$78,999,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$79,718,000</del> ))
5		<u>\$51,357,000</u>
6	General Fund--Federal Appropriation . . . . .	(( <del>\$555,563,000</del> ))
7		<u>\$552,931,000</u>
8	General Fund--Private/Local Appropriation . . . . .	(( <del>\$148,362,000</del> ))
9		<u>\$148,361,000</u>
10	Hospital Data Collection Account--State Appropriation . . . . .	\$214,000
11	Health Professions Account--State Appropriation . . . . .	(( <del>\$94,469,000</del> ))
12		<u>\$99,514,000</u>
13	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$604,000
14	Emergency Medical Services and Trauma Care Systems	
15	Trust Account--State Appropriation . . . . .	\$12,302,000
16	Safe Drinking Water Account--State Appropriation . . . . .	\$4,480,000
17	Drinking Water Assistance Account--Federal	
18	Appropriation . . . . .	\$22,875,000
19	Waterworks Operator Certification--State	
20	Appropriation . . . . .	\$1,532,000
21	Drinking Water Assistance Administrative Account--	
22	State Appropriation . . . . .	\$326,000
23	<u>Site Closure Account--State Appropriation . . . . .</u>	<u>\$79,000</u>
24	Biotoxin Account--State Appropriation . . . . .	\$1,167,000
25	State Toxics Control Account--State Appropriation . . . . .	(( <del>\$3,649,000</del> ))
26		<u>\$20,352,000</u>
27	Medical Test Site Licensure Account--State	
28	Appropriation . . . . .	\$2,321,000
29	Youth Tobacco Prevention Account--State Appropriation . . . . .	\$1,512,000
30	Community and Economic Development Fee Account--State	
31	Appropriation . . . . .	(( <del>\$596,000</del> ))
32		<u>\$298,000</u>
33	Public Health Supplemental Account--Private/Local	
34	Appropriation . . . . .	\$3,598,000
35	Accident Account--State Appropriation . . . . .	\$297,000
36	Medical Aid Account--State Appropriation . . . . .	\$50,000
37	Tobacco Prevention and Control Account--State	
38	Appropriation . . . . .	(( <del>\$37,000</del> ))

1 \$1,737,000  
2 TOTAL APPROPRIATION . . . . . ((~~\$1,013,560,000~~))  
3 \$1,004,906,000

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

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

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



1 technicians, nursing home administrators, health care assistants,  
2 hearing and speech, psychology, hypnotherapy, chiropractic, social  
3 workers, physicians, and physician assistants.

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

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

17 ((+4)) (5) \$16,000 of the health professions account--state  
18 appropriation is provided solely for the implementation of House Bill  
19 No. 1181 (board of naturopathy). If the bill is not enacted by June  
20 30, 2011, the amount provided in this subsection shall lapse.

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

26 ((+6)) (7) \$54,000 of the health professions account--state  
27 appropriation is provided solely for the implementation of House Bill  
28 No. 1353 (pharmacy technicians). If the bill is not enacted by June  
29 30, 2011, the amount provided in this subsection shall lapse.

30 ((+7)) (8) \$142,000 of the health professions account--state  
31 appropriation is provided solely for the implementation of Engrossed  
32 Substitute Senate Bill No. 5020 (social workers). If the bill is not  
33 enacted by June 30, 2011, the amount provided in this subsection shall  
34 lapse.

35 ((+8)) (9) \$336,000 of the health professions account--state  
36 appropriation is provided solely for the implementation of Senate Bill  
37 No. 5480 (physicians and physician assistants). If the bill is not

1 enacted by June 30, 2011, the amount provided in this subsection shall  
2 lapse.

3 ~~((+9))~~ (10) \$46,000 of the health professions account--state  
4 appropriation is provided solely for the implementation of Substitute  
5 Senate Bill No. 5071 (online access for midwives and marriage and  
6 family therapists). If the bill is not enacted by June 30, 2011, the  
7 amount provided in this subsection shall lapse.

8 ~~((+10))~~ (11) \$137,000 of the health professions account--state  
9 appropriation is provided solely for implementation of Substitute House  
10 Bill No. 1133 (massage practitioner license). If the bill is not  
11 enacted by June 30, 2011, the amount provided in this subsection shall  
12 lapse.

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

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

33 ~~((+13))~~ (14) \$118,000 of the general fund--state appropriation for  
34 fiscal year 2012 and \$118,000 of the general fund--state appropriation  
35 for fiscal year 2013 are provided solely for prevention of youth  
36 suicides.

37 ~~((+14))~~ (15) \$87,000 of the general fund--state appropriation for

1 fiscal year 2012 and \$87,000 of the general fund--state appropriation  
2 for fiscal year 2013 are provided solely for the senior falls  
3 prevention program.

4 (16) \$19,000 of the health professions account--state appropriation  
5 is provided solely for implementation of Senate Bill No. 6290 (military  
6 spouses and partners). If the bill is not enacted by June 30, 2012,  
7 the amount provided in this subsection shall lapse.

8 (17) \$50,000 of the health professions account--state appropriation  
9 is provided solely for implementation of Engrossed Substitute Senate  
10 Bill No. 6237 (career pathway/medical assistants). If the bill is not  
11 enacted by June 30, 2012, the amount provided in this subsection shall  
12 lapse.

13 (18) \$21,000 of the health professions account--state appropriation  
14 is provided solely for implementation of Substitute Senate Bill No.  
15 6328 (mental health professionals). If the bill is not enacted by June  
16 30, 2012, the amount provided in this subsection shall lapse.

17 (19) \$148,000 of the health professions account--state  
18 appropriation is provided solely for implementation of Engrossed  
19 Substitute Senate Bill No. 6103 (reflexologists). If the bill is not  
20 enacted by June 30, 2012, the amount provided in this subsection shall  
21 lapse.

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

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

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

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33	(1) ADMINISTRATION AND SUPPORT SERVICES	
34	General Fund--State Appropriation (FY 2012) . . . . .	(\$54,529,000)
35		<u>\$52,529,000</u>
36	General Fund--State Appropriation (FY 2013) . . . . .	(\$53,210,000)
37		<u>\$53,419,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$107,739,000~~))  
2 \$105,948,000

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

16 (2) CORRECTIONAL OPERATIONS

17 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$609,105,000~~))  
18 \$599,191,000  
19 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$602,804,000~~))  
20 \$582,174,000  
21 General Fund--Federal Appropriation . . . . . \$3,324,000  
22 Washington Auto Theft Prevention Authority Account--  
23 State Appropriation . . . . . \$14,079,000  
24 TOTAL APPROPRIATION . . . . . ((~~\$1,229,312,000~~))  
25 \$1,198,768,000

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

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

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

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

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

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

27 (f) \$41,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$165,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the department to maintain the  
30 facility, property and assets at the institution formerly known as the  
31 Maple Lane school in Rochester. The department may not house  
32 incarcerated offenders at the Maple Lane site until specifically  
33 directed by the legislature.

34 (3) COMMUNITY SUPERVISION

35 General Fund--State Appropriation (FY 2012) . . . . .	(( \$129,635,000 ))
	<u>\$127,625,000</u>
37 General Fund--State Appropriation (FY 2013) . . . . .	(( \$128,049,000 ))
	<u>\$130,441,000</u>

38

1	Federal Narcotics Forfeiture Account--Federal	
2	Appropriation . . . . .	\$372,000
3	Controlled Substances Account--State	
4	Appropriation . . . . .	\$32,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$258,088,000</del> ))
6		<u>\$258,470,000</u>

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

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

14 (b) Within the funds provided in this section, the department of  
15 corrections must establish a transitional reentry housing pilot program  
16 by contracting with housing providers to continuously make available no  
17 fewer than fifty beds in transitional reentry housing to meet the needs  
18 of offenders transitioning to the community on earned early release and  
19 who are in need of housing pursuant to RCW 9.94A.729(5)(d). The  
20 department must give preference to housing providers that provide a  
21 small, family-oriented living environment with between three and ten  
22 beds and provide transition support that enables an offender to  
23 participate in programming or services. The department shall track the  
24 housing and recidivism status of offenders who participate in  
25 transitional reentry housing and report to the governor and appropriate  
26 committees of the legislature by December 1, 2013.

27 (4) CORRECTIONAL INDUSTRIES

28	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$3,535,000</del> ))
29		<u>\$2,513,000</u>
30	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$3,458,000</del> ))
31		<u>\$2,435,000</u>
32	TOTAL APPROPRIATION . . . . .	(( <del>\$6,993,000</del> ))
33		<u>\$4,948,000</u>

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

1 only for administrative expenses, equipment purchases, and technical  
2 assistance associated with advising cities and counties in developing,  
3 promoting, and implementing consistent, safe, and efficient offender  
4 work programs.

5 (5) INTERAGENCY PAYMENTS

6	General Fund--State Appropriation (FY 2012) . . . . .	\$37,053,000
7	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$35,549,000)</del>
8		<u>\$35,550,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$72,602,000)</del>
10		<u>\$72,603,000</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) . . . . .	\$2,278,000
30	General Fund--State Appropriation (FY 2013) . . . . .	\$2,264,000
31	General Fund--Federal Appropriation . . . . .	\$19,082,000
32	General Fund--Private/Local Appropriation . . . . .	\$30,000
33	TOTAL APPROPRIATION . . . . .	\$23,654,000

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





1           (3) \$25,000 of the unemployment compensation administration  
2 account--federal appropriation is from amounts made available to the  
3 state by section 903 (d), (f), and (g) of the social security act (Reed  
4 act). This amount is provided solely for implementation of system  
5 changes to the unemployment insurance tax information system required  
6 under chapter 4, Laws of 2011 (unemployment insurance program).

7           (4) \$1,459,000 of the unemployment compensation administration  
8 account--federal appropriation is from amounts available to the state  
9 by section 903 (d), (f), and (g) of the social security act (Reed act).  
10 This amount is provided solely for implementation of chapter 4, Laws of  
11 2011 (unemployment insurance program).

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

(End of part)

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

**Sec. 301.** 2011 2nd sp.s. c 9 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2012) . . . . .	(\$47,630,000)
	<u>\$28,948,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(\$46,226,000)
	<u>\$24,642,000</u>
General Fund--Federal Appropriation . . . . .	(\$77,452,000)
	<u>\$100,154,000</u>
General Fund--Private/Local Appropriation . . . . .	(\$16,691,000)
	<u>\$16,730,000</u>
Special Grass Seed Burning Research Account--State Appropriation . . . . .	\$3,000
Reclamation Revolving Account--State Appropriation . . . . .	(\$3,642,000)
	<u>\$4,643,000</u>
Flood Control Assistance Account--State Appropriation . . . . .	(\$1,940,000)
	<u>\$1,933,000</u>
State Emergency Water Projects Revolving Account--State Appropriation . . . . .	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation . . . . .	(\$11,478,000)
	<u>\$9,762,000</u>
State Drought Preparedness Account--State Appropriation . . . . .	(\$118,000)
	<u>\$204,000</u>
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation . . . . .	(\$423,000)
	<u>\$422,000</u>
Freshwater Aquatic Algae Control Account--State Appropriation . . . . .	\$509,000
Water Rights Tracking System Account--State Appropriation . . . . .	\$46,000
Site Closure Account--State Appropriation . . . . .	(\$703,000)
	<u>\$622,000</u>

1	Wood Stove Education and Enforcement Account--State	
2	Appropriation . . . . .	(((\$612,000))
3		<u>\$723,000</u>
4	Worker and Community Right-to-Know Account--State	
5	Appropriation . . . . .	(((\$1,668,000))
6		<u>\$1,661,000</u>
7	Water Rights Processing Account--State Appropriation . . .	(((\$136,000))
8		<u>\$135,000</u>
9	State Toxics Control Account--State Appropriation . . .	(((\$112,575,000))
10		<u>\$148,563,000</u>
11	State Toxics Control Account--Private/Local	
12	Appropriation . . . . .	(((\$968,000))
13		<u>\$966,000</u>
14	Local Toxics Control Account--State Appropriation . . .	(((\$27,390,000))
15		<u>\$26,207,000</u>
16	Water Quality Permit Account--State Appropriation . . .	(((\$37,748,000))
17		<u>\$39,066,000</u>
18	Underground Storage Tank Account--State	
19	Appropriation . . . . .	(((\$3,254,000))
20		<u>\$3,239,000</u>
21	Biosolids Permit Account--State Appropriation . . . . .	(((\$1,805,000))
22		<u>\$1,797,000</u>
23	Hazardous Waste Assistance Account--State	
24	Appropriation . . . . .	(((\$5,857,000))
25		<u>\$5,835,000</u>
26	Air Pollution Control Account--State Appropriation . . .	(((\$2,468,000))
27		<u>\$2,545,000</u>
28	Oil Spill Prevention Account--State Appropriation . . .	(((\$5,566,000))
29		<u>\$5,542,000</u>
30	Air Operating Permit Account--State Appropriation . . .	(((\$2,746,000))
31		<u>\$3,285,000</u>
32	Freshwater Aquatic Weeds Account--State	
33	Appropriation . . . . .	(((\$1,700,000))
34		<u>\$1,698,000</u>
35	Oil Spill Response Account--State Appropriation . . . . .	\$7,076,000
36	Metals Mining Account--State Appropriation . . . . .	\$14,000
37	Water Pollution Control Revolving Account--State	
38	Appropriation . . . . .	(((\$611,000))



1 shall only be expended on activities listed under RCW 70.93.180(1) (a)  
2 and (b), and the department shall not expend appropriations on RCW  
3 70.93.180(1)(c). The department may not spend waste reduction,  
4 recycling, and litter control account funds to support the following  
5 activities: The beyond waste plan, work on national solid waste  
6 recycling issues, work on construction and demolition recycling and  
7 green building alternatives, education programs including the green  
8 schools initiative, and management of the 1-800-recycle hotline and  
9 database on school awards. Waste reduction, recycling, and litter  
10 account control funds must be prioritized to support litter pickup  
11 using correctional crews, regulatory programs, and technical assistance  
12 to local governments.

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

22 (7) The department shall review its water rights application review  
23 procedures to simplify the procedures, eliminate unnecessary steps, and  
24 decrease the time required to issue decisions. The department shall  
25 implement changes to improve water rights processing for which it has  
26 current administrative authority. The department shall report on  
27 reforms implemented and efficiencies achieved as demonstrated through  
28 enhanced permit processing to the appropriate committees of the  
29 legislature on December 1, 2011, and October 1, 2012.

30 (a) The department shall consult with key stakeholders on statutory  
31 barriers to efficient water rights processing and effective water  
32 management, including identification of obsolete, confusing, or  
33 conflicting statutory provisions. The department shall report  
34 stakeholder recommendations to appropriate committees of the  
35 legislature by December 1, 2011, and October 1, 2012.

36 (b) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2013 is provided solely for processing water right permit  
38 applications only if the department of ecology issues at least five

1 hundred water right decisions in fiscal year 2012, and if the  
2 department of ecology does not issue at least five hundred water right  
3 decisions in fiscal year 2012 the amount provided in this subsection  
4 shall lapse and remain unexpended. The department of ecology shall  
5 submit a report to the office of financial management and the state  
6 treasurer by June 30, 2012, that documents whether five hundred water  
7 right decisions were issued in fiscal year 2012. For the purposes of  
8 this subsection, applications that are voluntarily withdrawn by an  
9 applicant do not count towards the five hundred water right decision  
10 requirement. For the purposes of water budget-neutral requests under  
11 chapter 173-539A WAC, multiple domestic connections authorized within  
12 a single water budget-neutral decision are considered one decision for  
13 the purposes of this subsection.

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

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

22 (9) As soon as possible after filing CR-102 proposed draft rule  
23 language that establishes standards or criteria for human health based  
24 on fish consumption rates under chapter 173-204 WAC, and prior to  
25 expending any funds to implement such rules, the department shall  
26 present to the appropriate environment and fiscal committees of the  
27 legislature technical support document No. 11-09-050. The department  
28 must include proposed revised standards or criteria together with the  
29 statements, determination and documentation set forth in RCW 34.05.328  
30 including without limitation a cost-benefit analysis, a least  
31 burdensome alternative analysis, an implementation plan and substantial  
32 evidence that any difference between the proposed criteria and the  
33 national toxics rule is necessary to achieve the general and specific  
34 objectives of chapter 90.48 RCW.

35 (10) To increase the focus on processing of water right  
36 applications by reducing certain current workload, the department shall  
37 provide the option for a ministerial development schedule extension for  
38 any water right permit, previously approved permit extension, or water

1 right change or transfer authorization with a development schedule  
2 deadline prior to June 30, 2013. The extensions require payment of the  
3 fee under RCW 90.03.470 and will be for one year.

4 (11) 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 (12) \$128,000 of the wood stove education and enforcement account--  
9 state appropriation is provided solely for the implementation of Senate  
10 Bill No. 6077 (solid fuel burning devices). If the bill is not enacted  
11 by June 30, 2012, the amount provided in this subsection shall lapse.

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

16 (14) \$2,000,000 of the state toxics control account--state  
17 appropriation is provided solely for the replacement of uncertified  
18 solid fuel burning devices and solid fuel burning devices manufactured  
19 prior to 1995 for low and middle-income families in air quality  
20 nonattainment areas under the federal clean air act (42 U.S.C. Sec.  
21 7401 et seq.). The replacement heating device may include certified  
22 solid fuel burning devices, pellet stoves, or a cleaner natural gas or  
23 electric home heating device.

24 (15) \$188,000 of the general fund--state appropriation for fiscal  
25 year 2013 is provided solely for the implementation of Second  
26 Substitute Senate Bill No. 6406 (state natural resources). If the bill  
27 is not enacted by June 30, 2012, the amount provided in this subsection  
28 shall lapse.

29 **Sec. 302.** 2011 2nd sp.s. c 9 s 303 (uncodified) is amended to read  
30 as follows:

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

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

1	Aquatic Lands Enhancement Account--State	
2	Appropriation . . . . .	(( <del>\$363,000</del> ))
3		<u>\$4,363,000</u>
4	Parks Renewal and Stewardship Account--State	
5	Appropriation . . . . .	(( <del>\$116,087,000</del> ))
6		<u>\$116,649,000</u>
7	Parks Renewal and Stewardship Account--Private/Local	
8	Appropriation . . . . .	\$300,000
9	TOTAL APPROPRIATION . . . . .	(( <del>\$146,822,000</del> ))
10		<u>\$151,384,000</u>

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

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

23       (2) \$79,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$79,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for a grant for the operation of  
26 the Northwest avalanche center.

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

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





1       **Sec. 304.** 2011 2nd sp.s. c 9 s 305 (uncodified) is amended to read  
2 as follows:

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

4	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,308,000</del> ))
5		<u>\$2,209,000</u>
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,275,000</del> ))
7		<u>\$2,159,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$4,583,000</del> ))
9		<u>\$4,368,000</u>

10       **Sec. 305.** 2011 2nd sp.s. c 9 s 306 (uncodified) is amended to read  
11 as follows:

12       **FOR THE CONSERVATION COMMISSION**

13	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$6,789,000</del> ))
14		<u>\$6,742,000</u>
15	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$6,792,000</del> ))
16		<u>\$6,504,000</u>
17	General Fund--Federal Appropriation . . . . .	\$1,301,000
18	TOTAL APPROPRIATION . . . . .	(( <del>\$14,882,000</del> ))
19		<u>\$14,547,000</u>

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

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

26       (2) \$122,000 of the general fund--federal appropriation is provided  
27 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center  
28 process). If the bill is not enacted by June 30, 2011, the amount  
29 provided in this subsection shall lapse.

30       **Sec. 306.** 2011 2nd sp.s. c 9 s 307 (uncodified) is amended to read  
31 as follows:

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

33	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$34,695,000</del> ))
34		<u>\$32,380,000</u>
35	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$32,388,000</del> ))
36		<u>\$25,467,000</u>

1	General Fund--Federal Appropriation . . . . .	(( <del>\$105,717,000</del> ))
2		<u>\$105,719,000</u>
3	General Fund--Private/Local Appropriation . . . . .	(( <del>\$57,025,000</del> ))
4		<u>\$57,055,000</u>
5	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
6	Aquatic Lands Enhancement Account--State	
7	Appropriation . . . . .	(( <del>\$8,230,000</del> ))
8		<u>\$10,718,000</u>
9	Recreational Fisheries Enhancement--State	
10	Appropriation . . . . .	(( <del>\$3,550,000</del> ))
11		<u>\$2,800,000</u>
12	Warm Water Game Fish Account--State Appropriation . . .	(( <del>\$3,051,000</del> ))
13		<u>\$2,851,000</u>
14	Eastern Washington Pheasant Enhancement Account--State	
15	Appropriation . . . . .	\$849,000
16	Aquatic Invasive Species Enforcement Account--State	
17	Appropriation . . . . .	\$204,000
18	Aquatic Invasive Species Prevention Account--State	
19	Appropriation . . . . .	(( <del>\$719,000</del> ))
20		<u>\$852,000</u>
21	State Wildlife Account--State Appropriation . . . . .	(( <del>\$100,424,000</del> ))
22		<u>\$101,434,000</u>
23	Special Wildlife Account--State Appropriation . . . . .	\$2,384,000
24	Special Wildlife Account--Federal Appropriation . . . . .	\$500,000
25	Special Wildlife Account--Private/Local Appropriation . . .	\$3,415,000
26	Wildlife Rehabilitation Account--State Appropriation . . . . .	\$259,000
27	Regional Fisheries Enhancement Salmonid Recovery	
28	Account--Federal Appropriation . . . . .	\$5,001,000
29	Oil Spill Prevention Account--State Appropriation . . . . .	\$887,000
30	Oyster Reserve Land Account--State Appropriation . . . . .	\$921,000
31	<u>Hydraulic Project Approval Account--State</u>	
32	<u>Appropriation . . . . .</u>	<u>\$415,000</u>
33	<u>Recreation Resources Account--State Appropriation . . . . .</u>	<u>\$4,621,000</u>
34	TOTAL APPROPRIATION . . . . .	(( <del>\$360,610,000</del> ))
35		<u>\$359,123,000</u>

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

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

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

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

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

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

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

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

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

1 whether the proposed requests are being made in the most cost effective  
2 manner. The department shall provide a copy of the HSRG review to the  
3 office of financial management with their agency budget proposal.

