
HOUSE BILL 2824

State of Washington 61st Legislature 2010 Regular Session

By Representatives Linville and Ericks; by request of Governor Gregoire

Read first time 01/14/10. Referred to Committee on Ways & Means.

1 AN ACT Relating to fiscal matters; amending RCW 15.76.115,
2 28A.300.380, 28A.510.250, 28B.12.040, 28B.12.050, 28B.12.055,
3 43.20A.725, 43.60A.185, 43.131.406, 43.79.460, 43.79.465, 43.155.050,
4 43.320.110, 43.334.077, 67.70.044, 67.70.230, 70.93.180, 70.146.100,
5 74.31.060, 79.105.150, 79A.05.351, 80.01.080, 82.14.495, and
6 83.100.230; amending 2009 c 564 ss 101, 102, 103, 104, 105, 106, 107,
7 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123,
8 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137,
9 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 150, 151, 152, 153,
10 154, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,
11 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 301,
12 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502,
13 503, 504, 505, 506, 507, 509, 510, 511, 512, 513, 514, 515, 516, 518,
14 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618,
15 619, 620, 621, 701, 703, 704, 708, 710, 712, 717, 801, 805, and 914
16 (uncodified); reenacting and amending RCW 28B.105.110 and 70.105D.070;
17 adding new sections to 2009 c 564 (uncodified); repealing 2009 c 564 s
18 720 (uncodified); making appropriations; providing an expiration date;
19 and declaring an emergency.

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

2 **PART I**

3 **GENERAL GOVERNMENT**

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

6 **FOR THE HOUSE OF REPRESENTATIVES**

7	General Fund--State Appropriation (FY 2010)	((\$33,500,000))
8		<u>\$33,505,000</u>
9	General Fund--State Appropriation (FY 2011)	((\$33,379,000))
10		<u>\$33,668,000</u>
11	TOTAL APPROPRIATION	((\$66,879,000))
12		<u>\$67,173,000</u>

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

15 **FOR THE SENATE**

16	General Fund--State Appropriation (FY 2010)	((\$24,957,000))
17		<u>\$24,960,000</u>
18	General Fund--State Appropriation (FY 2011)	((\$27,182,000))
19		<u>\$27,367,000</u>
20	TOTAL APPROPRIATION	((\$52,139,000))
21		<u>\$52,327,000</u>

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

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

25	General Fund--State Appropriation (FY 2010)	\$2,874,000
26	General Fund--State Appropriation (FY 2011)	((\$2,884,000))
27		<u>\$2,903,000</u>
28	TOTAL APPROPRIATION	((\$5,758,000))
29		<u>\$5,777,000</u>

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

32 (1) Notwithstanding the provisions of this section, the joint
33 legislative audit and review committee may adjust the due dates for

1 projects included on the committee's 2009-11 work plan as necessary to
2 efficiently manage workload.

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

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

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

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

- 35 (a) Revenue sources for state recreational boating programs;
- 36 (b) Expenditures for state boating programs;
- 37 (c) Methods of administrating state recreational boating programs,
38 including the roles of both state and local government entities; and

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

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

4 ~~((+7))~~ (6) Within the amount appropriated in this section, the
5 joint legislative audit and review committee shall examine the
6 operations of employment and day services as provided by the department
7 of social and health services, division of developmental disabilities
8 and administered by the counties. The examination shall include a
9 thorough review of the contracts for all services including, but not
10 limited to, employment services, day services, child development
11 services and other uses of state dollars for county administration of
12 services to the developmentally disabled. In its final report, due to
13 the legislature by September 1, 2010, the joint legislative audit and
14 review committee shall provide: A description of how funds are used
15 and the rates paid to vendors, and a recommendation on best practices
16 the agency may use for the development of a consistent, outcome-based
17 contract for services provided under contract with the counties.

18 ~~((+8))~~ (7) Within the amount appropriated in this section, the
19 joint legislative audit and review committee shall conduct a study of
20 the relationship between the cost of school districts and their
21 enrollment size. The study shall be completed by June 2010 and shall
22 include:

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

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

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

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

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

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

2 General Fund--State Appropriation (FY 2010) \$1,748,000

3 General Fund--State Appropriation (FY 2011) ((~~\$1,927,000~~))

4 \$1,936,000

5 TOTAL APPROPRIATION ((~~\$3,675,000~~))

6 \$3,684,000

7 **Sec. 105.** 2009 c 564 s 105 (uncodified) is amended to read as

8 follows:

9 **FOR THE OFFICE OF THE STATE ACTUARY**

10 General Fund--State Appropriation (FY 2010) \$200,000

11 General Fund--State Appropriation (FY 2011) \$25,000

12 (~~Health Care Authority Administrative Account--State~~

13 ~~Appropriation \$735,000))~~

14 Department of Retirement Systems Expense

15 Account--State Appropriation ((~~\$3,309,000~~))

16 \$3,299,000

17 TOTAL APPROPRIATION ((~~\$4,269,000~~))

18 \$3,524,000

19 The appropriations in this section are subject to the following

20 conditions and limitations:

21 (1) \$25,000 of the department of retirement systems--state

22 appropriation is provided solely for the continued study of local

23 government liabilities for postretirement medical benefits for members

24 of plan 1 of the law enforcement officers' and firefighters' retirement

25 system.

26 (2) \$51,000 of the department of retirement systems expense

27 account--state appropriation is provided solely for the state actuary

28 to contract with the Washington state institute for public policy for

29 a study of the disability benefits provided to the plan 2 and plan 3

30 members of the public employees' retirement system, the teachers'

31 retirement system, and the school employees' retirement system. Among

32 the options the institute shall examine include statutory changes to

33 the retirement systems and insurance products. The institute shall

34 report its findings and recommendations to the select committee on

35 pension policy by November 1, 2009.