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

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

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

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

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

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

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

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

6 (12) \$50,000 of the state wildlife account--state appropriation is  
7 provided solely for mitigation, claims, and assessment costs for injury  
8 or loss of livestock caused by wolves, black bears, and cougars.

9 (13) \$552,000 of the aquatic lands enhancement account--state  
10 appropriation is provided solely for increased law enforcement capacity  
11 to reduce the occurrence of geoduck poaching and illegal harvest  
12 activities. The department shall fill current vacant law enforcement  
13 positions prior to filling the new positions created under this  
14 subsection.

15 (14) \$56,000 of the state wildlife account--state appropriation is  
16 provided solely for the implementation of Substitute Senate Bill No.  
17 6387 (natural resource fiscal matters). If the bill is not enacted by  
18 June 30, 2012, the amount provided in this subsection shall lapse.

19 (15) \$415,000 of the hydraulic project approval--state  
20 appropriation is provided solely for the implementation of Second  
21 Substitute Senate Bill No. 6406 (state natural resources). If the bill  
22 is not enacted by June 30, 2012, the amount provided in this subsection  
23 shall lapse.

24 **Sec. 307.** 2011 2nd sp.s. c 9 s 308 (uncodified) is amended to read  
25 as follows:

26 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

27	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$31,324,000</del> ))
28		<u>\$30,956,000</u>
29	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$35,791,000</del> ))
30		<u>\$32,594,000</u>
31	General Fund--Federal Appropriation . . . . .	\$27,919,000
32	General Fund--Private/Local Appropriation . . . . .	\$2,374,000
33	Forest Development Account--State Appropriation . . . . .	(( <del>\$41,717,000</del> ))
34		<u>\$45,115,000</u>
35	ORV and Nonhighway Vehicle Account--State Appropriation . .	\$4,387,000
36	Surveys and Maps Account--State Appropriation . . . . .	(( <del>\$2,346,000</del> ))
37		<u>\$2,124,000</u>

1	Aquatic Lands Enhancement Account--State	
2	Appropriation . . . . .	(( <del>\$7,224,000</del> ))
3		<u>\$1,224,000</u>
4	Resources Management Cost Account--State	
5	Appropriation . . . . .	(( <del>\$82,097,000</del> ))
6		<u>\$89,699,000</u>
7	Surface Mining Reclamation Account--State	
8	Appropriation . . . . .	(( <del>\$3,484,000</del> ))
9		<u>\$3,486,000</u>
10	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
11	Forest and Fish Support Account--State Appropriation . . . . .	(( <del>\$7,933,000</del> ))
12		<u>\$10,484,000</u>
13	Aquatic Land Dredged Material Disposal Site	
14	Account--State Appropriation . . . . .	\$838,000
15	Natural Resources Conservation Areas Stewardship	
16	Account--State Appropriation . . . . .	\$34,000
17	<u>Marine Resources Stewardship Account--State</u>	
18	<u>Appropriation . . . . .</u>	<u>\$2,400,000</u>
19	State Toxics Control Account--State Appropriation . . . . .	\$80,000
20	Air Pollution Control Account--State Appropriation . . . . .	(( <del>\$669,000</del> ))
21		<u>\$540,000</u>
22	NOVA Program Account--State Appropriation . . . . .	\$639,000
23	Derelict Vessel Removal Account--State Appropriation . . . . .	\$1,761,000
24	Agricultural College Trust Management Account--State	
25	Appropriation . . . . .	\$1,854,000
26	<u>Forest Practices Application Account--State</u>	
27	<u>Appropriation . . . . .</u>	<u>\$780,000</u>
28	TOTAL APPROPRIATION . . . . .	(( <del>\$257,471,000</del> ))
29		<u>\$264,288,000</u>

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

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

1 (2) \$8,030,000 of the general fund--state appropriation for fiscal  
2 year 2012, (~~(\$10,037,000)~~) \$8,819,000 of the general fund--state  
3 appropriation for fiscal year 2013, \$595,000 of the forest development  
4 account--state appropriation, and \$5,000,000 of the disaster response  
5 account--state appropriation are provided solely for emergency fire  
6 suppression. None of the general fund and disaster response account  
7 amounts provided in this subsection may be used to fund agency indirect  
8 and administrative expenses. Agency indirect and administrative costs  
9 shall be allocated among the agency's remaining accounts and  
10 appropriations. The department of natural resources shall submit a  
11 quarterly report to the office of financial management and the  
12 legislative fiscal committees detailing information on current and  
13 planned expenditures from the disaster response account. This work  
14 shall be done in coordination with the military department.

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

20 (~~4) \$333,000 of the forest and fish support account state~~  
21 ~~appropriation is provided solely for adaptive management, monitoring,~~  
22 ~~and participation grants to nongovernmental organizations.)) \$4,250,000  
23 of the forest and fish support account--state appropriation is provided  
24 solely for outcome-based, performance contracts with tribes to  
25 participate in the implementation of the forest practices program.  
26 Contracts awarded in fiscal year 2013 may only contain indirect cost  
27 set at or below the rate in the contracting tribe's indirect cost  
28 agreement with the federal government. If federal funding for this  
29 purpose is reinstated, the amount provided in this subsection shall  
30 lapse.~~

31 (4) \$468,000 of the forest and fish support account--state  
32 appropriation is provided solely for outcome-based performance  
33 contracts with nongovernmental organizations to participate in the  
34 implementation of the forest practices program. Contracts awarded in  
35 fiscal year 2013 may only contain indirect cost set at or below a rate  
36 of eighteen percent.

37 (5) (~~(\$487,000)~~) \$717,000 of the (~~general fund~~) forest and fish  
38 support account--state appropriation is provided solely to fund



1 interagency agreements with the department of ecology and the  
2 department of fish and wildlife as part of the adaptive management  
3 process.

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

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

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

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

24 (10) In partnership with the department of ecology, the departments  
25 shall deliver a report to the governor, the appropriate committees of  
26 the legislature, and the forest practices board by September 1, 2012,  
27 documenting forest practices adaptive management program reforms  
28 implemented, or recommended, that streamline existing processes to  
29 increase program efficiencies and effectiveness. The departments shall  
30 collaborate with interested adaptive management program participants in  
31 the development of the report.

32 (11) \$780,000 of the forest practices application account--state  
33 appropriation, \$18,000 of the forest development account--state  
34 appropriation, \$22,000 of the resources management cost account--state  
35 appropriation, and \$2,000 of the surface mining reclamation account--  
36 state appropriation are provided solely for the implementation of  
37 Second Substitute Senate Bill No. 6406 (state natural resources). If

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

3 (12) \$2,400,000 of the marine resources stewardship account--state  
4 appropriation is provided solely for the implementation of Second  
5 Substitute Senate Bill No. 6263 (marine management planning). If the  
6 bill is not enacted by June 30, 2012, the amount provided in this  
7 subsection shall lapse.

8 **Sec. 308.** 2011 2nd sp.s. c 9 s 309 (uncodified) is amended to read  
9 as follows:

10 **FOR THE DEPARTMENT OF AGRICULTURE**

11	General Fund--State Appropriation (FY 2012) . . . . .	(( \$15,484,000 ))
12		<u>\$12,942,000</u>
13	General Fund--State Appropriation (FY 2013) . . . . .	(( \$14,875,000 ))
14		<u>\$12,181,000</u>
15	General Fund--Federal Appropriation . . . . .	(( \$22,940,000 ))
16		<u>\$22,897,000</u>
17	General Fund--Private/Local Appropriation . . . . .	\$190,000
18	Aquatic Lands Enhancement Account--State	
19	Appropriation . . . . .	(( \$2,553,000 ))
20		<u>\$2,548,000</u>
21	State Toxics Control Account--State Appropriation . . . . .	(( \$5,118,000 ))
22		<u>\$10,132,000</u>
23	Water Quality Permit Account--State Appropriation . . . . .	\$60,000
24	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$280,000
25	TOTAL APPROPRIATION . . . . .	(( \$61,500,000 ))
26		<u>\$61,230,000</u>

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

32 (2) Pursuant to RCW 43.135.055, the department is authorized to  
33 increase the following fees in the 2011-2013 fiscal biennium as  
34 necessary to meet the actual costs of conducting business: Fruit and  
35 vegetable platform inspections; grain program services; warehouse  
36 audits; requested inspections; seed inspections, testing, sampling and  
37 certifications; phytosanitary certifications for seed; commission

1 merchants; and sod quality seed tags and tagging. In addition,  
2 pursuant to RCW 43.135.055, 17.21.134, and 15.58.240, the department is  
3 authorized to establish pesticide license examination fees.

4 **Sec. 309.** 2011 2nd sp.s. c 9 s 311 (uncodified) is amended to read  
5 as follows:

6 **FOR THE PUGET SOUND PARTNERSHIP**

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$2,399,000</del> ))
8		<u>\$2,278,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$2,424,000</del> ))
10		<u>\$2,280,000</u>
11	General Fund--Federal Appropriation . . . . .	(( <del>\$9,581,000</del> ))
12		<u>\$12,449,000</u>
13	General Fund--Private/Local Appropriation . . . . .	\$25,000
14	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$493,000
15	State Toxics Control Account--State Appropriation . . . . .	\$665,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$15,587,000</del> ))
17		<u>\$18,190,000</u>

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

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

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

(End of part)

**PART IV**  
**TRANSPORTATION**

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

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2012)	\$1,167,000
General Fund--State Appropriation (FY 2013)	\$1,307,000
Architects' License Account--State Appropriation	\$1,084,000
Professional Engineers' Account--State Appropriation	\$3,518,000
Real Estate Commission Account--State Appropriation	\$9,833,000
Uniform Commercial Code Account--State Appropriation	\$3,120,000
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State Appropriation	\$1,687,000
Business and Professions Account--State Appropriation	\$15,592,000
Real Estate Research Account--State Appropriation	\$622,000
Geologists' Account--State Appropriation	\$51,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	\$38,288,000

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 and the camping resorts program. This increase is necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

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

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

**FOR THE STATE PATROL**

General Fund--State Appropriation (FY 2012)	<del>(\$37,352,000)</del>
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1		<u>\$37,332,000</u>
2	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$35,108,000</del> ))
3		<u>\$34,082,000</u>
4	General Fund--Federal Appropriation . . . . .	\$16,081,000
5	General Fund--Private/Local Appropriation . . . . .	\$3,021,000
6	Death Investigations Account--State Appropriation . . . . .	\$5,551,000
7	County Criminal Justice Assistance Account--State	
8	Appropriation . . . . .	\$3,215,000
9	Municipal Criminal Justice Assistance Account--State	
10	Appropriation . . . . .	\$1,290,000
11	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
12	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
13	Fire Service Training Account--State Appropriation . . . . .	\$9,394,000
14	Aquatic Invasive Species Enforcement Account--State	
15	Appropriation . . . . .	\$54,000
16	State Toxics Control Account--State Appropriation . . . . .	\$505,000
17	Fingerprint Identification Account--State	
18	Appropriation . . . . .	(( <del>\$10,090,000</del> ))
19		<u>\$10,091,000</u>
20	Vehicle License Fraud Account--State Appropriation . . . . .	(( <del>\$339,000</del> ))
21		<u>\$439,000</u>
22	TOTAL APPROPRIATION . . . . .	(( <del>\$130,133,000</del> ))
23		<u>\$130,188,000</u>

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

26       (1) \$200,000 of the fire service training account--state  
27 appropriation is provided solely for two FTEs in the office of the  
28 state director of fire protection to exclusively review K-12  
29 construction documents for fire and life safety in accordance with the  
30 state building code. It is the intent of this appropriation to provide  
31 these services only to those districts that are located in counties  
32 without qualified review capabilities.

33       (2) \$8,000,000 of the disaster response account--state  
34 appropriation is provided solely for Washington state fire service  
35 resource mobilization costs incurred in response to an emergency or  
36 disaster authorized under RCW 43.43.960 and 43.43.964. \$500,000 of  
37 this appropriation is available for mobilization to all risk disasters,  
38 other than fires, in accordance with these statutes. The state patrol

1 shall submit a report quarterly to the office of financial management  
2 and the legislative fiscal committees detailing information on current  
3 and planned expenditures from this account. This work shall be done in  
4 coordination with the military department.

5 (3) \$400,000 of the fire service training account--state  
6 appropriation is provided solely for the firefighter apprenticeship  
7 training program.

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

12 (5) \$59,000 of the fingerprint identification account--state  
13 appropriation is provided solely for implementation of Engrossed Second  
14 Substitute House Bill No. 1776 (child care center licensing). If the  
15 bill is not enacted by June 30, 2011, the amount provided in this  
16 subsection shall lapse.

17 (6) \$6,000 of the fingerprint identification account--state  
18 appropriation is provided solely for implementation of Engrossed  
19 Substitute House Bill No. 1494 (vulnerable adult referrals). If the  
20 bill is not enacted by June 30, 2011, the amount provided in this  
21 subsection shall lapse.

(End of part)

**PART V**  
**EDUCATION**

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

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2012) . . . . .	(\$25,406,000)
	<u>\$25,137,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(\$22,502,000)
	<u>\$15,739,000</u>
General Fund--Federal Appropriation . . . . .	\$77,065,000
General Fund--Private/Local Appropriation . . . . .	\$4,000,000
TOTAL APPROPRIATION . . . . .	(\$128,973,000)
	<u>\$121,941,000</u>

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

(1) A maximum of (~~(\$16,139,000)~~) \$15,878,000 of the general fund--state appropriation for fiscal year 2012 and (~~(\$13,335,000)~~) \$12,681,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$9,775,000 of the general fund--state appropriation for fiscal year 2012 and \$8,532,000 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.

(iii) Within the amounts provided, and in consultation with the public school employees of Washington and the Washington school counselors' association, the office of the superintendent of public

1 instruction shall develop a model policy that further defines the  
2 recommended roles and responsibilities of graduation coaches and  
3 identifies best practices for how graduation coaches work in  
4 coordination with school counselors and in the context of a  
5 comprehensive school guidance and counseling program.

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

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

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

27 (d) (~~(\$1,744,000)~~) \$1,526,000 of the general fund--state  
28 appropriation for fiscal year 2012 and (~~(\$1,362,000)~~) \$913,000 of the  
29 general fund--state appropriation for fiscal year 2013 are provided  
30 solely to the professional educator standards board for the following:

31 (i) (~~(\$1,050,000)~~) \$832,000 in fiscal year 2012 and (~~(\$1,050,000)~~)  
32 \$913,000 in fiscal year 2013 are for the operation and expenses of the  
33 Washington professional educator standards board; and

34 (ii) \$694,000 of the general fund--state appropriation for fiscal  
35 year 2012 (~~and \$312,000 of the general fund--state appropriation for~~  
36 ~~fiscal year 2013 are)) is for conditional scholarship loans and mentor  
37 stipends provided through the alternative routes to certification  
38 program administered by the professional educator standards board,~~



1 including the pipeline for paraeducators program and the retooling to  
2 teach conditional loan programs. Funding within this subsection  
3 (1)(d)(ii) is also provided for the recruiting Washington teachers  
4 program. Funding reductions in this subsection (1)(d)(ii) in the 2011-  
5 2013 fiscal biennium are intended to be one-time.

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

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

15 (g) \$45,000 of the general fund--state appropriation for fiscal  
16 year 2012 (~~((and \$45,000 of the general fund--state appropriation for~~  
17 ~~fiscal year 2013 are))~~) is provided solely for the implementation of  
18 chapter 380, Laws of 2009 (enacting the interstate compact on  
19 educational opportunity for military children).

20 (h) \$159,000 of the general fund--state appropriation for fiscal  
21 year 2012 and \$93,000 of the general fund--state appropriation for  
22 fiscal year 2013 are provided solely for the implementation of chapter  
23 185, Laws of 2011 (bullying prevention), which requires the office of  
24 the superintendent of public instruction to convene an ongoing  
25 workgroup on school bullying and harassment prevention. Within the  
26 amounts provided, \$140,000 is for youth suicide prevention activities.

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

33 (j) \$25,000 of the general fund--state appropriation for fiscal  
34 year 2012 (~~((and \$25,000 of the general fund--state appropriation for~~  
35 ~~fiscal year 2013 are))~~) is provided solely for project citizen, a  
36 program sponsored by the national conference of state legislatures and  
37 the center for civic education to promote participation in government  
38 by middle school students.

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

6 (l) \$128,000 of the general fund--state appropriation for fiscal  
7 year 2013 is provided solely pursuant to Substitute House Bill No. 2254  
8 (foster care outcomes). The office of the superintendent of public  
9 instruction shall report on the implementation of the state's plan of  
10 cross-system collaboration to promote educational stability and improve  
11 education outcomes of foster youth. The first report is due December  
12 1, 2012, and annually thereafter through 2015. If the bill is not  
13 enacted by June 30, 2012, the amount provided in this subsection shall  
14 lapse.

15 (2) \$9,267,000 of the general fund--state appropriation for fiscal  
16 year 2012 and (~~(\$9,167,000)~~) \$2,941,000 of the general fund--state  
17 appropriation for fiscal year 2013 are for statewide programs.

18 (a) HEALTH AND SAFETY

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

26 (ii) \$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))~~ is provided solely for a nonviolence and  
29 leadership training program provided by the institute for community  
30 leadership.

31 (b) TECHNOLOGY

32 \$1,221,000 of the general fund--state appropriation for fiscal year  
33 2012 (~~(and \$1,221,000 of the general fund--state appropriation for~~  
34 ~~fiscal year 2013 are))~~ is provided solely for K-20 telecommunications  
35 network technical support in the K-12 sector to prevent system  
36 failures and avoid interruptions in school utilization of the data  
37 processing and video-conferencing capabilities of the network. These

1 funds may be used to purchase engineering and advanced technical  
2 support for the network.

3 (c) GRANTS AND ALLOCATIONS

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

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

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

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

34 (v) \$135,000 of the general fund--state appropriation for fiscal  
35 year 2012 (~~((and \$135,000 of the general fund--state appropriation for~~  
36 ~~fiscal year 2013 are))~~) is provided solely for dropout prevention  
37 programs at the office of the superintendent of public instruction,  
38 including the jobs for America's graduates (JAG) program.

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

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

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**  
10 **APPORTIONMENT**

11	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$5,253,769,000</del> ))
12		<u>\$5,241,233,000</u>
13	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$5,205,868,000</del> ))
14		<u>\$5,162,497,000</u>
15	General Fund--Federal Appropriation . . . . .	\$22,078,000
16	TOTAL APPROPRIATION . . . . .	(( <del>\$10,481,715,000</del> ))
17		<u>\$10,425,808,000</u>

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

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

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

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

31 (d) The appropriations in this section include federal funds  
32 provided through section 101 of P.L. No. 111-226 (education jobs fund),  
33 which shall be used to support general apportionment program funding.  
34 In distributing general apportionment allocations under this section  
35 for the 2011-12 school year, the superintendent shall include the  
36 additional amount of \$3,078,000 allocated by the United States

1 department of education on September 16, 2011, provided through 101 of  
2 P.L. No. 111-226 (education jobs fund) as part of each district's  
3 general apportionment allocation.

4 (e) The enrollment of any district shall be the annual average  
5 number of full-time equivalent students and part-time students as  
6 provided in RCW 28A.150.350, enrolled on the fourth day of school in  
7 September and on the first school day of each month October through  
8 June, including students who are in attendance pursuant to RCW  
9 28A.335.160 and 28A.225.250 who do not reside within the servicing  
10 school district. Any school district concluding its basic education  
11 program in May must report the enrollment of the last school day held  
12 in May in lieu of a June enrollment.

13 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

14 Allocations for certificated instructional staff salaries for the  
15 2011-12 and 2012-13 school years are determined using formula-generated  
16 staff units calculated pursuant to this subsection.

17 (a) Certificated instructional staff units, as defined in RCW  
18 28A.150.410, shall be allocated to reflect the minimum class size  
19 allocations, requirements, and school prototypes assumptions as  
20 provided in RCW 28A.150.260. The superintendent shall make allocations  
21 to school districts based on the district's annual average full-time  
22 equivalent student enrollment in each grade.

23 (b) Additional certificated instructional staff units provided in  
24 this subsection (2) that exceed the minimum requirements in RCW  
25 28A.150.260 are enhancements outside the program of basic education,  
26 except as otherwise provided in this section.

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

31	General education class size:	
32	Grade	RCW 28A.150.260
33	Grades K-3	..... 25.23
34	Grade 4	..... 27.00
35	Grades 5-6	..... 27.00

1	Grades 7-8	.....	28.53
2	Grades 9-12	.....	28.74

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

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

11 General education class size in high poverty school:

12	Grades K-3	.....	24.10
13	Grade 4	.....	27.00
14	Grades 5-6	.....	27.00
15	Grades 7-8	.....	28.53
16	Grades 9-12	.....	28.74

17 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher  
18 planning period, expressed as a percentage of a teacher work day, is  
19 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

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

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

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

1 Career and Technical Education  
2 students . . . . . 2.02 per 1000 student FTE's  
3 Skill Center students . . . . . 2.36 per 1000 student FTE's

4 (3) ADMINISTRATIVE STAFF ALLOCATIONS

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

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

15 Career and Technical Education students . . . . . 2.5 percent  
16 Skill Center students . . . . . 19.75 percent

17 (4) CLASSIFIED STAFF ALLOCATIONS

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

23  
24 (5) CENTRAL OFFICE ALLOCATIONS

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

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

35 (b) Of the central office staff units calculated in (a) of this  
36 subsection, 74.53 percent are allocated as classified staff units, as  
37 generated in subsection (4) of this section, and 25.47 percent shall be

1 allocated as administrative staff units, as generated in subsection (3)  
2 of this section.