36 ((~~4~~)) (3) \$175,000 of the general fund--state appropriation for

37 fiscal year 2010 is provided solely for the office of the state actuary

1 to conduct an independent assessment of alternatives for assuring the
2 long-term financial solvency of the guaranteed education tuition
3 program including suspension of the program. In conducting this
4 review, the office may contract for assistance, and shall consult with
5 the higher education coordinating board, the operating budget
6 committees of the legislature, the office of financial management, and
7 the state's public colleges and universities. The office shall report
8 findings, an assessment of the major alternatives, and suggested
9 actions to the governor and to the relevant legislative committees by
10 November 15, 2009.

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

13 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

14	General Fund--State Appropriation (FY 2010)	((\$8,651,000))
15		<u>\$8,652,000</u>
16	General Fund--State Appropriation (FY 2011)	((\$8,519,000))
17		<u>\$8,557,000</u>
18	TOTAL APPROPRIATION	((\$17,170,000))
19		<u>\$17,209,000</u>

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

22 **FOR THE STATUTE LAW COMMITTEE**

23	General Fund--State Appropriation (FY 2010)	((\$4,610,000))
24		<u>\$4,611,000</u>
25	General Fund--State Appropriation (FY 2011)	((\$5,029,000))
26		<u>\$5,062,000</u>
27	TOTAL APPROPRIATION	((\$9,639,000))
28		<u>\$9,673,000</u>

29 **Sec. 108.** 2009 c 564 s 110 (uncodified) is amended to read as
30 follows:

31 **FOR THE SUPREME COURT**

32	General Fund--State Appropriation (FY 2010)	((\$6,912,000))
33		<u>\$6,931,000</u>
34	General Fund--State Appropriation (FY 2011)	((\$6,948,000))
35		<u>\$7,002,000</u>

1 TOTAL APPROPRIATION ((~~\$13,860,000~~))
2 \$13,933,000

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

11 **Sec. 109.** 2009 c 564 s 111 (uncodified) is amended to read as
12 follows:

13 **FOR THE LAW LIBRARY**
14 General Fund--State Appropriation (FY 2010) ((~~\$1,924,000~~))
15 \$1,925,000
16 General Fund--State Appropriation (FY 2011) ((~~\$1,922,000~~))
17 \$1,934,000
18 TOTAL APPROPRIATION ((~~\$3,846,000~~))
19 \$3,859,000

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

28 **Sec. 110.** 2009 c 564 s 112 (uncodified) is amended to read as
29 follows:

30 **FOR THE COURT OF APPEALS**
31 General Fund--State Appropriation (FY 2010) ((~~\$15,793,000~~))
32 \$15,832,000
33 General Fund--State Appropriation (FY 2011) ((~~\$15,895,000~~))
34 \$16,015,000
35 TOTAL APPROPRIATION ((~~\$31,688,000~~))
36 \$31,847,000

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

9 **Sec. 111.** 2009 c 564 s 113 (uncodified) is amended to read as
10 follows:

11 **FOR THE COMMISSION ON JUDICIAL CONDUCT**

12	General Fund--State Appropriation (FY 2010)	((\$1,032,000))
13		<u>\$1,043,000</u>
14	General Fund--State Appropriation (FY 2011)	((\$1,082,000))
15		<u>\$1,098,000</u>
16	TOTAL APPROPRIATION	((\$2,114,000))
17		<u>\$2,141,000</u>

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

26 **Sec. 112.** 2009 c 564 s 114 (uncodified) is amended to read as
27 follows:

28 **FOR THE ADMINISTRATOR FOR THE COURTS**

29	General Fund--State Appropriation (FY 2010)	((\$53,607,000))
30		<u>\$52,644,000</u>
31	General Fund--State Appropriation (FY 2011)	((\$51,812,000))
32		<u>\$54,069,000</u>
33	<u>General Fund--Federal Appropriation</u>	<u>\$979,000</u>
34	Judicial Information Systems Account--State	
35	Appropriation	((\$29,676,000))
36		<u>\$33,512,000</u>

1	Judicial Stabilization Trust Account--State	
2	Appropriation	\$6,598,000
3	TOTAL APPROPRIATION	((\$141,693,000))
4		<u>\$147,802,000</u>

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

7 (1) \$1,800,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$1,800,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely for school districts for petitions
10 to juvenile court for truant students as provided in RCW 28A.225.030
11 and 28A.225.035. The office of the administrator for the courts shall
12 develop an interagency agreement with the superintendent of public
13 instruction to allocate the funding provided in this subsection.
14 Allocation of this money to school districts shall be based on the
15 number of petitions filed. This funding includes amounts school
16 districts may expend on the cost of serving petitions filed under RCW
17 28A.225.030 by certified mail or by personal service or for the
18 performance of service of process for any hearing associated with RCW
19 28A.225.030.

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

30 (b) Each fiscal year during the 2009-11 fiscal biennium, each
31 county shall report the number of petitions processed and the total
32 actual costs of processing truancy, children in need of services, and
33 at-risk youth petitions. Counties shall submit the reports to the
34 administrator for the courts no later than 45 days after the end of the
35 fiscal year. The administrator for the courts shall electronically
36 transmit this information to the chairs and ranking minority members of
37 the house of representatives appropriations committee and the senate

1 ways and means committee no later than 60 days after a fiscal year
2 ends. These reports are deemed informational in nature and are not for
3 the purpose of distributing funds.

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

9 (4) \$5,700,000 of the judicial information systems account--state
10 appropriation is provided solely for modernization and integration of
11 the judicial information system.

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

18 (b) The amount provided in this subsection may not be expended
19 without prior approval by the judicial information system committee in
20 consultation with the information services board. The administrator
21 shall regularly submit project plan updates for approval to the
22 judicial information system committee and the information services
23 board.

24 (c) The judicial information system committee and the information
25 services board shall review project progress on a regular basis and may
26 require quality assurance plans. The judicial information systems
27 committee and the information services board shall provide a report to
28 the appropriate committees of the legislature no later than November 1,
29 2011, on the status of the judicial information system modernization
30 and integration, and the consistency of the project with the state's
31 architecture, infrastructure and statewide enterprise view of service
32 delivery.

33 (5) \$3,000,000 of the judicial information systems account--state
34 appropriation is provided solely for replacing computer equipment at
35 state courts, and at state judicial agencies. The administrator for
36 the courts shall prioritize equipment replacement purchasing and shall
37 fund those items that are most essential or critical. By October 1,

1 2010, the administrative office of the courts shall report to the
2 appropriate legislative fiscal committees on expenditures for equipment
3 under this subsection.

4 (6) \$12,000 of the judicial information systems account--state
5 appropriation is provided solely to implement Engrossed Substitute
6 House Bill No. 1954 (sealing juvenile records). If the bill is not
7 enacted by June 30, 2009, the amount provided in this subsection shall
8 lapse.

9 (7) \$106,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$106,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely for the twenty-third superior
12 court judge position in Pierce county. The funds appropriated in this
13 subsection shall be expended only if the judge is appointed and serving
14 on the bench.

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

22 **Sec. 113.** 2009 c 564 s 115 (uncodified) is amended to read as
23 follows:

24 **FOR THE OFFICE OF PUBLIC DEFENSE**

25	General Fund--State Appropriation (FY 2010)	\$25,385,000
26	General Fund--State Appropriation (FY 2011)	(\$24,592,000)
27		<u>\$24,604,000</u>
28	Judicial Stabilization Trust Account--State	
29	Appropriation	\$2,923,000
30	TOTAL APPROPRIATION	(\$52,900,000)
31		<u>\$52,912,000</u>

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

34 (1) It is the intent of the legislature that the reductions in
35 appropriations in this section shall be achieved, to the greatest
36 extent possible, by reducing those state government administrative
37 costs that do not affect direct client services or direct service

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

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

6 **Sec. 114.** 2009 c 564 s 116 (uncodified) is amended to read as
7 follows:

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

9	General Fund--State Appropriation (FY 2010)	\$11,175,000
10	General Fund--State Appropriation (FY 2011)	(\$11,105,000)
11		<u>\$11,106,000</u>
12	Judicial Stabilization Trust Account--State	
13	Appropriation	\$1,160,000
14	TOTAL APPROPRIATION	(\$23,440,000)
15		<u>\$23,441,000</u>

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

18 (1) An amount not to exceed \$40,000 of the general fund--state
19 appropriation for fiscal year 2010 and an amount not to exceed \$40,000
20 of the general fund--state appropriation for fiscal year 2011 may be
21 used to provide telephonic legal advice and assistance to otherwise
22 eligible persons who are sixty years of age or older on matters
23 authorized by RCW 2.53.030(2) (a) through (k) regardless of household
24 income or asset level.

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

32 **Sec. 115.** 2009 c 564 s 117 (uncodified) is amended to read as
33 follows:

34 **FOR THE OFFICE OF THE GOVERNOR**

35	General Fund--State Appropriation (FY 2010)	(\$5,880,000)
36		<u>\$5,787,000</u>

1 General Fund--State Appropriation (FY 2011) (~~(\$5,876,000)~~)
2 \$5,823,000
3 Economic Development Strategic Reserve Account--State
4 Appropriation \$1,500,000
5 TOTAL APPROPRIATION (~~(\$13,256,000)~~)
6 \$13,110,000

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

13 **Sec. 116.** 2009 c 564 s 118 (uncodified) is amended to read as
14 follows:

15 **FOR THE LIEUTENANT GOVERNOR**

16 General Fund--State Appropriation (FY 2010) (~~(\$770,000)~~)
17 \$743,000
18 General Fund--State Appropriation (FY 2011) (~~(\$788,000)~~)
19 \$761,000
20 General Fund--Private/Local Appropriation \$90,000
21 TOTAL APPROPRIATION (~~(\$1,648,000)~~)
22 \$1,594,000

23 **Sec. 117.** 2009 c 564 s 119 (uncodified) is amended to read as
24 follows:

25 **FOR THE PUBLIC DISCLOSURE COMMISSION**

26 General Fund--State Appropriation (FY 2010) (~~(\$2,267,000)~~)
27 \$2,231,000
28 General Fund--State Appropriation (FY 2011) (~~(\$2,264,000)~~)
29 \$2,247,000
30 TOTAL APPROPRIATION (~~(\$4,531,000)~~)
31 \$4,478,000

32 **Sec. 118.** 2009 c 564 s 120 (uncodified) is amended to read as
33 follows:

34 **FOR THE SECRETARY OF STATE**

35 General Fund--State Appropriation (FY 2010) (~~(\$21,370,000)~~)

1		<u>\$20,390,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$18,444,000))
3		<u>\$16,889,000</u>
4	General Fund--Federal Appropriation	((\$8,121,000))
5		<u>\$8,133,000</u>
6	Archives and Records Management Account--State	
7	Appropriation	((\$8,863,000))
8		<u>\$9,037,000</u>
9	Department of Personnel Service Account--State	
10	Appropriation	((\$760,000))
11		<u>\$763,000</u>
12	Local Government Archives Account--State	
13	Appropriation	((\$11,777,000))
14		<u>\$11,568,000</u>
15	Election Account--Federal Appropriation	((\$29,715,000))
16		<u>\$29,719,000</u>
17	TOTAL APPROPRIATION	((\$99,050,000))
18		<u>\$96,499,000</u>

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

21 (1) \$4,101,000 of the general fund--state appropriation for fiscal
22 year 2010 is provided solely to reimburse counties for the state's
23 share of primary and general election costs and the costs of conducting
24 mandatory recounts on state measures. Counties shall be reimbursed
25 only for those odd-year election costs that the secretary of state
26 validates as eligible for reimbursement.