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

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

17 (6) FRINGE BENEFIT ALLOCATIONS

18 Fringe benefit allocations shall be calculated at a rate of 16.33  
19 percent in the 2011-12 school year and (~~(16.33)~~) 16.34 percent in the  
20 2012-13 school year for certificated salary allocations provided under  
21 subsections (2), (3), and (5) of this section, and a rate of 18.73  
22 percent in the 2011-12 school year and 18.73 percent in the 2012-13  
23 school year for classified salary allocations provided under  
24 subsections (4) and (5) of this section.

25 (7) INSURANCE BENEFIT ALLOCATIONS

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

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

31 (b) The number of classified staff units determined in subsections  
32 (4) and (5) of this section multiplied by 1.152. This factor is  
33 intended to adjust allocations so that, for the purposes of  
34 distributing insurance benefits, full-time equivalent classified  
35 employees may be calculated on the basis of 1440 hours of work per  
36 year, with no individual employee counted as more than one full-time  
37 equivalent.  
38



1 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS  
 2 Funding is allocated per annual average full-time equivalent  
 3 student for the materials, supplies, and operating costs (MSOC)  
 4 incurred by school districts, consistent with the requirements of RCW  
 5 28A.150.260.

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

8 MSOC RATES/STUDENT FTE

9	10 MSOC Component	11 2011-12	12 2012-13
		SCHOOL YEAR	SCHOOL YEAR
13	Technology	\$57.42	<del>(\$58.17)</del> <u>\$58.29</u>
14	Utilities and Insurance	\$156.03	<del>(\$158.05)</del>
15			<u>\$158.36</u>
16	Curriculum and Textbooks	\$61.65	<del>(\$62.45)</del> <u>\$62.58</u>
17	Other Supplies and Library Materials		<del>(\$132.59)</del>
18		\$130.89	<u>\$132.85</u>
19	Instructional Professional Development for Certificated and Classified Staff	\$9.53	<del>(\$9.66)</del> <u>\$9.68</u>
20	Facilities Maintenance	\$77.30	<del>(\$78.30)</del> <u>\$78.46</u>
21	Security and Central Office	\$53.55	<del>(\$54.25)</del> <u>\$54.35</u>
22	TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	<del>(\$553.47)</del>
23			<u>\$554.57</u>

24 (b) Students in approved skill center programs generate per student  
 25 FTE MSOC allocations which equal the rate for general education  
 26 students calculated in (a) of this subsection, multiplied by a factor  
 27 of 2.171.

28 (c) Students in approved exploratory and preparatory career and  
 29 technical education programs generate a per student MSOC allocation  
 30 that is equal to the rate for general education students calculated in  
 31 (a) of this subsection, multiplied by a factor of 2.442.

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

1 (9) SUBSTITUTE TEACHER ALLOCATIONS

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

6 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

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

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

19 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

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

33 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND  
34 NECESSARY PLANTS

35 For small school districts and remote and necessary school plants  
36 within any district which have been judged to be remote and necessary  
37 by the superintendent of public instruction, additional staff units are

1 provided to ensure a minimum level of staffing support. Additional  
2 administrative and certificated instructional staff units provided to  
3 districts in this subsection shall be reduced by the general education  
4 staff units, excluding career and technical education and skills center  
5 enhancement units, otherwise provided in subsections (2) through (5) of  
6 this section on a per district basis.

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

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

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

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

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

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

35 (c) For districts operating no more than two high schools with  
36 enrollments of less than three hundred average annual full-time  
37 equivalent students, for enrollment in grades 9-12 in each such school,  
38 other than alternative schools, except as noted in this subsection:

1 (i) For remote and necessary schools enrolling students in any  
2 grades 9-12 but no more than twenty-five average annual full-time  
3 equivalent students in grades K-12, four and one-half certificated  
4 instructional staff units and one-quarter of a certificated  
5 administrative staff unit;

6 (ii) For all other small high schools under this subsection, nine  
7 certificated instructional staff units and one-half of a certificated  
8 administrative staff unit for the first sixty average annual full-time  
9 equivalent students, and additional staff units based on a ratio of  
10 0.8732 certificated instructional staff units and 0.1268 certificated  
11 administrative staff units per each additional forty-three and one-half  
12 average annual full-time equivalent students;

13 (iii) Districts receiving staff units under this subsection shall  
14 add students enrolled in a district alternative high school and any  
15 grades nine through twelve alternative learning experience programs  
16 with the small high school enrollment for calculations under this  
17 subsection;

18 (d) For each nonhigh school district having an enrollment of more  
19 than seventy annual average full-time equivalent students and less than  
20 one hundred eighty students, operating a grades K-8 program or a grades  
21 1-8 program, an additional one-half of a certificated instructional  
22 staff unit;

23 (e) For each nonhigh school district having an enrollment of more  
24 than fifty annual average full-time equivalent students and less than  
25 one hundred eighty students, operating a grades K-6 program or a grades  
26 1-6 program, an additional one-half of a certificated instructional  
27 staff unit;

28 (f)(i) For enrollments generating certificated staff unit  
29 allocations under (a) through (e) of this subsection, one classified  
30 staff unit for each 2.94 certificated staff units allocated under such  
31 subsections;

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

36 (g) School districts receiving additional staff units to support  
37 small student enrollments and remote and necessary plants under  
38 subsection (12) of this section shall generate additional MSOC

1 allocations consistent with the nonemployee related costs (NERC)  
2 allocation formula in place for the 2010-11 school year as provided  
3 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental  
4 budget), adjusted annually for inflation.

5 (13) Any school district board of directors may petition the  
6 superintendent of public instruction by submission of a resolution  
7 adopted in a public meeting to reduce or delay any portion of its basic  
8 education allocation for any school year. The superintendent of public  
9 instruction shall approve such reduction or delay if it does not impair  
10 the district's financial condition. Any delay shall not be for more  
11 than two school years. Any reduction or delay shall have no impact on  
12 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
13 pursuant to chapter 28A.500 RCW.

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

17 (a) \$589,000 of the general fund--state appropriation for fiscal  
18 year 2012 and (~~(\$597,000)~~) \$598,000 of the general fund--state  
19 appropriation for fiscal year 2013 are provided solely for fire  
20 protection for school districts located in a fire protection district  
21 as now or hereafter established pursuant to chapter 52.04 RCW.

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

29 (c) Funding in this section is sufficient to fund adjustments to  
30 school districts' allocations resulting from the implementation of the  
31 prototypical school funding formula, pursuant to chapter 236, Laws of  
32 2010 (K-12 education funding). The funding in this section is intended  
33 to hold school districts harmless in total for funding changes  
34 resulting from conversion to the prototypical school formula in the  
35 general apportionment program, the learning assistance program, the  
36 transitional bilingual program, and the highly capable program, after  
37 adjustment for changes in enrollment and other caseload adjustments.

1 (15) \$208,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$211,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for school district emergencies as  
4 certified by the superintendent of public instruction. At the close of  
5 the fiscal year the superintendent of public instruction shall report  
6 to the office of financial management and the appropriate fiscal  
7 committees of the legislature on the allocations provided to districts  
8 and the nature of the emergency.

9 (16) Funding in this section is sufficient to fund a maximum of  
10 1.6 FTE enrollment for skills center students pursuant to chapter 463,  
11 Laws of 2007.

12 (~~Beginning — in — the — 2011-12 — school — year,~~) Students  
13 participating in running start programs may be funded up to a combined  
14 maximum enrollment of 1.2 FTE for the 2011-12 school year and 1.0 FTE  
15 for the 2012-13 school year including school district and institution  
16 of higher education enrollment. In calculating the combined 1.2 or 1.0  
17 FTE, the office of the superintendent of public instruction may  
18 (~~average the participating student's September through June enrollment~~  
19 ~~to account for differences in the start and end dates for courses~~  
20 ~~provided by the high school and higher education institution~~) utilize  
21 the average of the student's running start FTE enrollment on nine count  
22 dates from the institution of higher education and the average of the  
23 student's high school FTE enrollment from September through June,  
24 adjusting for any differences in start and end dates provided by the  
25 institution of higher education and the high school, provided the final  
26 per-student FTE does not exceed the 1.2 maximum specified in this  
27 section. Additionally, the office of the superintendent of public  
28 instruction, in consultation with the state board for community and  
29 technical colleges, the higher education coordinating board, and the  
30 education data center, shall annually track and report to the fiscal  
31 committees of the legislature on the combined FTE experience of  
32 students participating in the running start program, including course  
33 load analyses at both the high school and community and technical  
34 college system.

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

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

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

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

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

24 **Sec. 503.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read  
25 as follows:

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

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

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

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

5 (2) For the purposes of this section:

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

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

15 (3) Incremental fringe benefit factors are applied to salary  
 16 adjustments at a rate of 15.69 percent for school year 2011-12 and  
 17 (~~(15.69)~~) 15.70 percent for school year 2012-13 for certificated  
 18 instructional and certificated administrative staff and 15.23 percent  
 19 for school year 2011-12 and 15.23 percent for the 2012-13 school year  
 20 for classified staff.

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

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

25 \*\*\*Education Experience\*\*\*

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



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

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

\*\*\*Education Experience\*\*\*

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

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

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

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

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

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

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

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

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

30 **Sec. 504.** 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read  
31 as follows:

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

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

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

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

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

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

18 (d) The appropriations in this subsection (1) include associated  
19 incremental fringe benefit allocations at 15.69 percent for the 2011-12  
20 school year and (~~(15.69)~~) 15.70 percent for the 2012-13 school year for  
21 certificated instructional and certificated administrative staff and  
22 15.23 percent for the 2011-12 school year and 15.23 percent for the  
23 2012-13 school year for classified staff.

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

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

37 (2) The maintenance rate for insurance benefit allocations is  
38 \$768.00 per month for the 2011-12 and 2012-13 school years. The

1 appropriations in this section reflect the incremental change in cost  
2 of allocating rates of \$768.00 per month for the 2011-12 school year  
3 and \$768.00 per month for the 2012-13 school year.

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

6 **Sec. 505.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read  
7 as follows:

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

9 General Fund--State Appropriation (FY 2012) . . . . . (~~(\$322,033,000)~~)  
10 \$322,243,000

11 General Fund--State Appropriation (FY 2013) . . . . . (~~(\$273,380,000)~~)  
12 \$273,642,000

13 TOTAL APPROPRIATION . . . . . (~~(\$595,413,000)~~)  
14 \$595,885,000

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

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

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

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

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

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

1 to the greatest extent practical, reflect the actual transportation  
2 activity of each district.

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

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

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

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

22 (9) The office of the superintendent of public instruction shall  
23 develop, in consultation with the Washington association of school  
24 business officials and Washington association for pupil transportation,  
25 a unit-cost transportation formula or hybrid formula for legislative  
26 consideration and potential adoption. The transportation-allocation  
27 formula shall take into account statistically significant cost drivers,  
28 recognize fixed costs, and simplify the current regression-analysis  
29 transportation-allocation method. The formula or hybrid formula  
30 developed should be based on currently-collected data identified under  
31 RCW 28A.160.192(1)(a). These data are to include basic and special  
32 student loads, school district land area, average distance to school,  
33 roadway miles, and number of locations served. The office of the  
34 superintendent of public instruction shall report to the legislative  
35 fiscal committees, the education committees of the senate and the house  
36 of representatives, and to the office of financial management, by  
37 September 30, 2012, for legislative consideration and possible

1 amendment or adoption of the unit-cost or hybrid formula for the 2013-  
2 14 school year.

3 **Sec. 506.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read  
4 as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
6 **PROGRAMS**

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$653,904,000</del> ))
8		<u>\$648,369,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$694,237,000</del> ))
10		<u>\$680,439,000</u>
11	General Fund--Federal Appropriation . . . . .	\$486,936,000
12	Education Legacy Trust Account--State Appropriation . . . . .	\$756,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$1,835,833,000</del> ))
14		<u>\$1,816,500,000</u>

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

17 (1) Funding for special education programs is provided on an excess  
18 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
19 that special education students as a class receive their full share of  
20 the general apportionment allocation accruing through sections 502 and  
21 504 of this act. To the extent a school district cannot provide an  
22 appropriate education for special education students under chapter  
23 28A.155 RCW through the general apportionment allocation, it shall  
24 provide services through the special education excess cost allocation  
25 funded in this section.

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

- 27 (i) Special education students are basic education students first;
- 28 (ii) As a class, special education students are entitled to the  
29 full basic education allocation; and
- 30 (iii) Special education students are basic education students for  
31 the entire school day.

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

36 (c) Beginning with the 2010-11 school year award cycle, the office  
37 of the superintendent of public instruction shall make award

1 determinations for state safety net funding in August of each school  
2 year. Determinations on school district eligibility for state safety  
3 net awards shall be based on analysis of actual expenditure data from  
4 the current school year.

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

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

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

15 (5) The following applies throughout this section: The definitions  
16 for enrollment and enrollment percent are as specified in RCW  
17 28A.150.390(3). Each district's general fund--state funded special  
18 education enrollment shall be the lesser of the district's actual  
19 enrollment percent or 12.7 percent.

20 (6) At the request of any interdistrict cooperative of at least 15  
21 districts in which all excess cost services for special education  
22 students of the districts are provided by the cooperative, the maximum  
23 enrollment percent shall be calculated in accordance with RCW  
24 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate  
25 rather than individual district units. For purposes of this  
26 subsection, the average basic education allocation per full-time  
27 equivalent student shall be calculated in the aggregate rather than  
28 individual district units.

29 (7) \$8,914,000 of the general fund--state appropriation for fiscal  
30 year 2012, (~~(\$34,200,000)~~) \$34,805,000 of the general fund--state  
31 appropriation for fiscal year 2013, and \$29,574,000 of the general  
32 fund--federal appropriation are provided solely for safety net awards  
33 for districts with demonstrated needs for special education funding  
34 beyond the amounts provided in subsection (4) of this section. If the  
35 federal safety net awards based on the federal eligibility threshold  
36 exceed the federal appropriation in this subsection (7) in any fiscal  
37 year, the superintendent shall expend all available federal  
38 discretionary funds necessary to meet this need. At the conclusion of

1 each school year, the superintendent shall recover safety net funds  
2 that were distributed prospectively but for which districts were not  
3 subsequently eligible.

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

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

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

16 (9) The superintendent shall maintain the percentage of federal  
17 flow-through to school districts at 85 percent. In addition to other  
18 purposes, school districts may use increased federal funds for high-  
19 cost students, for purchasing regional special education services from  
20 educational service districts, and for staff development activities  
21 particularly relating to inclusion issues.

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

26 (11) \$251,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$251,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely for two additional full-time  
29 equivalent staff to support the work of the safety net committee and to  
30 provide training and support to districts applying for safety net  
31 awards.

32 (12) \$50,000 of the general fund--state appropriation for fiscal  
33 year 2012, \$50,000 of the general fund--state appropriation for fiscal  
34 year 2013, and \$100,000 of the general fund--federal appropriation  
35 shall be expended to support a special education ombudsman program  
36 within the office of superintendent of public instruction.



1       **Sec. 507.** 2011 2nd sp.s. c 9 s 508 (uncodified) is amended to read  
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**  
4 **DISTRICTS**

5	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$7,889,000</del> ))
6		<u>\$7,894,000</u>
7	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$7,904,000</del> ))
8		<u>\$7,388,000</u>
9	TOTAL APPROPRIATION . . . . .	(( <del>\$15,793,000</del> ))
10		<u>\$15,282,000</u>

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

13       (1) The educational service districts shall continue to furnish  
14 financial services required by the superintendent of public instruction  
15 and RCW 28A.310.190 (3) and (4).

16       (2) Funding within this section is provided for regional  
17 professional development related to mathematics and science curriculum  
18 and instructional strategies. Funding shall be distributed among the  
19 educational service districts in the same proportion as distributions  
20 in the 2007-2009 biennium. Each educational service district shall use  
21 this funding solely for salary and benefits for a certificated  
22 instructional staff with expertise in the appropriate subject matter  
23 and in professional development delivery, and for travel, materials,  
24 and other expenditures related to providing regional professional  
25 development support.

26       (3) The educational service districts, at the request of the state  
27 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may  
28 receive and screen applications for school accreditation, conduct  
29 school accreditation site visits pursuant to state board of education  
30 rules, and submit to the state board of education post-site visit  
31 recommendations for school accreditation. The educational service  
32 districts may assess a cooperative service fee to recover actual plus  
33 reasonable indirect costs for the purposes of this subsection.

34       **Sec. 508.** 2011 2nd sp.s. c 9 s 509 (uncodified) is amended to read  
35 as follows:

36 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**

1	<b>ASSISTANCE</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$300,761,000</del> ))
3		<u>\$300,768,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$299,276,000</del> ))
5		<u>\$298,166,000</u>
6	<u>General Fund--Federal Appropriation . . . . .</u>	<u>\$4,400,000</u>
7	TOTAL APPROPRIATION . . . . .	(( <del>\$600,037,000</del> ))
8		<u>\$603,334,000</u>

9  
10 The appropriations in this section are subject to the following  
11 conditions and limitations: For purposes of RCW 84.52.0531, the  
12 increase per full-time equivalent student is 3 percent from the 2010-11  
13 school year to the 2011-12 school year and 5 percent from the 2011-12  
14 school year to the 2012-13 school year.

15 **Sec. 509.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read  
16 as follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
18 **EDUCATION PROGRAMS**

19	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$17,507,000</del> ))
20		<u>\$16,694,000</u>
21	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$16,969,000</del> ))
22		<u>\$15,867,000</u>
23	TOTAL APPROPRIATION . . . . .	(( <del>\$34,476,000</del> ))
24		<u>\$32,561,000</u>

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

27 (1) Each general fund--state fiscal year appropriation includes  
28 such funds as are necessary to complete the school year ending in the  
29 fiscal year and for prior fiscal year adjustments.

30 (2) State funding provided under this section is based on salaries  
31 and other expenditures for a 220-day school year. The superintendent  
32 of public instruction shall monitor school district expenditure plans  
33 for institutional education programs to ensure that districts plan for  
34 a full-time summer program.

35 (3) State funding for each institutional education program shall be  
36 based on the institution's annual average full-time equivalent student  
37 enrollment. Staffing ratios for each category of institution shall  
38 remain the same as those funded in the 1995-97 biennium.

1 (4) The funded staffing ratios for education programs for juveniles  
2 age 18 or less in department of corrections facilities shall be the  
3 same as those provided in the 1997-99 biennium.

4 (5) (~~(\$669,000)~~) \$585,000 of the general fund--state appropriation  
5 for fiscal year 2012 and (~~(\$669,000)~~) \$549,000 of the general fund--  
6 state appropriation for fiscal year 2013 are provided solely to  
7 maintain at least one certificated instructional staff and related  
8 support services at an institution whenever the K-12 enrollment is not  
9 sufficient to support one full-time equivalent certificated  
10 instructional staff to furnish the educational program. The following  
11 types of institutions are included: Residential programs under the  
12 department of social and health services for developmentally disabled  
13 juveniles, programs for juveniles under the department of corrections,  
14 programs for juveniles under the juvenile rehabilitation  
15 administration, and programs for juveniles operated by city and county  
16 jails.

17 (6) Ten percent of the funds allocated for each institution may be  
18 carried over from one year to the next.

19 **Sec. 510.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read  
20 as follows:

21 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

22	General Fund--State Appropriation (FY 2012) . . . . .	( <del>(\$8,759,000)</del> )
23		<u>\$8,745,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	( <del>(\$8,842,000)</del> )
25		<u>\$8,773,000</u>
26	TOTAL APPROPRIATION . . . . .	( <del>(\$17,601,000)</del> )
27		<u>\$17,518,000</u>

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

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

33 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
34 shall allocate funding to school district programs for highly capable  
35 students as provided in RCW 28A.150.260(10)(c). In calculating the  
36 allocations, the superintendent shall assume the following: (i)  
37 Additional instruction of 2.1590 hours per week per funded highly

1 capable program student; (ii) fifteen highly capable program students  
2 per teacher; (iii) 36 instructional weeks per year; (iv) 900  
3 instructional hours per teacher; and (v) the district's average staff  
4 mix and compensation rates as provided in sections 503 and 504 of this  
5 act.

6 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
7 allocate funding to school districts programs for highly capable  
8 students as provided in section 511, chapter 564, Laws of 2009, as  
9 amended through section 1409 of this act.

10 (3) \$85,000 of the general fund--state appropriation for fiscal  
11 year 2012 and \$85,000 of the general fund--state appropriation for  
12 fiscal year 2013 are provided solely for the centrum program at Fort  
13 Worden state park.

14 **Sec. 511.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read  
15 as follows:

16 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
17 **PROGRAMS**

18	General Fund--State Appropriation (FY 2012) . . . . .	\$58,078,000
19	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$98,309,000)</del>
20		<u>\$72,279,000</u>
21	General Fund--Federal Appropriation . . . . .	\$219,161,000
22	General Fund--Private/Local Appropriation . . . . .	\$4,000,000
23	Education Legacy Trust Account--State Appropriation . . . . .	\$1,598,000
24	TOTAL APPROPRIATION . . . . .	<del>(\$381,146,000)</del>
25		<u>\$355,116,000</u>

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

28 (1) \$40,822,000 of the general fund--state appropriation for fiscal  
29 year 2012, \$41,613,000 of the general fund--state appropriation for  
30 fiscal year 2013, \$1,350,000 of the education legacy trust  
31 account--state appropriation, and \$15,868,000 of the general fund--  
32 federal appropriation are provided solely for development and  
33 implementation of the Washington state assessment system, including:  
34 (a) Development and implementation of retake assessments for high  
35 school students who are not successful in one or more content areas and  
36 (b) development and implementation of alternative assessments or  
37 appeals procedures to implement the certificate of academic

1 achievement. The superintendent of public instruction shall report  
2 quarterly on the progress on development and implementation of  
3 alternative assessments or appeals procedures. Within these amounts,  
4 the superintendent of public instruction shall contract for the early  
5 return of 10th grade student assessment results, on or around June 10th  
6 of each year. State funding shall be limited to one collection of  
7 evidence payment per student, per content-area assessment.

8 (2) \$356,000 of the general fund--state appropriation for fiscal  
9 year 2012 (~~and \$356,000 of the general fund--state appropriation for~~  
10 ~~fiscal year 2013 are~~) is provided solely for the Washington state  
11 leadership and assistance for science education reform (LASER) regional  
12 partnership activities coordinated at the Pacific science center,  
13 including instructional material purchases, teacher and principal  
14 professional development, and school and community engagement events.

15 (3) \$980,000 of the general fund--state appropriation for fiscal  
16 year 2012 (~~and \$980,000 of the general fund--state appropriation for~~  
17 ~~fiscal year 2013 are~~) is provided solely for improving technology  
18 infrastructure, monitoring and reporting on school district technology  
19 development, promoting standards for school district technology,  
20 promoting statewide coordination and planning for technology  
21 development, and providing regional educational technology support  
22 centers, including state support activities, under chapter 28A.650 RCW.

23 (4) \$3,852,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$2,624,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for continued implementation of  
26 chapter 235, Laws of 2010 (education reform) including development of  
27 new performance-based evaluation systems for certificated educators.

28 (5)(a) (~~(\$40,681,000)~~) \$21,555,000 of the general fund--state  
29 appropriation for fiscal year 2013 is provided solely for the following  
30 bonuses for teachers who hold valid, unexpired certification from the  
31 national board for professional teaching standards and who are teaching  
32 in a Washington public school, subject to the following conditions and  
33 limitations:

34 (i) For national board certified teachers, a bonus of (~~(\$5,090)~~)  
35 \$2,500 per teacher in the 2011-12 and 2012-13 school years, adjusted  
36 for inflation in each school year in which Initiative 732 cost of  
37 living adjustments are provided;

1 (ii) An additional \$5,000 annual bonus shall be paid to national  
2 board certified teachers who teach in either: (A) High schools where  
3 at least 50 percent of student headcount enrollment is eligible for  
4 federal free or reduced price lunch, (B) middle schools where at least  
5 60 percent of student headcount enrollment is eligible for federal free  
6 or reduced price lunch, or (C) elementary schools where at least 70  
7 percent of student headcount enrollment is eligible for federal free or  
8 reduced price lunch;

9 (iii) The superintendent of public instruction shall adopt rules to  
10 ensure that national board certified teachers meet the qualifications  
11 for bonuses under (a)(ii) of this subsection for less than one full  
12 school year receive bonuses in a pro-rated manner. Beginning in the  
13 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection  
14 will be paid in July of each school year. Bonuses in (a)((~~i~~ and))  
15 (ii) of this subsection shall be reduced by a factor of 40 percent for  
16 first year NBPTS certified teachers, to reflect the portion of the  
17 instructional school year they are certified; and

18 (iv) During the 2011-12 and 2012-13 school years, and within  
19 available funds, certificated instructional staff who have met the  
20 eligibility requirements and have applied for certification from the  
21 national board for professional teaching standards may receive a  
22 conditional loan of two thousand dollars or the amount set by the  
23 office of the superintendent of public instruction to contribute toward  
24 the current assessment fee, not including the initial up-front  
25 candidacy payment. The fee shall be an advance on the first annual  
26 bonus under RCW 28A.405.415. The conditional loan is provided in  
27 addition to compensation received under a district's salary schedule  
28 and shall not be included in calculations of a district's average  
29 salary and associated salary limitation under RCW 28A.400.200.  
30 Recipients who fail to receive certification after three years are  
31 required to repay the conditional loan. The office of the  
32 superintendent of public instruction shall adopt rules to define the  
33 terms for initial grant of the assessment fee and repayment, including  
34 applicable fees. To the extent necessary, the superintendent may use  
35 revenues from the repayment of conditional loan scholarships to ensure  
36 payment of all national board bonus payments required by this section  
37 in each school year.

1 (6) \$477,000 of the general fund--state appropriation for fiscal  
2 year 2012 (~~((and \$477,000 of the general fund--state appropriation for~~  
3 ~~fiscal year 2013 are))~~) is provided solely for the leadership internship  
4 program for superintendents, principals, and program administrators.

5 (7) \$950,000 of the general fund--state appropriation for fiscal  
6 year 2012 (~~((and \$950,000 of the general fund--state appropriation for~~  
7 ~~fiscal year 2013 are))~~) is provided solely for the Washington reading  
8 corps. The superintendent shall allocate reading corps members to low-  
9 performing schools and school districts that are implementing  
10 comprehensive, proven, research-based reading programs. Two or more  
11 schools may combine their Washington reading corps programs.

12 (8) \$810,000 of the general fund--state appropriation for fiscal  
13 year 2012 (~~((and \$810,000 of the general fund--state appropriation for~~  
14 ~~fiscal year 2013 are))~~) is provided solely for the development of a  
15 leadership academy for school principals and administrators. The  
16 superintendent of public instruction shall contract with an independent  
17 organization to design, field test, and implement a state-of-the-art  
18 education leadership academy that will be accessible throughout the  
19 state. Initial development of the content of the academy activities  
20 shall be supported by private funds. Semiannually the independent  
21 organization shall report on amounts committed by foundations and  
22 others to support the development and implementation of this program.  
23 Leadership academy partners shall include the state level organizations  
24 for school administrators and principals, the superintendent of public  
25 instruction, the professional educator standards board, and others as  
26 the independent organization shall identify.

27 (9) \$3,234,000 of the general fund--state appropriation for fiscal  
28 year 2012 (~~((and \$3,234,000 of the general fund--state appropriation for~~  
29 ~~fiscal year 2013 are))~~) is provided solely for grants to school  
30 districts to provide a continuum of care for children and families to  
31 help children become ready to learn. Grant proposals from school  
32 districts shall contain local plans designed collaboratively with  
33 community service providers. If a continuum of care program exists in  
34 the area in which the school district is located, the local plan shall  
35 provide for coordination with existing programs to the greatest extent  
36 possible.

37 (10) \$1,500,000 of the general fund--state appropriation for fiscal  
38 year 2012 (~~((and \$1,500,000 of the general fund--state appropriation for~~

1 ~~fiscal year 2013 are~~) is provided solely for the implementation of  
2 chapter 288, Laws of 2011 (actual student success program), including  
3 allocations to the opportunity internship program, the jobs for  
4 America's graduates program, the building bridges program, services  
5 provided by a college scholarship organization. Funding shall not be  
6 used in the 2011-2013 fiscal biennium to provide awards for schools and  
7 school districts.

8 (11) \$859,000 of the general fund--state appropriation for fiscal  
9 year 2012, (~~(\$846,000)~~) \$720,000 of the general fund--state  
10 appropriation for fiscal year 2013, and \$248,000 of the education  
11 legacy trust account--state appropriation are for administrative  
12 support of education reform programs.

13 (12) \$2,000,000 of the general fund--state appropriation for fiscal  
14 year 2012 (~~and \$2,000,000 of the general fund--state appropriation for~~  
15 ~~fiscal year 2013 are~~) is provided solely for a statewide information  
16 technology (IT) academy program. This public-private partnership will  
17 provide educational software, as well as IT certification and software  
18 training opportunities for students and staff in public schools.

19 (13) \$977,000 of the general fund--state appropriation for fiscal  
20 year 2012 (~~and \$977,000 of the general fund--state appropriation for~~  
21 ~~fiscal year 2013 are~~) is provided solely for secondary career and  
22 technical education grants pursuant to chapter 170, Laws of 2008. If  
23 equally matched by private donations, \$300,000 of the 2012  
24 appropriation and \$300,000 of the 2013 appropriation shall be used to  
25 support FIRST robotics programs.

26 (14) \$125,000 of the general fund--state appropriation for fiscal  
27 year 2012 (~~and \$125,000 of the general fund--state appropriation for~~  
28 ~~fiscal year 2013 are~~) is provided solely for (a) staff at the office  
29 of the superintendent of public instruction to coordinate and promote  
30 efforts to develop integrated math, science, technology, and  
31 engineering programs in schools and districts across the state; and (b)  
32 grants of \$2,500 to provide twenty middle and high school teachers each  
33 year with professional development training for implementing integrated  
34 math, science, technology, and engineering programs in their schools.

35 (15) \$135,000 of the general fund--state appropriation for fiscal  
36 year 2012 (~~and \$135,000 of the general fund--state appropriation for~~  
37 ~~fiscal year 2013 are~~) is provided solely for science, technology,



1 engineering and mathematics lighthouse projects(~~(7--consistent--with~~  
2 ~~chapter 238, Laws of 2010)~~)).

3 (16) \$1,000,000 of the general fund--state appropriation for fiscal  
4 year 2012 (~~(and \$1,000,000 of the general fund--state appropriation for~~  
5 ~~fiscal year 2013--are)~~) is provided solely for a beginning educator  
6 support program. School districts and/or regional consortia may apply  
7 for grant funding. The superintendent shall implement this program in  
8 5 to 15 school districts and/or regional consortia. The program  
9 provided by a district and/or regional consortia shall include: A paid  
10 orientation; assignment of a qualified mentor; development of a  
11 professional growth plan for each beginning teacher aligned with  
12 professional certification; release time for mentors and new teachers  
13 to work together; and teacher observation time with accomplished peers.  
14 \$250,000 may be used to provide statewide professional development  
15 opportunities for mentors and beginning educators.

16 (17) \$5,767,000 of the general fund--state appropriation for fiscal  
17 year 2013 is provided solely pursuant to Engrossed Substitute Senate  
18 Bill No. 5895 (certificated employee evaluations). If the bill is not  
19 enacted by June 30, 2012, the amount provided in this subsection shall  
20 lapse.

21 **Sec. 512.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read  
22 as follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
24 **BILINGUAL PROGRAMS**

25	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$79,496,000</del> ))
26		<u>\$79,575,000</u>
27	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$82,856,000</del> ))
28		<u>\$80,666,000</u>
29	General Fund--Federal Appropriation . . . . .	\$71,001,000
30	TOTAL APPROPRIATION . . . . .	(( <del>\$233,353,000</del> ))
31		<u>\$231,242,000</u>

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

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

1 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
2 shall allocate funding to school districts for transitional bilingual  
3 programs as provided in RCW 28A.150.260(10)(b). In calculating the  
4 allocations, the superintendent shall assume the following averages:  
5 (i) Additional instruction of 4.7780 hours per week per transitional  
6 bilingual program student; (ii) fifteen transitional bilingual program  
7 students per teacher; (iii) 36 instructional weeks per year; (iv) 900  
8 instructional hours per teacher; and (v) the district's average staff  
9 mix and compensation rates as provided in sections 503 and 504 of this  
10 act.

11 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
12 allocate funding to school districts for transitional bilingual  
13 instruction programs as provided in section 514, chapter 564, Laws of  
14 2009, as amended through section 1411 of this act.

15 (c) The allocations in this section reflect the implementation of  
16 a new funding formula for the transitional bilingual instructional  
17 program, effective September 1, 2011, as specified in RCW  
18 28A.150.260(10)(b).

19 (3) The superintendent may withhold allocations to school districts  
20 in subsection (2) of this section solely for the central provision of  
21 assessments as provided in RCW 28A.180.090 (1) and (2) up to the  
22 following amounts: 2.79 percent for school year 2011-12 and (~~(2.09))~~  
23 2.11 percent for school year 2012-13.

24 (4) The general fund--federal appropriation in this section is for  
25 migrant education under Title I Part C and English language  
26 acquisition, and language enhancement grants under Title III of the  
27 elementary and secondary education act.

28 (5)(a) The office of the superintendent of public instruction shall  
29 implement a funding model for the transitional bilingual program,  
30 beginning in school year 2012-13, that is scaled to provide more  
31 support to students requiring most intensive intervention, (students  
32 with beginning levels of English language proficiency) and less support  
33 to students requiring less intervention. The funding model shall also  
34 provide up to two years of (~~(bonus))~~ additional funding upon successful  
35 exit from the bilingual program to facilitate successful transition to  
36 a standard program of education, except for students that successfully  
37 exit the bilingual program prior to grade two. This additional funding  
38 shall begin in school year 2013-14 with students achieving proficiency

1 in school year 2012-13 and transitioning to a standard program of  
2 education for school year 2013-14. The amount of the additional  
3 funding shall be established in the biennial omnibus budget.

4 (b) It is expected that per-pupil funding for all students served  
5 in kindergarten and grade one will be the same as would have been  
6 necessary to maintain the statewide average prior to establishing  
7 differential per-pupil amounts. For all other students served in the  
8 program, it is expected that level 2 proficiency will be set at ((the  
9 same)) a level ((as-would-have-been-provided)) that represents the  
10 median funding level necessary to maintain the statewide average prior  
11 to establishing differential per-pupil amounts; ((level 1 will be 125  
12 percent of level 2; level 3 through the level prior to exit will be 75  
13 percent of level 2; and two bonus years upon successful demonstration  
14 of proficiency will be 100 percent of level 2)) levels 1 and 3 shall be  
15 set such that level 1 is substantially greater than level 2, and level  
16 3 is substantially less; each of the two years of additional per-pupil  
17 funding is expected to be equivalent to level 2. Total funding in  
18 aggregate for all levels for the 2012-13 school year is equivalent to  
19 what total funding in aggregate would have been prior to the  
20 application of differential per-pupil amounts. For school year 2012-13  
21 when funds are not yet distributed for proficient students exiting the  
22 program, auxiliary funds shall be provided in a similarly differential  
23 distribution, such that total program allocations are not less than  
24 what total program allocations would have been prior to establishing  
25 differential per-pupil amounts. Prior to implementing in school year  
26 2012-13, the office of the superintendent of public instruction shall  
27 provide to the senate and house of representatives ways and means  
28 committees recommended rates based on the results of proficiency test  
29 procurement, expressed as both per-pupil rates and hours of  
30 instruction as provided in RCW 28A.150.260(10)(b).

31 (c) Each bilingual student shall be tested for proficiency level  
32 and, therefore, eligibility for the transitional bilingual program each  
33 year. The ((bonus)) additional payments for up to two school years  
34 following successful exit from the transitional bilingual program, for  
35 students in grades two through twelve, shall be allocated to the  
36 ((exiting)) school district in which the student is enrolled. If the  
37 student graduates or ((transfers to another district prior to the  
38 district-receiving-both-years'-bonuses)) or otherwise leaves the

1 system, the district shall receive the ~~((bonus))~~ additional payments  
2 for only the length of time the student remains enrolled in the  
3 ~~((exiting))~~ district.

4 ~~(d) ((The quality education council shall examine the revised~~  
5 ~~funding model developed under this subsection and provide a report to~~  
6 ~~the education and fiscal committees of the legislature by December 1,~~  
7 ~~2011, that includes recommendations for:~~

8 ~~(i) Changing the prototypical school funding formula for the~~  
9 ~~transitional bilingual program to align with the revised model in an~~  
10 ~~accurate and transparent manner;~~

11 ~~(ii) Reconciling the revised model with statutory requirements for~~  
12 ~~categorical funding of the transitional bilingual instructional program~~  
13 ~~that is restricted to students eligible for and enrolled in that~~  
14 ~~program;~~

15 ~~(iii) Clarifying the elements of the transitional bilingual~~  
16 ~~instructional program that fall under the definition of basic education~~  
17 ~~and the impact of the revised model on them; and~~

18 ~~(iv) The extent that the disparate financial impact of the revised~~  
19 ~~model on different school districts should be addressed and options for~~  
20 ~~addressing it.~~

21 ~~(e))~~ The office of the superintendent of public instruction shall  
22 report to the senate and house of representatives ways and means  
23 committees and education committees annually by December 31st of each  
24 year, through 2018, regarding any measurable changes in proficiency,  
25 time-in-program, and transition experience.

26 (6) \$35,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$35,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely to track current and former  
29 transitional bilingual program students.

30 **Sec. 513.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read  
31 as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
33 **ASSISTANCE PROGRAM**

34 General Fund--State Appropriation (FY 2012) . . . . . ~~((~~\$102,470,000~~))~~  
35 \$102,619,000

36 General Fund--State Appropriation (FY 2013) . . . . . ~~((~~\$103,666,000~~))~~  
37 \$104,789,000

1	General Fund--Federal Appropriation . . . . .	\$492,207,000
2	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
3	TOTAL APPROPRIATION . . . . .	<del>(\$746,323,000)</del>
4		<u>\$747,595,000</u>

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

7 (1) The general fund--state appropriations in this section are  
8 subject to the following conditions and limitations:

9 (a) The appropriations include such funds as are necessary to  
10 complete the school year ending in the fiscal year and for prior fiscal  
11 year adjustments.

12 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent  
13 shall allocate funding to school districts for learning assistance  
14 programs as provided in RCW 28A.150.260(10)(a). In calculating the  
15 allocations, the superintendent shall assume the following averages:

16 (A) Additional instruction of 1.51560 hours per week per funded  
17 learning assistance program student; (B) fifteen learning assistance  
18 program students per teacher; (C) 36 instructional weeks per year; (D)  
19 900 instructional hours per teacher; and (E) the district's average  
20 staff mix and compensation rates as provided in sections 503 and 504 of  
21 this act.

22 (ii) From July 1, 2011, to August 31, 2011, the superintendent  
23 shall allocate funding to school districts for learning assistance  
24 programs as provided in section 515, chapter 564, Laws of 2009, as  
25 amended through section 1412 of this act.

26 (c) A school district's funded students for the learning assistance  
27 program shall be the sum of the district's full-time equivalent  
28 enrollment in grades K-12 for the prior school year multiplied by the  
29 district's percentage of October headcount enrollment in grades K-12  
30 eligible for free or reduced price lunch in the prior school year.

31 (2) Allocations made pursuant to subsection (1) of this section  
32 shall be adjusted to reflect ineligible applications identified through  
33 the annual income verification process required by the national school  
34 lunch program, as recommended in the report of the state auditor on the  
35 learning assistance program dated February, 2010.

36 (3) The general fund--federal appropriation in this section is  
37 provided for Title I Part A allocations of the no child left behind act  
38 of 2001.

1 (4) A school district may carry over from one year to the next up  
2 to 10 percent of the general fund-state or education legacy trust funds  
3 allocated under this program; however, carryover funds shall be  
4 expended for the learning assistance program.

5 (5) The office of the superintendent of public instruction shall  
6 research and recommend options for an adjustment factor for middle  
7 school and high school free and reduced price lunch eligibility  
8 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report  
9 to the fiscal committees of the legislature by June 1, 2012. For the  
10 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

11 **Sec. 514.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to  
12 read as follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

14 (1) Amounts distributed to districts by the superintendent through  
15 part V of this act are for allocations purposes only and do not entitle  
16 a particular district, district employee, or student to a specific  
17 service, beyond what has been expressly provided in statute. Part V of  
18 this act restates the requirements of various sections of Title 28A  
19 RCW. If any conflict exists, the provisions of Title 28A RCW control  
20 unless this act explicitly states that it is providing an enhancement.

21 Any amounts provided in part V of this act in excess of the amounts  
22 required by Title 28A RCW provided in statute, are not within the  
23 program of basic education.

24 (2) To the maximum extent practicable, when adopting new or revised  
25 rules or policies relating to the administration of allocations in part  
26 V of this act that result in fiscal impact, the office of the  
27 superintendent of public instruction shall attempt to seek legislative  
28 approval through the budget request process.

29 (3) Appropriations made in this act to the office of the  
30 superintendent of public instruction shall initially be allotted as  
31 required by this act. Subsequent allotment modifications shall not  
32 include transfers of moneys between sections of this act except as  
33 expressly provided in subsection (4) of this section.

34 (4) The appropriations to the office of the superintendent of  
35 public instruction in this act shall be expended for the programs and  
36 amounts specified in this act. However, after May 1, 2012, unless  
37 specifically prohibited by this act and after approval by the director

1 of financial management, the superintendent of public instruction may  
2 transfer state general fund appropriations for fiscal year 2012 among  
3 the following programs to meet the apportionment schedule for a  
4 specified formula in another of these programs: General apportionment;  
5 employee compensation adjustments; pupil transportation; special  
6 education programs; institutional education programs; transitional  
7 bilingual programs; and learning assistance programs.

8 (5) The director of financial management shall notify the  
9 appropriate legislative fiscal committees in writing prior to approving  
10 any allotment modifications or transfers under this section.

(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>\$532,975,000</u>
General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$525,644,000</del> ))
	<u>\$512,491,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation . . . . .	\$8,037,000
Education Legacy Trust Account--State Appropriation . . . . .	\$95,370,000
TOTAL APPROPRIATION . . . . .	(( <del>\$1,162,060,000</del> ))
	<u>\$1,148,873,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2012 and \$28,761,000 of the general fund--state appropriation for fiscal year 2013 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2012 and at least 6,200 full-time equivalent students in fiscal year 2013.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2012 and \$2,725,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$4,500,000 of the general fund--state appropriation for fiscal year 2012 and \$4,500,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for worker retraining.



1 (4) Of the amounts appropriated in this section, \$5,000,000 is  
2 provided solely for the student achievement initiative.

3 (5) When implementing the appropriations in this section, the state  
4 board and the trustees of the individual community and technical  
5 colleges shall minimize impact on academic programs, maximize  
6 reductions in administration, and shall at least maintain, and endeavor  
7 to increase, enrollment opportunities and degree and certificate  
8 production in high employer-demand fields of study at their academic  
9 year 2008-09 levels.

10 (6) Community and technical colleges are not required to send mass  
11 mailings of course catalogs to residents of their districts. Community  
12 and technical colleges shall consider lower cost alternatives, such as  
13 mailing postcards or brochures that direct individuals to online  
14 information and other ways of acquiring print catalogs.

15 (7) Bellevue college is authorized to offer applied baccalaureate  
16 degrees in information technology, health care services and management,  
17 biotechnology, and preprofessional preparation for medical fields.  
18 These degrees shall be directed at high school graduates and transfer-  
19 oriented degree and professional and technical degree holders. In  
20 fiscal year 2012, Bellevue college will develop a two-year plan for  
21 offering these new degrees. The plan will assume funding for these new  
22 degrees shall come through redistribution of its current per full-time  
23 enrollment funding. The plan shall be delivered to the legislature by  
24 June 30, 2012.