27 (2)(a) ((~~\$1,897,000~~)) \$1,802,000 of the general fund--state
28 appropriation for fiscal year 2010 and ((~~\$2,076,000~~)) \$1,972,000 of the
29 general fund--state appropriation for fiscal year 2011 are provided
30 solely for contracting with a nonprofit organization to produce gavel-
31 to-gavel television coverage of state government deliberations and
32 other events of statewide significance during the 2009-2011 biennium.
33 The funding level for each year of the contract shall be based on the
34 amount provided in this subsection. The nonprofit organization shall
35 be required to raise contributions or commitments to make
36 contributions, in cash or in kind, in an amount equal to forty percent
37 of the state contribution. The office of the secretary of state may

1 make full or partial payment once all criteria in this subsection have
2 been satisfactorily documented.

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

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

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

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

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

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

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

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

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

32 (5) \$820,000 of the general fund--state appropriation and
33 \$1,539,000 of the general fund--federal appropriation are provided
34 solely for the library services to state institutions.

35 **Sec. 119.** 2009 c 564 s 121 (uncodified) is amended to read as
36 follows:

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

2	General Fund--State Appropriation (FY 2010)	\$266,000
3	General Fund--State Appropriation (FY 2011)	(\$276,000)
4		<u>\$268,000</u>
5	TOTAL APPROPRIATION	(\$542,000)
6		<u>\$534,000</u>

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

17 **Sec. 120.** 2009 c 564 s 122 (uncodified) is amended to read as
18 follows:

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

20	General Fund--State Appropriation (FY 2010)	(\$236,000)
21		<u>\$218,000</u>
22	General Fund--State Appropriation (FY 2011)	(\$224,000)
23		<u>\$235,000</u>
24	TOTAL APPROPRIATION	(\$460,000)
25		<u>\$453,000</u>

26 **Sec. 121.** 2009 c 564 s 123 (uncodified) is amended to read as
27 follows:

28 **FOR THE STATE TREASURER**

29	State Treasurer's Service Account--State	
30	Appropriation	(\$14,802,000)
31		<u>\$14,858,000</u>

32 **Sec. 122.** 2009 c 564 s 124 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE AUDITOR**

35	General Fund--State Appropriation (FY 2010)	(\$722,000)
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1		<u>\$642,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$729,000))
3		<u>\$453,000</u>
4	State Auditing Services Revolving	
5	Account--State Appropriation	((\$12,061,000))
6		<u>\$10,936,000</u>
7	TOTAL APPROPRIATION	((\$13,512,000))
8		<u>\$12,031,000</u>

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

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

16 (2) ((~~\$722,000~~)) \$642,000 of the general fund--state appropriation
17 for fiscal year 2010 and ((~~\$729,000~~)) \$453,000 of the general fund--
18 state appropriation for fiscal year 2011 are provided solely for staff
19 and related costs to verify the accuracy of reported school district
20 data submitted for state funding purposes; conduct school district
21 program audits of state funded public school programs; establish the
22 specific amount of state funding adjustments whenever audit exceptions
23 occur and the amount is not firmly established in the course of regular
24 public school audits; and to assist the state special education safety
25 net committee when requested.

26 (3) Within the amounts appropriated in this section, the state
27 auditor shall continue to complete the annual audit of the state's
28 comprehensive annual financial report and the annual federal single
29 audit consistent with the auditing standards generally accepted in the
30 United States and the standards applicable to financial audits
31 contained in government auditing standards, issued by the comptroller
32 general of the United States, and OMB circular A-133, audits of states,
33 local governments, and nonprofit organizations.

34 **Sec. 123.** 2009 c 564 s 125 (uncodified) is amended to read as
35 follows:

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

37 General Fund--State Appropriation (FY 2010) ((~~\$171,000~~))

1		<u>\$168,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$212,000))
3		<u>\$210,000</u>
4	TOTAL APPROPRIATION	((\$383,000))
5		<u>\$378,000</u>

6 **Sec. 124.** 2009 c 564 s 126 (uncodified) is amended to read as
7 follows:

8 **FOR THE ATTORNEY GENERAL**

9	General Fund--State Appropriation (FY 2010)	((\$5,325,000))
10		<u>\$5,642,000</u>
11	General Fund--State Appropriation (FY 2011)	((\$5,654,000))
12		<u>\$5,946,000</u>
13	General Fund--Federal Appropriation	\$4,026,000
14	New Motor Vehicle Arbitration Account--State	
15	Appropriation	((\$1,346,000))
16		<u>\$1,350,000</u>
17	Legal Services Revolving Account--State	
18	Appropriation	((\$221,515,000))
19		<u>\$224,414,000</u>
20	Tobacco Prevention and Control Account--State	
21	Appropriation	\$270,000
22	TOTAL APPROPRIATION	((\$238,136,000))
23		<u>\$241,648,000</u>

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

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

36 (2) Prior to entering into any negotiated settlement of a claim
37 against the state that exceeds five million dollars, the attorney

1 general shall notify the director of financial management and the
2 chairs of the senate committee on ways and means and the house of
3 representatives committee on ways and means.

4 (3) The office of the attorney general is authorized to expend
5 \$2,100,000 from the Zyprexa and other cy pres awards towards consumer
6 protection costs in accordance with uses authorized in the court
7 orders.