25 (8) The Seattle community college district is authorized to offer  
26 applied baccalaureate degree programs in business/international  
27 business and technology management, interactive and artistic digital  
28 media, sustainability, building science technology, and allied and  
29 global health. These degrees shall be directed at high school  
30 graduates and professional and technical degree holders. In fiscal  
31 year 2012, Seattle community colleges shall develop a two-year plan for  
32 offering these new degrees. The plan will assume that funding for  
33 these new degrees comes through redistribution of its current per full-  
34 time enrollment funding. The plan shall be delivered to the  
35 legislature by June 30, 2012.

36 **Sec. 602.** 2011 2nd sp.s. c 9 s 602 (uncodified) is amended to read  
37 as follows:

1	<b>FOR THE UNIVERSITY OF WASHINGTON</b>	
2	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$201,388,000</del> ))
3		<u>\$200,943,000</u>
4	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$206,358,000</del> ))
5		<u>\$193,444,000</u>
6	Education Legacy Trust Account--State Appropriation . . . . .	\$18,579,000
7	<u>Economic Development Strategic Reserve Account--</u>	
8	<u>State Appropriation . . . . .</u>	<u>\$1,500,000</u>
9	<u>State Toxics Control Account--State Appropriation . . . . .</u>	<u>\$5,000,000</u>
10	Biotoxin Account--State Appropriation . . . . .	\$450,000
11	Accident Account--State Appropriation . . . . .	\$6,699,000
12	Medical Aid Account--State Appropriation . . . . .	\$6,502,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$439,976,000</del> ))
14		<u>\$433,117,000</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 regents shall seek to minimize impacts on student  
19 services and instructional programs by maximizing reductions in  
20 administration and other noninstructional activities.

21       (2) \$150,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$150,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the development of integrated  
24 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho  
25 (WWAMI) medical education program in Spokane and eastern Washington.  
26 Funding is contingent on appropriations being provided to Washington  
27 State University for WWAMI program expansion in Spokane and eastern  
28 Washington.

29       (3) \$52,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$52,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for the center for international  
32 trade in forest products in the college of forest resources.

33       (4) \$88,000 of the general fund--state appropriation for fiscal  
34 year 2012 is provided solely for implementation of Engrossed Second  
35 Substitute Senate Bill No. 5485 (state's natural resources). If the  
36 bill is not enacted by June 30, 2011, the amount provided in this  
37 subsection shall lapse.

1 (5) \$143,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$144,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the ongoing management of the  
4 Washington park arboretum.

5 (6) \$3,800,000 of the general fund--state appropriation for fiscal  
6 year 2013 is provided solely for an expansion in engineering  
7 enrollments.

8 (7) \$1,500,000 of the economic development strategic reserve  
9 account--state appropriation is provided solely to implement Substitute  
10 Senate Bill No. 5982 (aerospace technology center). If the bill is not  
11 enacted by June 30, 2012, the amount provided in this subsection shall  
12 lapse.

13 (8) \$242,000 of the general fund--state appropriation for fiscal  
14 year 2013 is provided solely to implement Second Substitute Senate Bill  
15 No. 6406 (state's natural resources). If the bill is not enacted by  
16 June 30, 2012, the amount provided in this subsection shall lapse.

17 **Sec. 603.** 2011 2nd sp.s. c 9 s 603 (uncodified) is amended to read  
18 as follows:

19 **FOR WASHINGTON STATE UNIVERSITY**

20	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$134,512,000</del> ))
21		<u>\$133,994,000</u>
22	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$136,087,000</del> ))
23		<u>\$126,313,000</u>
24	Education Legacy Trust Account--State Appropriation . . . . .	\$33,065,000
25	<u>State Toxics Control Account--State Appropriation . . . . .</u>	<u>\$5,000,000</u>
26	TOTAL APPROPRIATION . . . . .	(( <del>\$303,664,000</del> ))
27		<u>\$298,372,000</u>

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

30 (1) In implementing the appropriations in this section, the  
31 president and regents shall seek to minimize impacts on student  
32 services and instructional programs by maximizing reductions in  
33 administration and other noninstructional activities.

34 (2) Within available funds, Washington State University shall serve  
35 an additional cohort of fifteen full-time equivalent students in the  
36 mechanical engineering program located at Olympic College.

1 (3) \$300,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$300,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the expansion of health  
4 sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho  
5 (WWAMI) medical education program in Spokane and eastern Washington.  
6 Funding is contingent on appropriations being provided to the  
7 University of Washington for integrated medical curriculum development  
8 for WWAMI.

9 (4) \$3,800,000 of the general fund--state appropriation for fiscal  
10 year 2013 is provided solely for an expansion in engineering  
11 enrollments.

12 (5) \$25,000 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 the Washington State  
15 University extension energy program to conduct a study of densified  
16 biomass as a renewable fuel used for heating homes, businesses, and  
17 other facilities. A report of the findings shall be submitted to the  
18 governor and the appropriate committees of the legislature by December  
19 1, 2012.

20 **Sec. 604.** 2011 2nd sp.s. c 9 s 604 (uncodified) is amended to read  
21 as follows:

22 **FOR EASTERN WASHINGTON UNIVERSITY**

23	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$26,257,000</del> ))
24		<u>\$26,255,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$26,541,000</del> ))
26		<u>\$25,774,000</u>
27	Education Legacy Trust Account--State Appropriation . . . . .	\$16,087,000
28	TOTAL APPROPRIATION . . . . .	(( <del>\$68,885,000</del> ))
29		<u>\$68,116,000</u>

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

32 (1) In implementing the appropriations in this section, the  
33 president and governing board shall seek to minimize impacts on student  
34 services and instructional programs by maximizing reductions in  
35 administration and other noninstructional activities.

36 (2) At least \$200,000 of the general fund--state appropriation for

1 fiscal year 2012 and at least \$200,000 of the general fund--state  
2 appropriation for fiscal year 2013 shall be expended on the Northwest  
3 autism center.

4 **Sec. 605.** 2011 2nd sp.s. c 9 s 605 (uncodified) is amended to read  
5 as follows:

6 **FOR CENTRAL WASHINGTON UNIVERSITY**

7	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$22,468,000</del> ))
8		<u>\$23,277,000</u>
9	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$22,525,000</del> ))
10		<u>\$22,611,000</u>
11	Education Legacy Trust Account--State Appropriation . . . . .	\$19,076,000
12	TOTAL APPROPRIATION . . . . .	(( <del>\$64,069,000</del> ))
13		<u>\$64,964,000</u>

14 The appropriations in this section are subject to the following  
15 conditions and limitations: In implementing the appropriations in this  
16 section, the president and governing board shall seek to minimize  
17 impacts on student services and instructional programs by maximizing  
18 reductions in administration and other noninstructional activities.

19 **Sec. 606.** 2011 2nd sp.s. c 9 s 606 (uncodified) is amended to read  
20 as follows:

21 **FOR THE EVERGREEN STATE COLLEGE**

22	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$15,595,000</del> ))
23		<u>\$15,594,000</u>
24	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$15,339,000</del> ))
25		<u>\$15,022,000</u>
26	Education Legacy Trust Account--State Appropriation . . . . .	\$5,450,000
27	TOTAL APPROPRIATION . . . . .	(( <del>\$36,384,000</del> ))
28		<u>\$36,066,000</u>

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

31 (1) In implementing the appropriations in this section, the  
32 president and governing board shall seek to minimize impacts on student  
33 services and instructional programs by maximizing reductions in  
34 administration and other noninstructional activities.

35 (2) \$50,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$25,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for the Washington state institute  
2 for public policy to conduct a detailed study of the commitment of  
3 sexually violent predators to the special commitment center pursuant to  
4 chapter 71.09 RCW and the subsequent release of those persons to  
5 less-restrictive alternatives.

6 (a) Specifically, the institute's study shall examine:

7 (i) The projected future demand for the special commitment center,  
8 including profiles and characteristics of persons referred and  
9 committed to the special commitment center since its inception, whether  
10 the profiles of those persons have changed over time, and, given  
11 current trends, the likelihood of the continuing rate of referral;

12 (ii) Residents' participation in treatment over time and the impact  
13 of treatment on eventual release to a less-restrictive alternative;

14 (iii) The annual review process and the process for a committed  
15 person to petition for conditional or unconditional release,  
16 specifically:

17 (A) The time frames for conducting mandatory reviews;

18 (B) The role of the special commitment center clinical team;

19 (C) Options and standards utilized by other jurisdictions or  
20 similar processes to conduct periodic reviews, including specialized  
21 courts, parole boards, independent review boards, and other commitment  
22 proceedings;

23 (iv) The capacity and future demand for appropriate less  
24 restrictive alternatives for moving residents out of the special  
25 commitment center, including:

26 (A) The capacity and demand for secure community transition  
27 facilities;

28 (B) Options for specialized populations such as the elderly or  
29 those with developmental disabilities and whether more cost-efficient  
30 options might be used to house those populations while keeping the  
31 public safe;

32 (C) Prospects for moving residents to noninstitutionalized settings  
33 beyond a secure community transition facility.

34 (b) The department of social and health services shall cooperate  
35 with the institute in conducting its examination and must provide the  
36 institute with requested data and records in a timely manner.

37 (c) The institute shall provide a status report to the governor and

1 the legislature no later than November 1, 2011, with a final report due  
2 no later than November 1, 2012.

3 (3) \$50,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$50,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for the institute for public  
6 policy to provide research support to the council on quality education.

7 (4) To the extent federal or private funding is available for this  
8 purpose, the Washington state institute for public policy and the  
9 center for reinventing public education at the University of Washington  
10 shall examine the relationship between participation in pension systems  
11 and teacher quality and mobility patterns in the state. The department  
12 of retirement systems shall facilitate researchers' access to necessary  
13 individual-level data necessary to effectively conduct the study. The  
14 researchers shall ensure that no individually identifiable information  
15 will be disclosed at any time. An interim report on project findings  
16 shall be completed by November 15, 2010, and a final report shall be  
17 submitted to the governor and to the relevant committees of the  
18 legislature by October 15, 2011.

19 (5) Funding provided in this section is sufficient for The  
20 Evergreen State College to continue operations of the Longhouse Center  
21 and the Northwest Indian applied research institute.

22 (6) If, and to the extent that private funding is available for  
23 this purpose, the Washington state institute for public policy shall  
24 study and report on the child welfare and educational characteristics  
25 and outcomes for foster youth who are served by educational advocates.  
26 The department of social and health services and the office of the  
27 superintendent of public instruction shall facilitate researchers'  
28 access to data necessary to effectively complete the study. The  
29 institute shall submit an interim report with baseline characteristics  
30 of youth served by educational advocates by December 2011 and a final  
31 report by October 31, 2012, to the governor and to the appropriate  
32 committees of the legislature.

33 (7) \$75,000 of the general fund--state appropriation for fiscal  
34 year 2012 is provided to the Washington state institute for public  
35 policy (WSIPP) to conduct a review of state investments in the family  
36 caregiver and support program. Funding for this program is provided by  
37 assumed savings from diverting seniors from entering into long-term  
38 care medicaid placements by supporting informal caregivers. WSIPP

1 shall work with the department of social and health services to  
2 establish and review outcome data for this investment. A preliminary  
3 report on the outcomes of the investment into this program is due to  
4 the appropriate legislative committees by December 15, 2011, and a  
5 final report is due to the appropriate legislative committees by August  
6 30, 2012.

7 (8) \$17,000 of the general fund--state appropriation for fiscal  
8 year 2013 are provided solely to implement Substitute Senate Bill No.  
9 6492 (competency to stand trial). If the bill is not enacted by June  
10 30, 2012, the amount provided in this subsection shall lapse.

11 **Sec. 607.** 2011 2nd sp.s. c 9 s 607 (uncodified) is amended to read  
12 as follows:

13 **FOR WESTERN WASHINGTON UNIVERSITY**

14	General Fund--State Appropriation (FY 2012) . . . . .	<del>(( \$33,754,000 ))</del>
15		<u>\$33,664,000</u>
16	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$33,743,000 ))</del>
17		<u>\$32,104,000</u>
18	Education Legacy Trust Account--State Appropriation . . . . .	\$13,266,000
19	TOTAL APPROPRIATION . . . . .	<del>(( \$80,763,000 ))</del>
20		<u>\$79,034,000</u>

21 The appropriations in this section are subject to the following  
22 conditions and limitations: In implementing the appropriations in this  
23 section, the president and governing board shall seek to minimize  
24 impacts on student services and instructional programs by maximizing  
25 reductions in administration and other noninstructional activities.

26 NEW SECTION. **Sec. 608. COUNCIL FOR HIGHER EDUCATION**  
27 2011 2nd sp.s. c 9 s 610 (uncodified) and 2011 1st sp.s. c 50 s 614  
28 (uncodified) are repealed.

29 NEW SECTION. **Sec. 609. OFFICE OF STUDENT FINANCIAL ASSISTANCE**  
30 2011 2nd sp.s. c 9 s 611 (uncodified) and 2011 1st sp.s. c 50 s 615  
31 (uncodified) are repealed.

32 NEW SECTION. **Sec. 610.** A new section is added to 2011 1st sp.s.  
33 c 50 (uncodified) to read as follows:



1 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION**  
2 **AND ADMINISTRATION**

3	General Fund--State Appropriation (FY 2013) . . . . .	\$4,973,000
4	General Fund--Federal Appropriation . . . . .	\$2,377,000
5	TOTAL APPROPRIATION . . . . .	\$7,350,000

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

8 (1) The office of the student achievement council is authorized to  
9 increase or establish fees for initial degree authorization, degree  
10 authorization renewal, degree authorization reapplication, new program  
11 applications, and new site applications pursuant to RCW 28B.85.060.

12 (2) \$1,043,000 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. 6232 (higher education coordination). If  
15 the bill is not enacted by June 30, 2012, the amount provided in this  
16 subsection shall lapse.

17 NEW SECTION. **Sec. 611.** A new section is added to 2011 1st sp.s.  
18 c 50 (uncodified) to read as follows:

19 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT**  
20 **FINANCIAL ASSISTANCE**

21	General Fund--State Appropriation (FY 2013) . . . . .	\$245,989,000
22	General Fund--Federal Appropriation . . . . .	\$5,816,000
23	Washington Opportunity Pathways Account--State	
24	Appropriation . . . . .	\$73,500,000
25	TOTAL APPROPRIATION . . . . .	\$325,305,000

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

28 (1) \$237,018,000 of the general fund--state appropriation for  
29 fiscal year 2013, and \$73,500,000 of the opportunity pathways account--  
30 state appropriation are provided solely for student financial aid  
31 payments under the state need grant and the state work study programs  
32 including up to a four percent administrative allowance for the state  
33 work study program.

34 (2) Within the funds appropriated in this section, eligibility for  
35 the state need grant shall include students with family incomes at or  
36 below 70 percent of the state median family income (MFI), adjusted for  
37 family size, and shall include students enrolled in three to five

1 credit-bearing quarter credits, or the equivalent semester credits.  
2 The office of student financial assistance shall report to the  
3 legislature by December 1, 2013, regarding the number of students  
4 enrolled in three to five credit-bearing quarter credits, or the  
5 equivalent semester credits, and their academic progress including  
6 degree completion. Awards for all students shall be adjusted by the  
7 estimated amount by which Pell grant increases exceed projected  
8 increases in the noninstructional costs of attendance. Awards for  
9 students with incomes between 51 and 70 percent of the state median  
10 shall be prorated at the following percentages of the award amount  
11 granted to those with incomes below 51 percent of the MFI: 70 percent  
12 for students with family incomes between 51 and 55 percent MFI; 65  
13 percent for students with family incomes between 56 and 60 percent MFI;  
14 60 percent for students with family incomes between 61 and 65 percent  
15 MFI; and 50 percent for students with family incomes between 66 and 70  
16 percent MFI. For the 2012-13 academic year, awards for eligible  
17 students attending for-profit institutions of higher education shall  
18 not be subject to a fifty percent reduction.

19 (3) \$1,250,000 of the general fund--state appropriation for fiscal  
20 year 2013 is provided solely for implementation of the aerospace  
21 training scholarship and student loan program as specified in Engrossed  
22 Substitute House Bill No. 1846 (aerospace student loans). If the bill  
23 is not enacted by June 30, 2012, the amount provided in this subsection  
24 shall lapse.

25 (4) For fiscal year 2013, the board shall defer loan or conditional  
26 scholarship repayments to the future teachers conditional scholarship  
27 and loan repayment program for up to one year for each participant if  
28 the participant has shown evidence of efforts to find a teaching job  
29 but has been unable to secure a teaching job per the requirements of  
30 the program.

31 (5) \$1,000,000 of the education legacy trust account--state  
32 appropriation is provided solely for the gaining early awareness and  
33 readiness for undergraduate programs project.

34 (6) \$500,000 of the general fund--state appropriation for fiscal  
35 year 2013 is provided solely for the leadership 1000 program.

36 (7) \$2,436,000 of the general fund--state appropriation for fiscal  
37 year 2013 is provided solely for the passport to college program. The  
38 maximum scholarship award shall be \$5,000. The board shall contract

1 with a nonprofit organization to provide support services to increase  
2 student completion in their postsecondary program and shall, under this  
3 contract, provide a minimum of \$500,000 in fiscal year 2013 for this  
4 purpose.

5 **Sec. 612.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to  
6 read as follows:

7 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

8	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$1,382,000</del> ))
9		<u>\$1,274,000</u>
10	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$1,388,000</del> ))
11		<u>\$1,280,000</u>
12	General Fund--Federal Appropriation . . . . .	\$62,758,000
13	TOTAL APPROPRIATION . . . . .	(( <del>\$65,528,000</del> ))
14		<u>\$65,312,000</u>

15 The appropriations in this section are subject to the following  
16 conditions and limitations: For the 2011-2013 fiscal biennium the  
17 board shall not designate recipients of the Washington award for  
18 vocational excellence or recognize them at award ceremonies as provided  
19 in RCW 28C.04.535.

20 **Sec. 613.** 2011 2nd sp.s. c 9 s 612 (uncodified) is amended to read  
21 as follows:

22 **FOR THE DEPARTMENT OF EARLY LEARNING**

23	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$27,571,000</del> ))
24		<u>\$25,244,000</u>
25	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$27,558,000</del> ))
26		<u>\$25,265,000</u>
27	General Fund--Federal Appropriation . . . . .	(( <del>\$261,753,000</del> ))
28		<u>\$279,884,000</u>
29	<u>Home Visiting Services Account--Federal</u>	
30	<u>Appropriation . . . . .</u>	<u>\$200,000</u>
31	Opportunity Pathways Account--State Appropriation . . . . .	\$80,000,000
32	TOTAL APPROPRIATION . . . . .	(( <del>\$396,882,000</del> ))
33		<u>\$410,593,000</u>

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

1 (1) \$16,028,000 of the general fund--state appropriation for fiscal  
2 year 2012, \$16,028,000 of the general fund--state appropriation of  
3 fiscal year 2013, \$80,000,000 of the opportunity pathways account  
4 appropriation, and \$2,256,000 of the general fund--federal  
5 appropriation are provided solely for the early childhood education  
6 assistance program services. Of these amounts, \$10,284,000 is a  
7 portion of the biennial amount of state maintenance of effort dollars  
8 required to receive federal child care and development fund grant  
9 dollars.

10 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the  
11 department is authorized to increase child care center and child care  
12 family home licensure fees in fiscal years 2012 and 2013 for costs to  
13 the department for the licensure activity, including costs of necessary  
14 inspection. These increases are necessary to support expenditures  
15 authorized in this section.

16 (3) (~~(\$638,000)~~) \$64,000 of the general fund--state appropriation  
17 for fiscal year 2012 (~~and~~), \$638,000 of the general fund--state  
18 appropriation for fiscal year 2013, and \$574,000 of the general fund--  
19 federal appropriation are provided solely for child care resource and  
20 referral network services.

21 (~~(4) (\$200,000 of the general fund--state appropriation for fiscal~~  
22 ~~year 2012 and \$200,000 of the general fund--state appropriation for~~  
23 ~~fiscal year 2013 are provided solely to develop and provide culturally~~  
24 ~~relevant supports for parents, family, and other caregivers.~~

25 (+5)) The department is the lead agency for and recipient of the  
26 federal child care and development fund grant. Amounts within this  
27 grant shall be used to fund child care licensing, quality initiatives,  
28 agency administration, and other costs associated with child care  
29 subsidies. The department shall transfer a portion of this grant to  
30 the department of social and health services to fund the child care  
31 subsidies paid by the department of social and health services on  
32 behalf of the department of early learning.

33 ((+6)) (5) The appropriations in this section reflect reductions  
34 in the appropriations for the department's administrative expenses. It  
35 is the intent of the legislature that these reductions shall be  
36 achieved, to the greatest extent possible, by reducing those  
37 administrative costs that do not affect direct client services or  
38 direct service delivery or program.

1        ~~((7))~~ (6) \$934,000 of the general fund--state appropriation for  
2 fiscal year 2012, \$934,000 of the general fund--state appropriation for  
3 fiscal year 2013, and \$2,400,000 of the general fund--federal  
4 appropriation are provided solely for expenditure into the home  
5 visiting services account. This funding is intended to meet federal  
6 maintenance of effort requirements and to secure private matching  
7 funds.

8        (a) All federal funds received by the department for home visiting  
9 activities must be deposited into the home visiting services account.

10        (b) The department must consult with stakeholders during the  
11 development of the Washington home visiting plan and any future  
12 proposals for federal funding.

13        (c) \$200,000 of the home visiting services account--federal  
14 appropriation is provided solely for program administration pursuant to  
15 RCW 43.215.130. No other funds may be expended for that purpose.

16        ~~((8))~~ (7) In addition to groups that were given prioritized  
17 access to the working connections child care program effective March 1,  
18 2011, the department shall also give prioritized access into the  
19 program to families in which a parent of a child in care is a minor who  
20 is not living with a parent or guardian and who is a full-time student  
21 in a high school that has a school-sponsored on-site child care center.

22        ~~((9))~~ (8) Within available amounts, the department in  
23 consultation with the office of financial management and the department  
24 of social and health services shall report quarterly enrollments and  
25 active caseload for the working connections child care program to the  
26 legislative fiscal committees. The report shall also identify the  
27 number of cases participating in both temporary assistance for needy  
28 families and working connections child care.

29        ~~((10))~~ (9) \$2,522,000 of the general fund--state appropriation  
30 for fiscal year 2012, \$2,522,000 of the general fund--state  
31 appropriation for fiscal year 2013, and \$4,304,000 of the general  
32 fund--federal appropriation are provided solely for the medicaid  
33 treatment child care (MTCC) program. The department shall contract for  
34 MTCC services to provide therapeutic child care and other specialized  
35 treatment services to abused, neglected, at-risk, and/or drug-affected  
36 children. Priority for services shall be given to children referred  
37 from the department of social and health services children's  
38 administration. In addition to referrals made by children's

1 administration, the department shall authorize services for children  
2 referred to the MTCC program, as long as the children meet the  
3 eligibility requirements as outlined in the Washington state plan for  
4 the MTCC program. Of the amounts appropriated in this subsection,  
5 \$60,000 per fiscal year may be used by the department for administering  
6 the MTCC program, if needed.

7 **Sec. 614.** 2011 2nd sp.s. c 9 s 613 (uncodified) is amended to read  
8 as follows:

9 **FOR THE STATE SCHOOL FOR THE BLIND**

10	General Fund--State Appropriation (FY 2012) . . . . .	\$5,782,000
11	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$5,749,000)</del>
12		<u>\$5,461,000</u>
13	<del>((General Fund--Private/Local Appropriation . . . . .</del>	<del>\$1,961,000))</del>
14	TOTAL APPROPRIATION . . . . .	<del>(\$13,492,000)</del>
15		<u>\$11,243,000</u>

16 ~~((The appropriations in this section are subject to the following  
17 conditions — and — limitations:—\$271,000 — of — the — general — fund—  
18 private/local appropriation is provided solely for the school for the  
19 blind to offer short course programs, allowing students the opportunity  
20 to leave their home schools for short periods and receive intensive  
21 training. The school for the blind shall provide this service to the  
22 extent that it is funded by contracts with school districts and  
23 educational services districts.))~~

24 **Sec. 615.** 2011 2nd sp.s. c 9 s 614 (uncodified) is amended to read  
25 as follows:

26 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**  
27 **LOSS**

28	General Fund--State Appropriation (FY 2012) . . . . .	\$8,449,000
29	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$8,446,000)</del>
30		<u>\$8,041,000</u>
31	<del>((General Fund--Private/Local Appropriation . . . . .</del>	<del>\$526,000))</del>
32	TOTAL APPROPRIATION . . . . .	<del>(\$17,421,000)</del>
33		<u>\$16,490,000</u>

(End of part)

PART VII  
SPECIAL APPROPRIATIONS

Sec. 701. 2011 2nd sp.s. c 9 s 701 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT**

General Fund--State Appropriation (FY 2012)	(\$919,198,000)
	<u>\$911,643,000</u>
General Fund--State Appropriation (FY 2013)	(\$967,749,000)
	<u>\$950,740,000</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	<del>(\$1,893,341,000)</del>
	<u>\$1,868,777,000</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**

**BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE**

General Fund--State Appropriation (FY 2012)	.. . . . .	(\$27,516,000)
		<u>\$27,400,000</u>
General Fund--State Appropriation (FY 2013)	.. . . . .	(\$30,758,000)
		<u>\$30,572,000</u>
Nondebt-Limit Reimbursable Bond Retirement		
Account--State Appropriation	.. . . . .	\$140,128,000
TOTAL APPROPRIATION	.. . . . .	(\$198,402,000)
		<u>\$198,100,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

NEW SECTION. **Sec. 703.** A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--REVISED EMPLOYER HEALTH BENEFIT RATES**

General Fund--State Appropriation (FY 2013)	.. . . . .	(\$32,946,000)
General Fund--Federal Appropriation	.. . . . .	(\$4,720,000)
General Fund--Local Appropriation	.. . . . .	(\$518,000)
Education Legacy Trust Account--State Appropriation	.. . . . .	(\$178,000)
Dedicated Funds and Accounts Appropriation	.. . . . .	(\$7,684,000)
TOTAL APPROPRIATION	.. . . . .	(\$46,046,000)

The appropriations in this section are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to appropriations to reflect the change in the employer funding rate providing employee health and insurance coverage for fiscal year 2013 from \$850 to \$800 per estimated eligible employee per month. The office of financial management shall update agency appropriations schedules to reflect the changes in funding levels in this section as identified by agency and fund in LEAP document H-HB1 dated February 17, 2012. From the applicable accounts, the office of financial management shall adjust allotments to the respective agencies by an amount that



1 conforms with funding adjustments enacted in the 2012 supplemental  
2 omnibus operating appropriations act. Any allotment reductions under  
3 this section must be placed in reserve status and remain unexpended.

4 **Sec. 704.** 2011 2nd sp.s. c 9 s 704 (uncodified) is amended to read  
5 as follows:

6 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**  
7 **SYSTEMS**

8 (1) The appropriations in this section are subject to the following  
9 conditions and limitations: The appropriations for the law enforcement  
10 officers' and firefighters' retirement system shall be made on a  
11 monthly basis beginning July 1, 2011, consistent with chapter 41.45  
12 RCW, and the appropriations for the judges and judicial retirement  
13 systems shall be made on a quarterly basis consistent with chapters  
14 2.10 and 2.12 RCW.

15 ~~((+1))~~ (2) The contribution rates adopted under RCW 41.45.0604 and  
16 41.26.720 for the law enforcement officers' and firefighters'  
17 retirement system plan 2 are hereby modified. The following  
18 contribution rates will be in effect for the law enforcement officers'  
19 and firefighters' retirement system plan 2:

20 (a) Beginning March 1, 2012, a member contribution rate of 6.53  
21 percent will be charged;

22 (b) Beginning March 1, 2012, an employer contribution rate of 3.92  
23 percent will be charged; and

24 (c) Beginning March 1, 2012, a state contribution rate of 2.61  
25 percent will be charged.

26 These contribution rates will be in effect through June 30, 2013.

27 (3) There is appropriated for state contributions to the law  
28 enforcement officers' and firefighters' retirement system:

29	General Fund--State Appropriation (FY 2012) . . . . .	<del>(((\$54,547,000))</del>
30		<u>\$50,405,000</u>
31	General Fund--State Appropriation (FY 2013) . . . . .	<del>(((\$56,729,000))</del>
32		<u>\$43,809,000</u>
33	TOTAL APPROPRIATION . . . . .	<del>(((\$111,276,000))</del>
34		<u>\$94,214,000</u>

35 ~~((+2))~~ (4) There is appropriated for contributions to the judicial  
36 retirement system:

37	General Fund--State Appropriation (FY 2012) . . . . .	\$8,100,000
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1 General Fund--State Appropriation (FY 2013) . . . . . \$10,100,000  
2 TOTAL APPROPRIATION . . . . . \$18,200,000

3 NEW SECTION. **Sec. 705.** A new section is added to 2011 1st sp.s.  
4 c 50 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT**  
6 General Fund--State Appropriation (FY 2013) . . . . . \$1,150,000

7 The appropriation in this section is subject to the following  
8 conditions and limitations: The appropriation is provided solely for  
9 expenditure into the disaster response account.

10 **Sec. 706.** 2011 1st sp.s. c 50 s 715 (uncodified) is amended to  
11 read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**  
13 **COSTS**  
14 General Fund--State Appropriation (FY 2012) . . . . . ((~~\$591,000~~)  
15 \$1,102,000)

16 The appropriation in this section is subject to the following  
17 conditions and limitations: The director of financial management shall  
18 distribute ((~~\$338,000~~)) \$501,000 to Franklin county, \$128,000 to  
19 Jefferson county, ((and)) \$125,000 to Okanogan county, \$161,000 to  
20 Yakima county, and \$187,000 to King county for extraordinary criminal  
21 justice costs.

22 NEW SECTION. **Sec. 707.** A new section is added to 2011 1st sp.s.  
23 c 50 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION LEGACY TRUST ACCOUNT**  
25 General Fund--State Appropriation (FY 2013) . . . . . \$25,000,000

26 The appropriation in this section is subject to the following  
27 conditions and limitations: The appropriation is provided solely for  
28 expenditure into the education legacy trust account.

29 NEW SECTION. **Sec. 708.** A new section is added to 2011 1st sp.s.  
30 c 50 (uncodified) to read as follows:

31 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ARROW COMMISSION**  
32 General Fund--State Appropriation (FY 2013) . . . . . \$200,000

1 The appropriation in this section is subject to the following  
2 conditions and limitations: The appropriation is provided solely for  
3 the implementation of Engrossed Substitute Senate Bill No. 6345 (agency  
4 reallocation and realignment of Washington commission). If the bill is  
5 not enacted by June 30, 2012, the appropriation in this section shall  
6 lapse.

7 NEW SECTION. Sec. 709. CENTRAL SERVICE EFFICIENCIES  
8 2011 2nd sp.s. c 9 s 705 (uncodified) is repealed.

9 **Sec. 710.** 2011 2nd sp.s. c 9 s 707 (uncodified) is amended to read  
10 as follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONNEL SERVICES**

12 ~~((From appropriations to state agencies for the 2011-2013 fiscal  
13 biennium, the office of financial management shall reduce general  
14 fund state allotments by \$9,537,000 for fiscal year 2013 to reflect  
15 reduced billings and related charges to client agencies for central  
16 personnel services, pursuant to allotment schedules prepared by the  
17 office of financial management. The allotment reductions under this  
18 section shall be placed in unallotted status and remain unexpended.))~~

19 General Fund--State Appropriation (FY 2012) . . . . . (\$745,000)  
20 General Fund--State Appropriation (FY 2013) . . . . . (\$763,000)  
21 Other Appropriated Funds . . . . . (\$1,176,000)  
22 TOTAL APPROPRIATION . . . . . (\$2,684,000)

23 The appropriations in this section are solely for the purposes  
24 designated in this section and are subject to the following conditions  
25 and limitations:

26 (1) Appropriations are adjusted to reflect adjustments in funding  
27 for charges associated with a personnel services rate reduction.

28 (2) The office of financial management shall update agency  
29 appropriation schedules to reflect the changes to funding levels in  
30 this section as identified by agency and in the amounts specified in  
31 LEAP Document GLP-2012 dated February 18, 2012.

32 NEW SECTION. Sec. 711. A new section is added to 2011 1st sp.s.  
33 c 50 (uncodified) to read as follows:

34 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**

1 **FROM THE FOREST DEVELOPMENT ACCOUNT**

2 Forest Development Account--State Appropriation . . . . . \$10,000,000

3 The appropriation in this section is provided solely for  
4 distribution of state forest land revenues to taxing authorities that  
5 received such revenue from fiscal year 2002 through fiscal year 2011  
6 and is subject to the following conditions and limitations:

7 (1) Within fifteen days of the effective date of this section, the  
8 department shall transmit funds in the amounts specified in subsection  
9 (3) of this section to the county treasurers of the counties receiving  
10 the funds.

11 (2) The county treasurers of the counties listed in this section  
12 shall distribute funds received from this appropriation to taxing  
13 authorities in proportion to the state forest transfer land funds  
14 distributed to the taxing authorities based on information available  
15 for the fiscal years 2002 through 2011. Funds to be credited to the  
16 state of Washington and funds credited to school district general  
17 levies shall be remitted to the state of Washington within thirty days  
18 after the effective date of this section for deposit into the state  
19 general fund.

20 (3) Funds shall be distributed in the following amounts:

21	Clallam	\$848,854
22	Clark	\$630,368
23	Cowlitz	\$418,159
24	Grays Harbor	\$266,365
25	Jefferson	\$239,722
26	King	\$328,725
27	Kitsap	\$73,839
28	Klickitat	\$197,968
29	Lewis	\$887,679
30	Mason	\$425,935
31	Okanogan	\$4
32	Pacific	\$352,540
33	Pierce	\$334,179
34	Skagit	\$1,534,497
35	Skamania	\$66,648

1	Snohomish	\$1,565,549
2	Stevens	\$6,709
3	Thurston	\$783,735
4	Wahkiakum	\$285,339
5	Whatcom	\$753,186
6	Total	\$10,000,000

7 NEW SECTION. Sec. 712. A new section is added to 2011 1st sp.s.  
8 c 50 (uncodified) to read as follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE CHARGES**  
10 **ADJUSTMENTS**

11	General Fund--State Appropriation (FY 2012) . . . . .	(\$702,000)
12	General Fund--State Appropriation (FY 2013) . . . . .	(\$1,410,000)
13	Other Appropriated Funds . . . . .	(\$3,222,000)
14	TOTAL APPROPRIATION . . . . .	(\$5,334,000)

15 The appropriations in this section are solely for the purposes  
16 designated in this section and are subject to the following conditions  
17 and limitations:

- 18 (1) Appropriations are adjusted to reflect adjustments in funding  
19 for charges associated with central services.
- 20 (2) The office of financial management shall update agency  
21 appropriation schedules to reflect the changes to funding levels in  
22 this section.

23 NEW SECTION. Sec. 713. A new section is added to 2011 1st sp.s.  
24 c 50 (uncodified) to read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--AUDIT SERVICES ADJUSTMENTS**

26	General Fund--State Appropriation (FY 2012) . . . . .	(\$169,000)
27	General Fund--State Appropriation (FY 2013) . . . . .	(\$341,000)
28	Other Appropriated Funds . . . . .	\$208,000
29	TOTAL APPROPRIATION . . . . .	(\$302,000)

30 The appropriations in this section are solely for the purposes  
31 designated in this section and are subject to the following conditions  
32 and limitations:

- 33 (1) Appropriations are adjusted to reflect adjustments in funding  
34 for charges associated with audit services.

1 (2) The office of financial management shall update agency  
2 appropriation schedules to reflect the changes to funding levels in  
3 this section.

4 NEW SECTION. **Sec. 714.** A new section is added to 2011 1st sp.s.  
5 c 50 (uncodified) to read as follows:

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEGAL SERVICES REDUCTION**

7	General Fund--State Appropriation (FY 2012) . . . . .	(\$896,000)
8	General Fund--State Appropriation (FY 2013) . . . . .	(\$1,805,000)
9	Other Appropriated Funds . . . . .	(\$4,918,000)
10	TOTAL APPROPRIATION . . . . .	(\$7,619,000)

11 The appropriations in this section are solely for the purposes  
12 designated in this section and are subject to the following conditions  
13 and limitations:

14 (1) Appropriations are adjusted to reflect savings associated with  
15 a reduction in expenditures related to legal services.

16 (2) The office of financial management shall update agency  
17 appropriation schedules to reflect the changes to funding levels in  
18 this section.

19 NEW SECTION. **Sec. 715.** A new section is added to 2011 1st sp.s.  
20 c 50 (uncodified) to read as follows:

21 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ARCHIVE SERVICES REDUCTION**

22	General Fund--State Appropriation (FY 2012) . . . . .	(\$110,000)
23	General Fund--State Appropriation (FY 2013) . . . . .	(\$229,000)
24	Other Appropriated Funds . . . . .	(\$244,000)
25	TOTAL APPROPRIATION . . . . .	(\$583,000)

26 The appropriations in this section are solely for the purposes  
27 designated in this section and are subject to the following conditions  
28 and limitations:

29 (1) Appropriations are adjusted to reflect savings associated with  
30 a reduction in expenditures related to archive services.

31 (2) The office of financial management shall update agency  
32 appropriation schedules to reflect the changes to funding levels in  
33 this section.

34 NEW SECTION. **Sec. 716.** A new section is added to 2011 1st sp.s.  
35 c 50 (uncodified) to read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE SAVINGS**

2	General Fund--State Appropriation (FY 2012) . . . . .	(\$62,000)
3	General Fund--State Appropriation (FY 2013) . . . . .	(\$127,000)
4	Other Appropriated Funds . . . . .	(\$207,000)
5	TOTAL APPROPRIATION . . . . .	(\$396,000)

6 The appropriations in this section are solely for the purposes  
7 designated in this section and are subject to the following conditions  
8 and limitations:

9 (1) Appropriations are adjusted to reflect savings associated with  
10 a reduction in billing to various state agencies for central services.

11 (2) The office of financial management shall update agency  
12 appropriation schedules to reflect the changes to funding levels in  
13 this section.

14 NEW SECTION. **Sec. 717.** A new section is added to 2011 1st sp.s.  
15 c 50 (uncodified) to read as follows:

16 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE REDUCTIONS**

17	General Fund--State Appropriation (FY 2012) . . . . .	(\$894,000)
18	General Fund--State Appropriation (FY 2013) . . . . .	(\$3,586,000)
19	Other Appropriated Funds . . . . .	(\$3,295,000)
20	TOTAL APPROPRIATION . . . . .	(\$7,775,000)

21 The appropriations in this section are solely for the purposes  
22 designated in this section and are subject to the following conditions  
23 and limitations:

24 (1) Appropriations are adjusted to reflect savings associated with  
25 a reduction to various state agencies for central services pursuant to  
26 Substitute Senate Bill No. 6607.

27 (2) The office of financial management shall update agency  
28 appropriation schedules to reflect the changes to funding levels in  
29 this section.

30 NEW SECTION. **Sec. 718.** A new section is added to 2011 1st sp.s.  
31 c 50 (uncodified) to read as follows:

32 **FOR SUNDRY CLAIMS**

33 The following sums, or so much thereof as may be necessary, are  
34 appropriated from the general fund, unless otherwise indicated, for  
35 relief of various individuals, firms, and corporations for sundry  
36 claims. These appropriations are to be disbursed on vouchers approved

1 by the director of financial management, except as otherwise provided,  
2 for reimbursement of criminal defendants acquitted on the basis of  
3 self-defense, pursuant to RCW 9A.16.110, as follows:

- 4 (1) Clint L. Powell, Jr., claim number 99970048 . . . . . \$58,155.10
- 5 (2) Chance L. Hawkins, claim number 99970049 . . . . . \$28,838.95
- 6 (3) Edgar L. Hawkins, claim number 99970050 . . . . . \$25,507.00
- 7 (4) James Abbott, claim number 99970051 . . . . . \$9,880.00
- 8 (5) Richard Frisk, claim number 99970052 . . . . . \$32,788.50
- 9 (6) Brian Barnd-Spjut, claim number 99970053 . . . . . \$122,821.79

10 NEW SECTION. **Sec. 719.** A new section is added to 2011 1st sp.s.  
11 c 50 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE AGENCY RETIREMENT SYSTEM**  
13 **CONTRIBUTIONS**

14	General Fund--State Appropriation (FY 2013) . . . . .	(\$44,301,000)
15	General Fund--Federal Appropriation . . . . .	(\$10,049,000)
16	General Fund--Private/Local Appropriation . . . . .	(\$1,038,000)
17	Dedicated Funds and Accounts Appropriation . . . . .	(\$49,989,000)
18	TOTAL APPROPRIATION . . . . .	(\$105,377,000)

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

21 (1) The appropriations in this section are provided solely to  
22 reduce agency and institution appropriations to reflect reduced pension  
23 contributions. The office of financial management shall allocate the  
24 moneys appropriated in this section in the amounts specified and adjust  
25 appropriation schedules accordingly. The office of financial  
26 management shall make any further allotment adjustments necessary to  
27 reflect agency mergers or consolidations assumed in this act. The  
28 allotment reductions under this section shall be placed in unallotted  
29 status and remain unexpended.

30 (2) The appropriations in this section reflect reduced retirement  
31 system contributions resulting from the provisions of Senate Bill No.  
32 6378 (reforming the state retirement plans). If the bill is not  
33 enacted by June 30, 2012, the amounts provided in this section shall  
34 lapse.

35 NEW SECTION. **Sec. 720.** A new section is added to 2011 1st sp.s.  
36 c 50 (uncodified) to read as follows:



1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--SCHOOL DISTRICT RETIREMENT**  
2 **SYSTEM CONTRIBUTIONS**

3 General Fund--State Appropriation (FY 2013) . . . . . (\$88,699,000)

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

6 (1) The appropriation in this section is provided solely for  
7 adjustments to allocations to school districts to reflect reduced  
8 retirement system contributions resulting from the provisions of Senate  
9 Bill No. 6378 (reforming the state retirement plans). The office of  
10 financial management shall reduce allotments for the office of the  
11 superintendent of public instruction by these amounts. The allotment  
12 reductions under this section shall be placed in unallotted status and  
13 remain unexpended.

14 (2) The appropriation in this section reflects reduced retirement  
15 system contributions resulting from the provisions of Senate Bill No.  
16 6378 (reforming the state retirement plans). If the bill is not  
17 enacted by June 30, 2012, the amount provided in this section shall  
18 lapse.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance	
premium distributions . . . . .	(( <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		<u>\$25,617,000</u>
2	Streamlined Sales and Use Tax Mitigation Account	
3	Appropriation for distribution to local taxing	
4	jurisdictions to mitigate the unintended revenue	
5	redistribution effect of the sourcing law	
6	changes . . . . .	(( <del>\$49,635,000</del> ))
7		<u>\$49,309,000</u>
8	Columbia River Water Delivery Account Appropriation for	
9	the Confederated Tribes of the Colville	
10	Reservation . . . . .	(( <del>\$7,441,000</del> ))
11		<u>\$7,478,000</u>
12	Columbia River Water Delivery Account Appropriation for	
13	the Spokane Tribe of Indians . . . . .	(( <del>\$4,748,000</del> ))
14		<u>\$4,794,000</u>
15	Liquor Revolving Account Appropriation for liquor	
16	profits distribution . . . . .	(( <del>\$69,318,000</del> ))
17		<u>\$86,878,000</u>
18	TOTAL APPROPRIATION . . . . .	(( <del>\$411,301,000</del> ))
19		<u>\$409,699,000</u>

20       The total expenditures from the state treasury under the  
21 appropriations in this section shall not exceed the funds available  
22 under statutory distributions for the stated purposes.