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

15 **Sec. 125.** 2009 c 564 s 127 (uncodified) is amended to read as
16 follows:

17 **FOR THE CASELOAD FORECAST COUNCIL**

18 General Fund--State Appropriation (FY 2010)	(((\$779,000))
	<u>\$766,000</u>
20 General Fund--State Appropriation (FY 2011)	(((\$772,000))
	<u>\$764,000</u>
22 TOTAL APPROPRIATION	(((\$1,551,000))
	<u>\$1,530,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: \$13,000 of the general fund--state
26 appropriation for fiscal year 2010 and \$7,000 of the general fund--
27 state appropriation for fiscal year 2011 are for the implementation of
28 Second Substitute House Bill No. 2106 (improving child welfare outcomes
29 through the phased implementation of strategic and proven reforms). If
30 the bill is not enacted by June 30, 2009, the amounts provided in this
31 subsection shall lapse.

32 **Sec. 126.** 2009 c 564 s 128 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
35 **COMMERCE**

36 General Fund--State Appropriation (FY 2010)	(((\$51,240,000))
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1		<u>\$49,529,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$51,938,000))
3		<u>\$23,247,000</u>
4	General Fund--Federal Appropriation	((\$384,540,000))
5		<u>\$362,033,000</u>
6	General Fund--Private/Local Appropriation	((\$16,266,000))
7		<u>\$10,652,000</u>
8	Public Works Assistance Account--State	
9	Appropriation	((\$2,990,000))
10		<u>\$3,003,000</u>
11	<u>County Research Services Account--State Appropriation</u>	<u>\$469,000</u>
12	Tourism Development and Promotion Account--State	
13	Appropriation	((\$1,003,000))
14		<u>\$1,004,000</u>
15	Drinking Water Assistance Administrative	
16	Account--State Appropriation	\$439,000
17	<u>City and Town Research Services Account--State</u>	
18	<u>Appropriation</u>	<u>\$2,246,000</u>
19	Lead Paint Account--State Appropriation	((\$18,000))
20		<u>\$35,000</u>
21	Building Code Council Account--State	
22	Appropriation	((\$1,286,000))
23		<u>\$696,000</u>
24	Home Security Fund Account--State Appropriation	((\$23,498,000))
25		<u>\$24,542,000</u>
26	Affordable Housing for All Account--State Appropriation	\$11,900,000
27	Washington Auto Theft Prevention Authority	
28	Account--State Appropriation	\$300,000
29	Independent Youth Housing Account--State	
30	Appropriation	((\$80,000))
31		<u>\$221,000</u>
32	Community Preservation and Development Authority	
33	Account--State Appropriation	\$350,000
34	Financial Fraud and Identity Theft Crimes Investigation	
35	and Prosecution Account--State Appropriation	\$1,166,000
36	Low-Income Weatherization Assistance Account--State	
37	Appropriation	((\$8,382,000))
38		<u>\$6,886,000</u>

1	Manufacturing Innovation and Modernization	
2	Account--State Appropriation	((\$246,000))
3		<u>\$230,000</u>
4	Community and Economic Development Fee	
5	Account--State Appropriation	((\$1,833,000))
6		<u>\$1,540,000</u>
7	Washington Housing Trust Account--State	
8	Appropriation	((\$15,372,000))
9		<u>\$15,314,000</u>
10	Public Facility Construction Loan Revolving	
11	Account--State Appropriation	((\$755,000))
12		<u>\$758,000</u>
13	TOTAL APPROPRIATION	((\$573,602,000))
14		<u>\$516,560,000</u>

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

17 (1) ((~~\$2,520,000~~)) \$2,295,000 of the general fund--state
18 appropriation for fiscal year 2010 and ((~~\$2,521,000~~)) \$2,181,000 of the
19 general fund--state appropriation for fiscal year 2011 are provided
20 solely for a contract with the Washington technology center for work
21 essential to the mission of the Washington technology center and
22 conducted in partnership with universities.

23 (2) Repayments of outstanding loans granted under RCW 43.63A.600,
24 the mortgage and rental assistance program, shall be remitted to the
25 department, including any current revolving account balances. The
26 department shall collect payments on outstanding loans, and deposit
27 them into the state general fund. Repayments of funds owed under the
28 program shall be remitted to the department according to the terms
29 included in the original loan agreements.

30 (3) \$100,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$100,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely to implement section 2(7) of
33 Engrossed Substitute House Bill No. 1959 (land use and transportation
34 planning for marine container ports).

35 (4) \$102,000 of the building code council account--state
36 appropriation is provided solely for the implementation of sections 3
37 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built

1 environment pollution). If sections 3 and 7 of the bill are not
2 enacted by June 30, 2009, the amounts provided in this subsection shall
3 lapse.

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

17 (b) \$6,787,000 of the general fund--federal appropriation is
18 provided solely for the state energy program, including not less than
19 \$5,000,000 to provide credit enhancements consistent with the
20 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy
21 efficiency in buildings).

22 (c) Of the general fund--federal appropriation the department shall
23 provide: \$14,500,000 to the Washington State University for the
24 purpose of making grants for pilot projects providing community-wide
25 urban, residential, and commercial energy efficiency upgrades
26 consistent with the provisions of Engrossed Second Substitute Senate
27 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington
28 State University to conduct farm energy assessments. In contracting
29 with the Washington State University for the provision of these
30 services, the total administration of Washington State University and
31 the department shall not exceed 3 percent of the amounts provided.

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

36 (e) \$10,646,000 of the general fund--federal appropriation is
37 provided pursuant to the energy efficiency and conservation block grant
38 under the American reinvestment and recovery act. The department may

1 use up to \$3,000,000 of the amount provided in this subsection to
2 provide technical assistance for energy programs administered by the
3 agency under the American reinvestment and recovery act.

4 (6) \$14,000 of the general fund--state appropriation for fiscal
5 year 2010 is provided solely for the implementation of Engrossed Second
6 Substitute Senate Bill No. 5560 (state agency climate leadership). If
7 the bill is not enacted by June 30, 2009, the amount provided in this
8 subsection shall lapse.