23       **Sec. 802.** 2011 1st sp.s. c 50 s 802 (uncodified) is amended to  
24 read as follows:

25 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**  
26 **ACCOUNT**

27	Impaired Driver Safety Account Appropriation . . . . .	(( <del>\$2,501,000</del> ))
28		<u>\$2,439,000</u>

29       The appropriation in this section is subject to the following  
30 conditions and limitations: The amount appropriated in this section  
31 shall be distributed quarterly during the 2011-2013 fiscal biennium in  
32 accordance with RCW 82.14.310. This funding is provided to counties  
33 for the costs of implementing criminal justice legislation including,  
34 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
35 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
36 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
37 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock

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  
 4 year 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 year 2012  
20 and (~~(\$22,500,000)~~) \$92,411,000 for fiscal  
21 year 2013 . . . . . ((~~\$76,931,000~~))  
22 \$146,842,000  
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 \$2,330,000 for fiscal year 2013 . . . . . ((~~\$500,000~~))  
27 \$4,660,000  
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        \$58,000 for fiscal year 2013 . . . . . \$116,000  
2        State Nursery Revolving Account: For transfer to the  
3        state general fund, \$250,000 for fiscal year 2012 and  
4        \$250,000 for fiscal year 2013 . . . . . \$500,000  
5        Aquatic Lands Enhancement Account: For transfer to  
6        the marine resources stewardship trust account,  
7        \$2,400,000 for fiscal year 2013. However, if  
8        Second Substitute Senate Bill No. 6263 (marine  
9        planning) is not enacted by June 30, 2012, then  
10       the transfer shall not occur . . . . . \$2,400,000  
11       Financial Services Regulation Fund: For transfer to  
12       the state general fund, \$4,000,000 for fiscal  
13       year 2012 . . . . . \$4,000,000  
14       Local Toxics Control Account: For transfer to the state  
15       toxics control account, \$23,300,000 for fiscal  
16       year 2012 and \$23,300,000 for fiscal year 2013 . . . . . \$46,600,000

(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. Except as provided in subsection (2) of this  
10 section, funding is reduced to reflect a 3.0 percent temporary salary  
11 reduction for all employees whose monthly full-time equivalent salary  
12 is \$2,500 or more per month through June 29, 2013. Effective June 30,  
13 2013, the salary schedules effective July 1, 2009, through June 30,  
14 2011, will be reinstated. For employees entitled to leave, temporary  
15 salary reduction leave is granted for fiscal year 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 **Sec. 907.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to  
30 read as follows:

31 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

32 Appropriations for state agencies in this act are sufficient for  
33 nonrepresented state employee health benefits for state agencies,  
34 including institutions of higher education, and are subject to the  
35 following conditions and limitations:

1 (1)(a) The monthly employer funding rate for insurance benefit  
2 premiums, public employees' benefits board administration, and the  
3 uniform medical plan, shall not exceed \$850 per eligible employee for  
4 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
5 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

6 (b) In order to achieve the level of funding provided for health  
7 benefits, the public employees' benefits board shall require any or all  
8 of the following: Employee premium copayments, increases in point-of-  
9 service cost sharing, the implementation of managed competition, or  
10 make other changes to benefits consistent with RCW 41.05.065.

11 (c) The health care authority shall deposit any moneys received on  
12 behalf of the uniform medical plan as a result of rebates on  
13 prescription drugs, audits of hospitals, subrogation payments, or any  
14 other moneys recovered as a result of prior uniform medical plan claims  
15 payments, into the public employees' and retirees' insurance account to  
16 be used for insurance benefits. Such receipts shall not be used for  
17 administrative expenditures.

18 (2) The health care authority, subject to the approval of the  
19 public employees' benefits board, shall provide subsidies for health  
20 benefit premiums to eligible retired or disabled public employees and  
21 school district employees who are eligible for medicare, pursuant to  
22 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
23 \$150.00 per month.

24 (3) Technical colleges, school districts, and educational service  
25 districts shall remit to the health care authority for deposit into the  
26 public employees' and retirees' insurance account established in RCW  
27 41.05.120 the following amounts:

28 (a) For each full-time employee, \$66.01 per month beginning  
29 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

30 (b) For each part-time employee, who at the time of the remittance  
31 is employed in an eligible position as defined in RCW 41.32.010 or  
32 41.40.010 and is eligible for employer fringe benefit contributions for  
33 basic benefits, \$66.01 each month beginning September 1, 2011, and  
34 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the  
35 proportion of employer fringe benefit contributions for a full-time  
36 employee that the part-time employee receives. The remittance  
37 requirements specified in this subsection shall not apply to employees

1 of a technical college, school district, or educational service  
2 district who purchase insurance benefits through contracts with the  
3 health care authority.

4 **Sec. 908.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to  
5 read as follows:

6 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**  
7 **BENEFITS**

8 Appropriations for state agencies in this act are sufficient for  
9 represented employees outside the super coalition for health benefits,  
10 and are subject to the following conditions and limitations:

11 (1)(a) The monthly employer funding rate for insurance benefit  
12 premiums, public employees' benefits board administration, and the  
13 uniform medical plan, shall not exceed \$850 per eligible employee for  
14 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
15 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

16 (b) In order to achieve the level of funding provided for health  
17 benefits, the public employees' benefits board shall require any or all  
18 of the following: Employee premium copayments, increases in point-of-  
19 service cost sharing, the implementation of managed competition, or  
20 make other changes to benefits consistent with RCW 41.05.065.

21 (c) The health care authority shall deposit any moneys received on  
22 behalf of the uniform medical plan as a result of rebates on  
23 prescription drugs, audits of hospitals, subrogation payments, or any  
24 other moneys recovered as a result of prior uniform medical plan claims  
25 payments, into the public employees' and retirees' insurance account to  
26 be used for insurance benefits. Such receipts shall not be used for  
27 administrative expenditures.

28 (2) The health care authority, subject to the approval of the  
29 public employees' benefits board, shall provide subsidies for health  
30 benefit premiums to eligible retired or disabled public employees and  
31 school district employees who are eligible for medicare, pursuant to  
32 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
33 \$150.00 per month.

34 (3) Technical colleges, school districts, and educational service  
35 districts shall remit to the health care authority for deposit into the  
36 public employees' and retirees' insurance account established in RCW  
37 41.05.120 the following amounts:

1 (a) For each full-time employee, \$66.01 per month beginning  
2 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

3 (b) For each part-time employee, who at the time of the remittance  
4 is employed in an eligible position as defined in RCW 41.32.010 or  
5 41.40.010 and is eligible for employer fringe benefit contributions for  
6 basic benefits, \$66.01 each month beginning September 1, 2011, and  
7 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the  
8 proportion of employer fringe benefit contributions for a full-time  
9 employee that the part-time employee receives. The remittance  
10 requirements specified in this subsection shall not apply to employees  
11 of a technical college, school district, or educational service  
12 district who purchase insurance benefits through contracts with the  
13 health care authority.

14 **Sec. 909.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to  
15 read as follows:

16 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**  
17 **BENEFITS**

18 The collective bargaining agreement negotiated with the super  
19 coalition under chapter 41.80 RCW includes employer premiums at 85  
20 percent of the total weighted average of the projected health care  
21 premiums across all plans and tiers. Appropriations in this act for  
22 state agencies, including institutions of higher education are  
23 sufficient to fund state employees health benefits for employees  
24 represented by the super coalition on health benefits, and are subject  
25 to the following conditions and limitations:

26 (1)(a) The monthly employer funding rate for insurance benefit  
27 premiums, public employees' benefits board administration, and the  
28 uniform medical plan, shall not exceed \$850 per eligible employee for  
29 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
30 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

31 (b) In order to achieve the level of funding provided for health  
32 benefits, the public employees' benefits board shall require any or all  
33 of the following: Employee premium copayments, increases in point-of-  
34 service cost sharing, the implementation of managed competition, or  
35 make other changes to benefits consistent with RCW 41.05.065.

36 (c) The health care authority shall deposit any moneys received on  
37 behalf of the uniform medical plan as a result of rebates on

1 prescription drugs, audits of hospitals, subrogation payments, or any  
2 other moneys recovered as a result of prior uniform medical plan claims  
3 payments, into the public employees' and retirees' insurance account to  
4 be used for insurance benefits. Such receipts shall not be used for  
5 administrative expenditures.

6 (2) The health care authority, subject to the approval of the  
7 public employees' benefits board, shall provide subsidies for health  
8 benefit premiums to eligible retired or disabled public employees and  
9 school district employees who are eligible for medicare, pursuant to  
10 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
11 \$150.00 per month.

12 **Sec. 910.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each  
13 amended to read as follows:

14 (1) Tuition fees shall be established under the provisions of this  
15 chapter.

16 (2) Beginning in the 2011-12 academic year, reductions or increases  
17 in full-time tuition fees shall be as provided in the omnibus  
18 appropriations act for resident undergraduate students at community and  
19 technical colleges. The governing boards of the state universities,  
20 regional universities, and The Evergreen State College; and the state  
21 board for community and technical colleges may reduce or increase full-  
22 time tuition fees for all students other than resident undergraduates,  
23 including nonresident students, summer school students, and students in  
24 other self-supporting degree programs. Percentage increases in full-  
25 time tuition may exceed the fiscal growth factor. Except during the  
26 2011-2013 fiscal biennium, the state board for community and technical  
27 colleges may pilot or institute differential tuition models. The board  
28 may define scale, scope, and rationale for the models.

29 (3)(a) Beginning with the 2011-12 academic year and through the end  
30 of the 2014-15 academic year, the governing boards of the state  
31 universities, the regional universities, and The Evergreen State  
32 College may reduce or increase full-time tuition fees for all students,  
33 including summer school students and students in other self-supporting  
34 degree programs. Percentage increases in full-time tuition fees may  
35 exceed the fiscal growth factor. Except for resident undergraduate  
36 students during the 2011-2013 fiscal biennium, reductions or increases

1 may be made for all or portions of an institution's programs, campuses,  
2 courses, or 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. 911.** RCW 2.68.020 and 2009 c 564 s 1802 and 2009 c 564 s 918  
35 are each reenacted and amended to read as follows:

36 There is created an account in the custody of the state treasurer  
37 to be known as the judicial information system account. The

1 administrative office of the courts shall maintain and administer the  
2 account, in which shall be deposited all moneys received from in-state  
3 noncourt users and any out-of-state users of the judicial information  
4 system and moneys as specified in RCW 2.68.040 for the purposes of  
5 providing judicial information system access to noncourt users and  
6 providing an adequate level of automated services to the judiciary.  
7 The legislature shall appropriate the funds in the account for the  
8 purposes of the judicial information system. The account shall be used  
9 for the acquisition of equipment, software, supplies, services, and  
10 other costs incidental to the acquisition, development, operation, and  
11 administration of information services, telecommunications, systems,  
12 software, supplies, and equipment, including the payment of principal  
13 and interest on items paid in installments. (~~During the 2007-2009~~  
14 ~~fiscal biennium, the legislature may transfer from the judicial~~  
15 ~~information system account to the state general fund such amounts as~~  
16 ~~reflect the excess fund balance of the account.)) During the ((2009-~~  
17 ~~2011)) 2011-2013 fiscal biennium, the legislature may ((transfer))  
18 appropriate from the judicial information system account to the state  
19 ((~~general fund such amounts as reflect the excess fund balance of the~~  
20 ~~account~~)) law library.~~

21 **Sec. 912.** RCW 41.05.120 and 2005 c 518 s 921 and 2005 c 143 s 3  
22 are each reenacted and amended to read as follows:

23 (1) The public employees' and retirees' insurance account is hereby  
24 established in the custody of the state treasurer, to be used by the  
25 administrator for the deposit of contributions, the remittance paid by  
26 school districts and educational service districts under RCW  
27 28A.400.410, reserves, dividends, and refunds, for payment of premiums  
28 for employee and retiree insurance benefit contracts and subsidy  
29 amounts provided under RCW 41.05.085, and transfers from the  
30 ((~~medical~~)) flexible spending administrative account as authorized in  
31 RCW 41.05.123. Moneys from the account shall be disbursed by the state  
32 treasurer by warrants on vouchers duly authorized by the administrator.  
33 Moneys from the account may be transferred to the medical flexible  
34 spending account to provide reserves and start-up costs for the  
35 operation of the medical flexible spending account program.

36 (2) The state treasurer and the state investment board may invest  
37 moneys in the public employees' and retirees' insurance account. All

1 such investments shall be in accordance with RCW 43.84.080 or  
2 43.84.150, whichever is applicable. The administrator shall determine  
3 whether the state treasurer or the state investment board or both shall  
4 invest moneys in the public employees' insurance account.

5 (3) During the 2005-07 fiscal biennium, the legislature may  
6 transfer from the public employees' and retirees' insurance account  
7 such amounts as reflect the excess fund balance of the fund.

8 (4) During the 2011-2013 fiscal biennium, moneys in the public  
9 employees' and retirees' insurance account may be lent to the school  
10 employees' insurance administrative account as directed by the  
11 legislature.

12 **Sec. 913.** RCW 43.30.720 and 2003 1st sp.s. c 25 s 938 are each  
13 amended to read as follows:

14 All receipts from the sale of stock or seed shall be deposited in  
15 a state forest nursery revolving fund to be maintained by the  
16 department, which is hereby authorized to use all money in said fund  
17 for the maintenance of the state tree nursery or the planting of  
18 denuded state owned lands.

19 During the ((2003-2005)) 2011-2013 fiscal biennium, the legislature  
20 may transfer from the state forest nursery revolving fund to the state  
21 general fund such amounts as reflect the excess fund balance of the  
22 fund.

23 **Sec. 914.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each  
24 amended to read as follows:

25 There is created a local fund known as the "financial services  
26 regulation fund" which shall consist of all moneys received by the  
27 divisions of the department of financial institutions, except for the  
28 division of securities which shall deposit thirteen percent of all  
29 moneys received, except as provided in RCW 43.320.115, and which shall  
30 be used for the purchase of supplies and necessary equipment; the  
31 payment of salaries, wages, and utilities; the establishment of  
32 reserves; and other incidental costs required for the proper regulation  
33 of individuals and entities subject to regulation by the department.  
34 The state treasurer shall be the custodian of the fund. Disbursements  
35 from the fund shall be on authorization of the director of financial  
36 institutions or the director's designee. In order to maintain an

1 effective expenditure and revenue control, the fund shall be subject in  
2 all respects to chapter 43.88 RCW, but no appropriation is required to  
3 permit expenditures and payment of obligations from the fund.

4 During the (~~(2009-2011)~~) 2011-2013 fiscal biennium, the legislature  
5 may transfer from the financial services regulation fund to the state  
6 general fund such amounts as reflect the excess fund balance of the  
7 fund.

8 **Sec. 915.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each  
9 reenacted and amended to read as follows:

10 (1) The state toxics control account and the local toxics control  
11 account are hereby created in the state treasury.

12 (2) The following moneys shall be deposited into the state toxics  
13 control account: (a) Those revenues which are raised by the tax  
14 imposed under RCW 82.21.030 and which are attributable to that portion  
15 of the rate equal to thirty-three one-hundredths of one percent; (b)  
16 the costs of remedial actions recovered under this chapter or chapter  
17 70.105A RCW; (c) penalties collected or recovered under this chapter;  
18 and (d) any other money appropriated or transferred to the account by  
19 the legislature. Moneys in the account may be used only to carry out  
20 the purposes of this chapter, including but not limited to the  
21 following activities:

22 (i) The state's responsibility for hazardous waste planning,  
23 management, regulation, enforcement, technical assistance, and public  
24 education required under chapter 70.105 RCW;

25 (ii) The state's responsibility for solid waste planning,  
26 management, regulation, enforcement, technical assistance, and public  
27 education required under chapter 70.95 RCW;

28 (iii) The hazardous waste cleanup program required under this  
29 chapter;

30 (iv) State matching funds required under the federal cleanup law;

31 (v) Financial assistance for local programs in accordance with  
32 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

33 (vi) State government programs for the safe reduction, recycling,  
34 or disposal of hazardous wastes from households, small businesses, and  
35 agriculture;

36 (vii) Hazardous materials emergency response training;

- 1 (viii) Water and environmental health protection and monitoring  
2 programs;
- 3 (ix) Programs authorized under chapter 70.146 RCW;
- 4 (x) A public participation program, including regional citizen  
5 advisory committees;
- 6 (xi) Public funding to assist potentially liable persons to pay for  
7 the costs of remedial action in compliance with cleanup standards under  
8 RCW 70.105D.030(2)(e) but only when the amount and terms of such  
9 funding are established under a settlement agreement under RCW  
10 70.105D.040(4) and when the director has found that the funding will  
11 achieve both (A) a substantially more expeditious or enhanced cleanup  
12 than would otherwise occur, and (B) the prevention or mitigation of  
13 unfair economic hardship;
- 14 (xii) Development and demonstration of alternative management  
15 technologies designed to carry out the hazardous waste management  
16 priorities of RCW 70.105.150;
- 17 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline  
18 update technical assistance;
- 19 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional  
20 permitting teams; (~~and~~)
- 21 (xv) During the 2011-2013 fiscal biennium, actions for reducing  
22 public exposure to toxic air pollution; and
- 23 (xvi) During the 2011-2013 fiscal biennium, the University of  
24 Washington college of environment and Washington State University  
25 college of agriculture, human, and natural resources.
- 26 (3) The following moneys shall be deposited into the local toxics  
27 control account: Those revenues which are raised by the tax imposed  
28 under RCW 82.21.030 and which are attributable to that portion of the  
29 rate equal to thirty-seven one-hundredths of one percent.
- 30 (a) Moneys deposited in the local toxics control account shall be  
31 used by the department for grants or loans to local governments for the  
32 following purposes in descending order of priority:
- 33 (i) Remedial actions;
- 34 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
- 35 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,  
36 70.95I, and 70.105 RCW;
- 37 (iv) Funds for a program to assist in the assessment and cleanup of

1 sites of methamphetamine production, but not to be used for the initial  
2 containment of such sites, consistent with the responsibilities and  
3 intent of RCW 69.50.511; and

4 (v) Cleanup and disposal of hazardous substances from abandoned or  
5 derelict vessels, defined for the purposes of this section as vessels  
6 that have little or no value and either have no identified owner or  
7 have an identified owner lacking financial resources to clean up and  
8 dispose of the vessel, that pose a threat to human health or the  
9 environment.

10 (b) Funds for plans and programs shall be allocated consistent with  
11 the priorities and matching requirements established in chapters  
12 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that  
13 is a Puget Sound partner, as defined in RCW 90.71.010, along with any  
14 project that is referenced in the action agenda developed by the Puget  
15 Sound partnership under RCW 90.71.310, shall, except as conditioned by  
16 RCW 70.105D.120, receive priority for any available funding for any  
17 grant or funding programs or sources that use a competitive bidding  
18 process. During the 2007-2009 fiscal biennium, moneys in the account  
19 may also be used for grants to local governments to retrofit public  
20 sector diesel equipment and for storm water planning and implementation  
21 activities.

22 (c) To expedite cleanups throughout the state, the department shall  
23 partner with local communities and liable parties for cleanups. The  
24 department is authorized to use the following additional strategies in  
25 order to ensure a healthful environment for future generations:

26 (i) The director may alter grant-matching requirements to create  
27 incentives for local governments to expedite cleanups when one of the  
28 following conditions exists:

29 (A) Funding would prevent or mitigate unfair economic hardship  
30 imposed by the clean-up liability;

31 (B) Funding would create new substantial economic development,  
32 public recreational, or habitat restoration opportunities that would  
33 not otherwise occur; or

34 (C) Funding would create an opportunity for acquisition and  
35 redevelopment of vacant, orphaned, or abandoned property under RCW  
36 70.105D.040(5) that would not otherwise occur;

37 (ii) The use of outside contracts to conduct necessary studies;

1 (iii) The purchase of remedial action cost-cap insurance, when  
2 necessary to expedite multiparty clean-up efforts.

3 (d) To facilitate and expedite cleanups using funds from the local  
4 toxics control account, during the 2009-2011 fiscal biennium the  
5 director may establish grant-funded accounts to hold and disperse local  
6 toxics control account funds and funds from local governments to be  
7 used for remedial actions.

8 (4) Except for unanticipated receipts under RCW 43.79.260 through  
9 43.79.282, moneys in the state and local toxics control accounts may be  
10 spent only after appropriation by statute.

11 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one  
12 percent of the moneys deposited into the state and local toxics control  
13 accounts shall be allocated only for public participation grants to  
14 persons who may be adversely affected by a release or threatened  
15 release of a hazardous substance and to not-for-profit public interest  
16 organizations. The primary purpose of these grants is to facilitate  
17 the participation by persons and organizations in the investigation and  
18 remedying of releases or threatened releases of hazardous substances  
19 and to implement the state's solid and hazardous waste management  
20 priorities. No grant may exceed sixty thousand dollars. Grants may be  
21 renewed annually. Moneys appropriated for public participation from  
22 either account which are not expended at the close of any biennium  
23 shall revert to the state toxics control account.

24 (6) No moneys deposited into either the state or local toxics  
25 control account may be used for solid waste incinerator feasibility  
26 studies, construction, maintenance, or operation, or, after January 1,  
27 2010, for projects designed to address the restoration of Puget Sound,  
28 funded in a competitive grant process, that are in conflict with the  
29 action agenda developed by the Puget Sound partnership under RCW  
30 90.71.310.

31 (7) The department shall adopt rules for grant or loan issuance and  
32 performance.

33 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the  
34 legislature may transfer from the local toxics control account to  
35 either the state general fund or the oil spill prevention account, or  
36 both such amounts as reflect excess fund balance in the account.

37 (9) During the 2009-2011 fiscal biennium, the local toxics control  
38 account may also be used for a standby rescue tug at Neah Bay, local

1 government shoreline update grants, private and public sector diesel  
2 equipment retrofit, and oil spill prevention, preparedness, and  
3 response activities.