9 ~~((+8))~~ (7) \$22,400,000 of the general fund--federal appropriation
10 is provided solely for the justice assistance grant program and is
11 contingent upon the department transferring: \$1,200,000 to the
12 department of corrections for security threat mitigation, \$2,336,000 to
13 the department of corrections for offender reentry, \$1,960,000 to the
14 Washington state patrol for law enforcement activities, \$2,087,000 to
15 the department of social and health services, division of alcohol and
16 substance abuse for drug courts, and \$428,000 to the department of
17 social and health services for sex abuse recognition training. The
18 remaining funds shall be distributed by the department to local
19 jurisdictions.

20 ~~((+9))~~ (8) \$20,000 of the general fund--state appropriation for
21 fiscal year 2010 and \$20,000 of the general fund--state appropriation
22 for fiscal year 2011 are provided solely for a grant to KCTS public
23 television to support Spanish language programming and the V-me Spanish
24 language channel.

25 ~~((+10))~~ (9) \$500,000 of the general fund--state appropriation for
26 fiscal year 2010 ~~((and \$500,000 of the general fund state
27 appropriation for fiscal year 2011 are))~~ is provided solely for a grant
28 to resolution Washington to building statewide capacity for alternative
29 dispute resolution centers and dispute resolution programs that
30 guarantee that citizens have access to low-cost resolution as an
31 alternative to litigation.

32 ~~((+12))~~ (10) \$30,000 of the general fund--state appropriation for
33 fiscal year 2010 is provided solely for implementation of Engrossed
34 Second Substitute Senate Bill No. 6015 (commercialization of
35 technology). If the bill is not enacted by June 30, 2009, the amount
36 provided in this subsection shall lapse.

37 ~~((+13))~~ (11) By June 30, 2011, the department shall request
38 information that describes what jurisdictions have adopted, or are in

1 the process of adopting, plans that address RCW 36.70A.020 and helps
2 achieve the greenhouse gas emission reductions established in RCW
3 70.235.020. This information request in this subsection applies to
4 jurisdictions that are required to review and if necessary revise their
5 comprehensive plans (~~((by December 1, 2011,))~~) in accordance with RCW
6 36.70A.130.

7 ~~((+14))~~ (12) During the 2009-11 fiscal biennium, the department
8 shall allot all of its appropriations subject to allotment by object,
9 account, and expenditure authority code to conform with the office of
10 financial management's definition of an option 2 allotment. For those
11 funds subject to allotment but not appropriation, the agency shall
12 submit option 2 allotments to the office of financial management.

13 ~~((+16))~~ (13) \$50,000 of the general fund--state appropriation for
14 fiscal year 2010 and \$50,000 of the general fund--state appropriation
15 for fiscal year 2011 are provided solely for a grant for the state's
16 participation in the Pacific Northwest economic region.

17 ~~((+18))~~ (14)(a) \$712,000 of the general fund--state appropriation
18 for fiscal year 2010 (~~((and \$712,000 of the general fund--state
19 appropriation for fiscal year 2011 are))~~) is provided solely to the
20 office of crime victims advocacy. These funds shall be contracted with
21 the 39 county prosecuting attorneys' offices to support victim-witness
22 services. The funds must be prioritized to ensure a full-time victim-
23 witness coordinator in each county. The office may retain only the
24 amount currently allocated for this activity for administrative costs.

25 (b) Beginning July 1, 2010, the functions of the office of crime
26 victims advocacy are transferred to the department of social and health
27 services. Funding for these activities for fiscal year 2011 is
28 appropriated to the department of social and health services.

29 ~~((+19))~~ (15) \$306,000 of the general fund--state appropriation for
30 fiscal year 2010 (~~((and \$306,000 of the general fund--state
31 appropriation for fiscal year 2011 are))~~) is provided solely for a grant
32 to the retired senior volunteer program.

33 ~~((+20))~~ (16)(a) \$65,000 of the general fund--state appropriation
34 for fiscal year 2010 (~~((and \$65,000 of the general fund--state
35 appropriation for fiscal year 2011 are))~~) is provided solely for a
36 contract with a food distribution program for communities in the
37 southwestern portion of the state and for workers impacted by timber

1 and salmon fishing closures and reductions. The department may not
2 charge administrative overhead or expenses to the funds provided in
3 this subsection.

4 (b) Beginning July 1, 2010, the functions of the emergency food
5 assistance program are transferred to the department of agriculture.
6 Funding for these activities for fiscal year 2011 is appropriated to
7 the department of agriculture.

8 ((+21)) (17) \$371,000 of the general fund--state appropriation for
9 fiscal year 2010 and \$371,000 of the general fund--state appropriation
10 for fiscal year 2011 are provided solely to the northwest agriculture
11 business center.

12 ((+22)) (18) The department shall administer its growth management
13 act technical assistance so that smaller cities receive proportionately
14 more assistance than larger cities or counties. Pass-through grants
15 shall continue to be funded under 2007-09 policy.

16 ((+23)) (19) \$212,000 of the general fund--federal appropriation
17 is provided solely for implementation of Second Substitute House Bill
18 No. 1172 (development rights transfer). If the bill is not enacted by
19 June 30, 2009, the amount provided in this subsection shall lapse.

20 ((+25)) (20) \$69,000 of the general fund--state appropriation for
21 fiscal year 2010 and \$66,000 of the general fund--state appropriation
22 for fiscal year 2011 are provided solely for implementation of
23 Engrossed Second Substitute House Bill No. 2227 (evergreen jobs act).
24 If the bill is not enacted by June 30, 2009, the amounts provided in
25 this subsection shall lapse.

26 ((+26)) (21) \$350,000 of the community development and
27 preservation authority account--state appropriation is provided solely
28 for a grant to a community development authority established under
29 chapter 43.167 RCW. The community preservation and development's board
30 of directors may contract with nonprofit community organizations to aid
31 in mitigating the effects of increased public impact on urban
32 neighborhoods due to events in stadia that have a capacity of over
33 50,000 spectators.

34 ((+27)) (22) \$300,000 of the Washington auto theft prevention
35 authority account--state appropriation is provided solely for a
36 contract with a community group to build local community capacity and
37 economic development within the state by strengthening political
38 relationships between economically distressed communities and

1 governmental institutions. The community group shall identify
2 opportunities for collaboration and initiate activities and events that
3 bring community organizations, local governments, and state agencies
4 together to address the impacts of poverty, political
5 disenfranchisement, and economic inequality on communities of color.
6 These funds must be matched by other nonstate sources on an equal
7 basis.

8 ~~((+28))~~ (23) \$1,800,000 of the home security fund--state
9 appropriation is provided for transitional housing assistance or
10 partial payments for rental assistance under the independent youth
11 housing program.

12 ~~((+29))~~ (24) \$5,000,000 of the home security fund--state
13 appropriation is provided solely for the operation, repair, and
14 staffing of shelters in the homeless family shelter program.

15 (25) \$235,000 of the general fund--state appropriation for fiscal
16 year 2011 is provided for the department of ecology to implement
17 request legislation (Z-....) that would extend timelines of growth
18 management plan updates. These funds are provided by the department's
19 growth management grant activity. This subsection is contingent upon
20 passage of this growth management act timeline bill (Z-....). If the
21 bill is not enacted by June 30, 2010, the funds shall be expended on
22 other growth management grant activities.

23 **Sec. 127.** 2009 c 564 s 129 (uncodified) is amended to read as
24 follows:

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

26	General Fund--State Appropriation (FY 2010)	(((\$727,000))
27		<u>\$711,000</u>
28	General Fund--State Appropriation (FY 2011)	(((\$793,000))
29		<u>\$789,000</u>
30	TOTAL APPROPRIATION	(((\$1,520,000))
31		<u>\$1,500,000</u>

32 **Sec. 128.** 2009 c 564 s 130 (uncodified) is amended to read as
33 follows:

34 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

35	General Fund--State Appropriation (FY 2010)	(((\$22,163,000))
36		<u>\$20,452,000</u>

1	General Fund--State Appropriation (FY 2011)	((\$20,792,000))
2		<u>\$20,292,000</u>
3	General Fund--Federal Appropriation	((\$23,597,000))
4		<u>\$27,112,000</u>
5	General Fund--Private/Local Appropriation	\$1,270,000
6	State Auditing Services Revolving	
7	Account--State Appropriation	\$25,000
8	Economic Development Strategic Reserve Account--	
9	State Appropriation	\$280,000
10	TOTAL APPROPRIATION	((\$68,127,000))
11		<u>\$69,431,000</u>

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

14 (1) \$188,000 of the general fund--state appropriation for fiscal
15 year 2010 is provided solely for the implementation of Second
16 Substitute Senate Bill No. 5945 (Washington health partnership plan).

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

19 (2) The office of financial management shall conduct a study on
20 alternatives for consolidating or transferring activities and
21 responsibilities of the state lottery commission, state horse racing
22 commission, state liquor control board, and the state gambling
23 commission to achieve cost savings and regulatory efficiencies. In
24 conducting the study, the office of financial management shall consult
25 with the legislative fiscal committees. Further, the office of
26 financial management shall establish an advisory group to include, but
27 not be limited to, representatives of affected businesses, state
28 agencies or entities, local governments, and stakeholder groups. The
29 office of financial management shall submit a final report to the
30 governor and the legislative fiscal committees by November 15, 2009.

31 (3) \$500,000 of the general fund--state appropriation for fiscal
32 year 2010 is provided solely for a study of the feasibility of closing
33 state institutional facilities and a plan on eliminating beds in the
34 state institutional facility inventory. The office of financial
35 management shall contract with consultants with expertise related to
36 the subject matters included in this study. The office of financial
37 management and the consultants shall consult with the department of
38 social and health services, the department of corrections, stakeholder

1 groups that represent the people served in these institutions, labor
2 organizations that represent employees who work in these institutions
3 and other persons or entities with expertise in the areas being
4 studied.

5 (a) For the purposes of this study, "state institutional
6 facilities" means facilities operated by the department of corrections
7 to house persons convicted of a criminal offense, Green Hill school and
8 Maple Lane school operated by the department of social and health
9 services juvenile rehabilitation administration, and residential
10 habilitation centers operated by the department of social and health
11 services.

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

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

17 (ii) The cost of operating the facility, including the cost of
18 providing services and the cost of maintaining or improving the
19 physical plant of the facility;

20 (iii) The geographic factors associated with the facility,
21 including the impact of the facility on the local economy and the
22 economic impact of its closure, and alternative uses for a facility
23 recommended for closure;

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

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

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

31 (vii) For the residential habilitation centers, the impact on
32 clients in the facility being recommended for closure and their
33 families, including ability to get alternate services and impact on
34 being moved to another facility.

35 (c) The office of financial management shall submit a final report
36 to the governor and the ways and means committees of the house of
37 representatives and senate by November 1, 2009. The report shall
38 provide a recommendation and a plan to eliminate 1,580 beds in the

1 department of corrections facilities, 235 beds from juvenile
2 rehabilitation facilities, and 250 funded beds in the residential
3 habilitation centers through closure or consolidation of facilities.
4 The report shall include an assessment of each facility studied, where
5 and how the services should be provided, and any costs or savings
6 associated with each recommendation. ((In considering the
7 recommendations of the report, the governor and the legislature shall
8 not consider closure of any state institutional facility unless the
9 report recommended the facility for closure.))