4 (10) During the 2009-2011 fiscal biennium, the legislature may  
5 transfer from the state toxics control account to the state general  
6 fund such amounts as reflect the excess fund balance in the account.

7 (11) During the 2011-2013 fiscal biennium, the local toxics control  
8 account may also be used for local government shoreline update grants  
9 and actions for reducing public exposure to toxic air pollution.

10 **Sec. 916.** RCW 70.146.100 and 2010 1st sp.s. c 37 s 948 are each  
11 amended to read as follows:

12 (1) The water quality capital account is created in the state  
13 treasury. Moneys in the water quality capital account may be spent  
14 only after appropriation.

15 (2) Expenditures from the water quality capital account may only be  
16 used: (a) To make grants or loans to public bodies, including grants  
17 to public bodies as cost-sharing moneys in any case where federal,  
18 local, or other moneys are made available on a cost-sharing basis, for  
19 the capital component of water pollution control facilities and  
20 activities; (b) for purposes of assisting a public body to obtain an  
21 ownership interest in water pollution control facilities; or (c) to  
22 defray any part of the capital component of the payments made by a  
23 public body to a service provider under a service agreement entered  
24 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the  
25 legislature may transfer from the water quality capital account to the  
26 state general fund such amounts as reflect the excess fund balance of  
27 the account. During the 2011-2013 fiscal biennium, the legislature may  
28 transfer from the water quality capital account to the state general  
29 fund such amounts as reflect the excess fund balance of the account.

30 **Sec. 917.** RCW 76.04.610 and 2007 c 110 s 1 are each amended to  
31 read as follows:

32 (1)(a) If any owner of forest land within a forest protection zone  
33 neglects or fails to provide adequate fire protection as required by  
34 RCW 76.04.600, the department shall provide such protection and shall  
35 annually impose the following assessments on each parcel of such land:



1 (i) A flat fee assessment of seventeen dollars and fifty cents; and  
2 (ii) twenty-seven cents on each acre exceeding fifty acres.

3 (b) Assessors may, at their option, collect the assessment on tax  
4 exempt lands. If the assessor elects not to collect the assessment,  
5 the department may bill the landowner directly.

6 (2) An owner who has paid assessments on two or more parcels, each  
7 containing fewer than fifty acres and each within the same county, may  
8 obtain the following refund:

9 (a) If all the parcels together contain less than fifty acres, then  
10 the refund is equal to the flat fee assessments paid, reduced by the  
11 total of (i) seventeen dollars and (ii) the total of the amounts  
12 retained by the county from such assessments under subsection (5) of  
13 this section.

14 (b) If all the parcels together contain fifty or more acres, then  
15 the refund is equal to the flat fee assessments paid, reduced by the  
16 total of (i) seventeen dollars, (ii) twenty-seven cents for each acre  
17 exceeding fifty acres, and (iii) the total of the amounts retained by  
18 the county from such assessments under subsection (5) of this section.

19 Applications for refunds shall be submitted to the department on a  
20 form prescribed by the department and in the same year in which the  
21 assessments were paid. The department may not provide refunds to  
22 applicants who do not provide verification that all assessments and  
23 property taxes on the property have been paid. Applications may be  
24 made by mail.

25 In addition to the procedures under this subsection, property  
26 owners with multiple parcels in a single county who qualify for a  
27 refund under this section may apply to the department on an application  
28 listing all the parcels owned in order to have the assessment computed  
29 on all parcels but billed to a single parcel. Property owners with the  
30 following number of parcels may apply to the department in the year  
31 indicated:

32	Year	Number of Parcels
33	2002	10 or more parcels
34	2003	8 or more parcels
35	2004 and thereafter	6 or more parcels

1           The department must compute the correct assessment and allocate one  
2 parcel in the county to use to collect the assessment. The county must  
3 then bill the forest fire protection assessment on that one allocated  
4 identified parcel. The landowner is responsible for notifying the  
5 department of any changes in parcel ownership.

6           (3) Beginning January 1, 1991, under the administration and at the  
7 discretion of the department up to two hundred thousand dollars per  
8 year of this assessment shall be used in support of those rural fire  
9 districts assisting the department in fire protection services on  
10 forest lands.

11           (4) For the purpose of this chapter, the department may divide the  
12 forest lands of the state, or any part thereof, into districts, for  
13 fire protection and assessment purposes, may classify lands according  
14 to the character of timber prevailing, and the fire hazard existing,  
15 and place unprotected lands under the administration of the proper  
16 district. Amounts paid or contracted to be paid by the department for  
17 protection of forest lands from funds at its disposal shall be a lien  
18 upon the property protected, unless reimbursed by the owner within ten  
19 days after October 1st of the year in which they were incurred. The  
20 department shall be prepared to make statement thereof, upon request,  
21 to a forest owner whose own protection has not been previously approved  
22 as to its adequacy, the department shall report the same to the  
23 assessor of the county in which the property is situated. The assessor  
24 shall extend the amounts upon the tax rolls covering the property, and  
25 upon authorization from the department shall levy the forest protection  
26 assessment against the amounts of unimproved land as shown in each  
27 ownership on the county assessor's records. The assessor may then  
28 segregate on the records to provide that the improved land and  
29 improvements thereon carry the millage levy designed to support the  
30 rural fire protection districts as provided for in RCW 52.16.170.

31           (5) The amounts assessed shall be collected at the time, in the  
32 same manner, by the same procedure, and with the same penalties  
33 attached that general state and county taxes on the same property are  
34 collected, except that errors in assessments may be corrected at any  
35 time by the department certifying them to the treasurer of the county  
36 in which the land involved is situated. Assessments shall be known and  
37 designated as assessments of the year in which the amounts became  
38 reimbursable. Upon the collection of assessments the county treasurer

1 shall place fifty cents of the total assessments paid on a parcel for  
2 fire protection into the county current expense fund to defray the  
3 costs of listing, billing, and collecting these assessments. The  
4 treasurer shall then transmit the balance to the department.  
5 Collections shall be applied against expenses incurred in carrying out  
6 the provisions of this section, including necessary and reasonable  
7 administrative costs incurred by the department in the enforcement of  
8 these provisions. The department may also expend sums collected from  
9 owners of forest lands or received from any other source for necessary  
10 administrative costs in connection with the enforcement of RCW  
11 76.04.660.

12 (6) When land against which forest protection assessments are  
13 outstanding is acquired for delinquent taxes and sold at public  
14 auction, the state shall have a prior lien on the proceeds of sale over  
15 and above the amount necessary to satisfy the county's delinquent tax  
16 judgment. The county treasurer, in case the proceeds of sale exceed  
17 the amount of the delinquent tax judgment, shall immediately remit to  
18 the department the amount of the outstanding forest protection  
19 assessments.

20 (7) All nonfederal public bodies owning or administering forest  
21 land included in a forest protection zone shall pay the forest  
22 protection assessments provided in this section and the special forest  
23 fire suppression account assessments under RCW 76.04.630. The forest  
24 protection assessments and special forest fire suppression account  
25 assessments shall be payable by nonfederal public bodies from available  
26 funds within thirty days following receipt of the written notice from  
27 the department which is given after October 1st of the year in which  
28 the protection was provided. Unpaid assessments are not a lien against  
29 the nonfederal publicly owned land but shall constitute a debt by the  
30 nonfederal public body to the department and are subject to interest  
31 charges at the legal rate. During the 2011-2013 fiscal biennium, the  
32 forest fire protection assessment account may be used by the office of  
33 financial management to contract for analysis and recommendations to  
34 improve the efficiency and effectiveness of the state's mechanisms for  
35 funding fire prevention and suppression activities.

36 (8) A public body, having failed to previously pay the forest  
37 protection assessments required of it by this section, which fails to  
38 suppress a fire on or originating from forest lands owned or

1 administered by it, is liable for the costs of suppression incurred by  
2 the department or its agent and is not entitled to reimbursement of  
3 costs incurred by the public body in the suppression activities.

4 (9) The department may adopt rules to implement this section,  
5 including, but not limited to, rules on levying and collecting forest  
6 protection assessments.

7 **Sec. 918.** RCW 77.12.201 and 2009 c 479 s 63 are each amended to  
8 read as follows:

9 The legislative authority of a county may elect, by giving written  
10 notice to the director and the treasurer prior to January 1st of any  
11 year, to obtain for the following year an amount in lieu of real  
12 property taxes on game lands as provided in RCW 77.12.203. Upon the  
13 election, the county shall keep a record of all fines, forfeitures,  
14 reimbursements, and costs assessed and collected, in whole or in part,  
15 under this title for violations of law or rules adopted pursuant to  
16 this title, with the exception of the 2011-2013 fiscal biennium, and  
17 shall monthly remit an amount equal to the amount collected to the  
18 state treasurer for deposit in the state general fund. The election  
19 shall continue until the department is notified differently prior to  
20 January 1st of any year.

21 **Sec. 919.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to  
22 read as follows:

23 (1) Except as provided in subsection (5) of this section and  
24 notwithstanding RCW 84.36.010 or other statutes to the contrary, the  
25 director shall pay by April 30th of each year on game lands in each  
26 county, if requested by an election under RCW 77.12.201, an amount in  
27 lieu of real property taxes equal to that amount paid on similar  
28 parcels of open space land taxable under chapter 84.34 RCW or the  
29 greater of seventy cents per acre per year or the amount paid in 1984  
30 plus an additional amount for control of noxious weeds equal to that  
31 which would be paid if such lands were privately owned. This amount  
32 shall not be assessed or paid on department buildings, structures,  
33 facilities, game farms, fish hatcheries, tidelands, or public fishing  
34 areas of less than one hundred acres.

35 (2) "Game lands," as used in this section and RCW 77.12.201, means  
36 those tracts one hundred acres or larger owned in fee by the department

1 and used for wildlife habitat and public recreational purposes. All  
2 lands purchased for wildlife habitat, public access or recreation  
3 purposes with federal funds in the Snake River drainage basin shall be  
4 considered game lands regardless of acreage.

5 (3) This section shall not apply to lands transferred after April  
6 23, 1990, to the department from other state agencies.

7 (4) The county shall distribute the amount received under this  
8 section in lieu of real property taxes to all property taxing districts  
9 except the state in appropriate tax code areas the same way it would  
10 distribute local property taxes from private property. The county  
11 shall distribute the amount received under this section for weed  
12 control to the appropriate weed district.

13 (5) For the 2011-2013 fiscal biennium, the director shall pay by  
14 April 30th of each year on game lands in each county, if requested by  
15 an election under RCW 77.12.201, an amount in lieu of real property  
16 taxes and shall be distributed as follows:

17 **County**

18	
19	<u>Adams .....1,909</u>
20	<u>Asotin ..... 36,123</u>
21	<u>Chelan .....24,757</u>
22	<u>Columbia ..... 7,795</u>
23	<u>Ferry .....6,781</u>
24	<u>Garfield .....4,840</u>
25	<u>Grant .....37,443</u>
26	<u>Grays Harbor ..... 7,264</u>
27	<u>Kittitas ..... 143,974</u>
28	<u>Klickitat ..... 21,906</u>
29	<u>Lincoln ..... 13,535</u>
30	<u>Okanogan ..... 151,402</u>
31	<u>Pend Oreille..... 3,309</u>
32	<u>Yakima .....126,225</u>

33 These amounts shall not be assessed or paid on department buildings,  
34 structures, facilities, game farms, fish hatcheries, tidelands, or  
35 public fishing areas of less than one hundred acres.

1       **Sec. 920.** RCW 77.95.090 and 2009 c 340 s 4 are each amended to  
2 read as follows:

3       The dedicated regional fisheries enhancement group account is  
4 created in the custody of the state treasurer. Only the commission or  
5 the commission's designee may authorize expenditures from the account.  
6 The account is subject to allotment procedures under chapter 43.88 RCW,  
7 but no appropriation is required for expenditures.

8       A portion of each recreational fishing license fee shall be used as  
9 provided in RCW 77.32.440. A surcharge of one hundred dollars shall be  
10 collected on each commercial salmon fishery license, each salmon  
11 delivery license, and each salmon charter license sold in the state.  
12 All receipts shall be placed in the regional fisheries enhancement  
13 group account and shall be used exclusively for regional fisheries  
14 enhancement group projects for the purposes of RCW 77.95.110. For the  
15 2011-2013 fiscal biennium, the regional fisheries enhancement group  
16 account may be used for the purposes of RCW 77.95.070 and hatcheries.  
17 Except as provided in RCW 77.95.320, funds from the regional fisheries  
18 enhancement group account shall not serve as replacement funding for  
19 department operated salmon projects that exist on January 1, 1991.

20       All revenue from the department's sale of salmon carcasses and eggs  
21 that return to group facilities shall be deposited in the regional  
22 fisheries enhancement group account for use by the regional fisheries  
23 enhancement group that produced the surplus. The commission shall  
24 adopt rules to implement this section pursuant to chapter 34.05 RCW.

25       **Sec. 921.** RCW 79.22.010 and 2003 c 334 s 205 are each amended to  
26 read as follows:

27       (1) The department has the power to accept gifts and bequests of  
28 money or other property, made in its own name, or made in the name of  
29 the state, to promote generally the interests of reforestation or for  
30 a specific named purpose in connection with reforestation, and to  
31 acquire in the name of the state, by purchase or gift, any lands which  
32 by reason of their location, topography, or geological formation, are  
33 chiefly valuable for purpose of developing and growing timber, and to  
34 designate such lands and any lands of the same character belonging to  
35 the state as state forest lands; and may acquire by gift or purchase  
36 any lands of the same character.

1       (2) The department has the power to seed, plant, and develop  
2 forests on any lands, purchased, acquired, or designated by it as state  
3 forest lands, and shall furnish such care and fire protection for such  
4 lands as it shall deem advisable.

5       (3) Upon approval of the board of county commissioners of the  
6 county in which the land is located such gift or donation of land may  
7 be accepted subject to delinquent general taxes thereon, and upon such  
8 acceptance of such gift or donation subject to such taxes, the  
9 department shall record the deed of conveyance thereof and file with  
10 the assessor and treasurer of the county wherein such land is situated,  
11 written notice of acquisition of such land, and that all delinquent  
12 general taxes thereon, except state taxes, shall be canceled, and the  
13 county treasurer shall thereupon proceed to make such cancellation in  
14 the records of the county treasurer. (~~Thereafter, such lands~~)

15       (4)(a) Lands acquired under this section shall be held in trust,  
16 protected, managed, and administered upon, and the proceeds therefrom  
17 disposed of, under RCW 79.22.040.

18       (b) During the 2011-2013 fiscal biennium, the legislature may  
19 appropriate moneys derived subject to this section from the forest  
20 development account consistent with RCW 79.64.100(4).

21       **Sec. 922.** RCW 79.22.040 and 2003 c 334 s 206 are each amended to  
22 read as follows:

23       (1) If any land acquired by a county through foreclosure of tax  
24 liens, or otherwise, comes within the classification of land described  
25 in RCW 79.22.010 and can be used as state forest land and if the  
26 department deems such land necessary for the purposes of this chapter,  
27 the county shall, upon demand by the department, deed such land to the  
28 department and the land shall become a part of the state forest lands.

29       (2) Such land shall be held in trust and administered and protected  
30 by the department in the same manner as other state forest lands.

31       (3)(a) In the event that the department sells logs using the  
32 contract harvesting process described in RCW 79.15.500 through  
33 79.15.530, the moneys derived subject to this section are the net  
34 proceeds from the contract harvesting sale.

35       (b) During the 2011-2013 fiscal biennium, the legislature may  
36 appropriate moneys derived subject to this section from the forest  
37 development account consistent with RCW 79.64.100(4).

1       **Sec. 923.** RCW 79.64.040 and 2011 1st sp.s. c 50 s 966 and 2011 c  
2 216 s 16 are each reenacted and amended to read as follows:

3       (1) The board shall determine the amount deemed necessary in order  
4 to achieve the purposes of this chapter and shall provide by rule for  
5 the deduction of this amount from the moneys received from all leases,  
6 sales, contracts, licenses, permits, easements, and rights-of-way  
7 issued by the department and affecting state lands, community forest  
8 trust lands, and aquatic lands, provided that no deduction shall be  
9 made from the proceeds from agricultural college lands.

10       (2) Moneys received as deposits from successful bidders, advance  
11 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150  
12 prior to December 1, 1981, which have not been subjected to deduction  
13 under this section are not subject to deduction under this section.

14       (3) Except as otherwise provided in subsections (4) and (6) of this  
15 section, the deductions authorized under this section shall not exceed  
16 twenty-five percent of the moneys received by the department in  
17 connection with any one transaction pertaining to state lands and  
18 aquatic lands other than second-class tide and shore lands and the beds  
19 of navigable waters, and fifty percent of the moneys received by the  
20 department pertaining to second-class tide and shore lands and the beds  
21 of navigable waters.

22       (4) Deductions authorized under this section for transactions  
23 pertaining to community forest trust lands must be established at a  
24 level sufficient to defray over time the management costs for  
25 activities prescribed in a parcel's management plan adopted pursuant to  
26 RCW 79.155.080, and, if deemed appropriate by the board consistent with  
27 RCW 79.155.090, to reimburse the state and any local entities' eligible  
28 financial contributions for acquisition of the parcel.

29       (5) In the event that the department sells logs using the contract  
30 harvesting process described in RCW 79.15.500 through 79.15.530, the  
31 moneys received subject to this section are the net proceeds from the  
32 contract harvesting sale.

33       (6) During the ((2009-2011)) 2011-2013 fiscal biennium ((and fiscal  
34 year 2012)), the twenty-five percent limitation on deductions set in  
35 subsection (3) of this section may be increased up to thirty percent by  
36 the board.



1       **Sec. 924.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to  
2 read as follows:

3       (1) There is created a forest development account in the state  
4 treasury. The state treasurer shall keep an account of all sums  
5 deposited therein and expended or withdrawn therefrom.

6       (2) Any sums placed in the forest development account shall be  
7 pledged for the purpose of paying interest and principal on the bonds  
8 issued by the department under RCW 79.22.080 and 79.22.090 and the  
9 provisions of this chapter, and for the purchase of land for growing  
10 timber. Any bonds issued shall constitute a first and prior claim and  
11 lien against the account for the payment of principal and interest. No  
12 sums for the above purposes shall be withdrawn or paid out of the  
13 account except upon approval of the department.

14       (3) Appropriations may be made by the legislature from the forest  
15 development account to the department for the purpose of carrying on  
16 the activities of the department on state forest lands, lands managed  
17 on a sustained yield basis as provided for in RCW 79.10.320, and for  
18 reimbursement of expenditures that have been made or may be made from  
19 the resource management cost account in the management of state forest  
20 lands.

21       (4) For the 2011-2013 fiscal biennium, moneys from the forest  
22 development account shall be distributed as directed in section 714 of  
23 this act to the beneficiaries of the revenues derived from state forest  
24 lands. During the 2011-2013 fiscal biennium, appropriations may be  
25 made by the legislature from the forest development account to the  
26 department for the purpose of emergency fire suppression.

27       **Sec. 925.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 911 are each  
28 amended to read as follows:

29       (1) After deduction for management costs as provided in RCW  
30 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
31 received by the state from the sale or lease of state-owned aquatic  
32 lands and from the sale of valuable material from state-owned aquatic  
33 lands shall be deposited in the aquatic lands enhancement account which  
34 is hereby created in the state treasury. After appropriation, these  
35 funds shall be used solely for aquatic lands enhancement projects; for  
36 the purchase, improvement, or protection of aquatic lands for public  
37 purposes; for providing and improving access to the lands; and for

1 volunteer cooperative fish and game projects. During the 2009-2011 and  
2 2011-2013 fiscal biennia, the aquatic lands enhancement account may  
3 also be used for scientific research as part of the adaptive management  
4 process and for developing a planning report for McNeil Island. During  
5 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may  
6 transfer from the aquatic lands enhancement account to the state  
7 general fund such amounts as reflect excess fund balance of the  
8 account. During the 2011-2013 fiscal biennium, the aquatic lands  
9 enhancement account may be used to support the shellfish program, state  
10 parks, hatcheries, the ballast water program, and the Puget Sound toxic  
11 sampling program at the department of fish and wildlife, and the  
12 knotweed program at the department of agriculture. During the 2011-  
13 2013 fiscal biennium, the legislature may transfer from the aquatic  
14 lands enhancement account to the marine resources stewardship trust  
15 account funds for the purposes of RCW 43.372.070.

16 (2) In providing grants for aquatic lands enhancement projects, the  
17 recreation and conservation funding board shall:

18 (a) Require grant recipients to incorporate the environmental  
19 benefits of the project into their grant applications;

20 (b) Utilize the statement of environmental benefits, consideration,  
21 except as provided in RCW 79.105.610, of whether the applicant is a  
22 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
23 referenced in the action agenda developed by the Puget Sound  
24 partnership under RCW 90.71.310, and except as otherwise provided in  
25 RCW 79.105.630, and effective one calendar year following the  
26 development and statewide availability of model evergreen community  
27 management plans and ordinances under RCW 35.105.050, whether the  
28 applicant is an entity that has been recognized, and what gradation of  
29 recognition was received, in the evergreen community recognition  
30 program created in RCW 35.105.030 in its prioritization and selection  
31 process; and

32 (c) Develop appropriate outcome-focused performance measures to be  
33 used both for management and performance assessment of the grants.

34 (3) To the extent possible, the department should coordinate its  
35 performance measure system with other natural resource-related agencies  
36 as defined in RCW 43.41.270.

37 (4) The department shall consult with affected interest groups in  
38 implementing this section.

1 (5) After January 1, 2010, any project designed to address the  
2 restoration of Puget Sound may be funded under this chapter only if the  
3 project is not in conflict with the action agenda developed by the  
4 Puget Sound partnership under RCW 90.71.310.

5 **Sec. 926.** 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. 927.** 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. 928.** 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 NEW SECTION. **Sec. 929.** If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 930.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately.

(End of bill)

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