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

12 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

13 Administrative Hearings Revolving

14 Account--State Appropriation ((\$33,473,000))
15 \$33,616,000

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

18 **FOR THE DEPARTMENT OF PERSONNEL**

19 Department of Personnel Service Account--State

20 Appropriation ((\$22,025,000))
21 \$20,370,000

22 Higher Education Personnel Services Account--State

23 Appropriation ((\$1,716,000))
24 \$1,579,000

25 TOTAL APPROPRIATION ((\$23,741,000))
26 \$21,949,000

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

1 training, including the billing and collection of the fees for the
2 training.

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

5 **FOR THE WASHINGTON STATE LOTTERY**

6 Lottery Administrative Account--State
7 Appropriation ((~~\$27,776,000~~))
8 \$26,776,000

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

11 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

12 General Fund--State Appropriation (FY 2010) ((~~\$253,000~~))
13 \$249,000
14 General Fund--State Appropriation (FY 2011) ((~~\$260,000~~))
15 \$257,000
16 TOTAL APPROPRIATION ((~~\$513,000~~))
17 \$506,000

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

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

21 General Fund--State Appropriation (FY 2010) \$243,000
22 General Fund--State Appropriation (FY 2011) ((~~\$244,000~~))
23 \$237,000
24 TOTAL APPROPRIATION ((~~\$487,000~~))
25 \$480,000

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

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

29 Department of Retirement Systems Expense
30 Account--State Appropriation ((~~\$49,504,000~~))
31 \$48,694,000
32 Volunteer Firefighters' and Reserve Officers'
33 Administrative Account--State Appropriation \$531,000
34 TOTAL APPROPRIATION \$49,225,000

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

3 (1) \$148,000 of the department of retirement systems--state
4 appropriation is provided solely for the administrative costs
5 associated with implementation of Senate Bill No. 5303 (transferring
6 members of retirement systems). If the bill is not enacted by June 30,
7 2009, the amount provided in this subsection shall lapse.

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

15 (3) \$12,000 of the department of retirement systems--state
16 appropriation is provided solely for the administrative costs
17 associated with implementation of Senate Bill No. 5542 or House Bill
18 No. 1678 (minimum disability benefits). If neither bill is enacted by
19 June 30, 2009, the amount provided in this subsection shall lapse.

20 (4) \$45,000 of the department of retirement systems expense
21 account--state appropriation is provided solely to implement Engrossed
22 Substitute House Bill No. 1445 (Washington state patrol retirement
23 system domestic partners). If the bill is not enacted by June 30,
24 2009, the amount provided in this subsection shall lapse.

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

31 (6) \$56,000 of the department of retirement systems expense
32 account--state appropriation is provided solely to implement House Bill
33 No. 1548 (military service credit purchases). If the bill is not
34 enacted by June 30, 2009, the amount provided in this subsection shall
35 lapse.

36 (7) \$35,000 of the department of retirement systems expense
37 account--state appropriation is provided solely to implement Substitute

1 House Bill No. 1953 (department of fish and wildlife enforcement
2 officers' past service credit). If the bill is not enacted by June 30,
3 2009, the amount provided in this subsection shall lapse.

4 (8) Beginning July 1, 2010, the functions of the board of volunteer
5 firefighters are transferred to the department of retirement systems.
6 Funding for these activities for fiscal year 2011 are appropriated to
7 the department of retirement systems.

8 **Sec. 135.** 2009 c 564 s 137 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF REVENUE**

11	General Fund--State Appropriation (FY 2010)	((\$109,412,000))
12		<u>\$108,782,000</u>
13	General Fund--State Appropriation (FY 2011)	((\$108,505,000))
14		<u>\$109,531,000</u>
15	Timber Tax Distribution Account--State	
16	Appropriation	((\$5,904,000))
17		<u>\$5,925,000</u>
18	Waste Reduction/Recycling/Litter	
19	Control--State Appropriation	((\$130,000))
20		<u>\$131,000</u>
21	Waste Tire Removal Account--State Appropriation	\$2,000
22	Real Estate Excise Tax Grant Account--State	
23	Appropriation	((\$1,050,000))
24		<u>\$3,429,000</u>
25	State Toxics Control Account--State Appropriation	\$87,000
26	Oil Spill Prevention Account--State Appropriation	((\$19,000))
27		<u>\$20,000</u>
28	TOTAL APPROPRIATION	((\$225,109,000))
29		<u>\$227,907,000</u>

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

32 (1) \$469,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$374,000 of the general fund--state appropriation for
34 fiscal year 2011 are for the implementation of Substitute Senate Bill
35 No. 5368 (annual property revaluation). If the bill is not enacted by
36 June 30, 2009, the amounts in this subsection shall lapse.

1 commerce. Funding for these activities for fiscal year 2011 is
2 appropriated to the department of commerce.

3 **Sec. 138.** 2009 c 564 s 141 (uncodified) is amended to read as
4 follows:

5 **FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**
6 OMWBE Enterprises Account--State Appropriation ((~~\$3,622,000~~))
7 \$3,805,000

8 **Sec. 139.** 2009 c 564 s 142 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**
11 General Fund--State Appropriation (FY 2010) ((~~\$815,000~~))
12 \$802,000
13 General Fund--State Appropriation (FY 2011) ((~~\$811,000~~))
14 \$325,000
15 General Fund--Federal Appropriation ((~~\$5,738,000~~))
16 \$2,957,000
17 General Administration Service Account--State
18 Appropriation ((~~\$35,044,000~~))
19 \$31,712,000
20 TOTAL APPROPRIATION ((~~\$42,408,000~~))
21 \$35,796,000

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

24 (1) \$28,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$28,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely for the purposes of section 8 of
27 Engrossed Second Substitute Senate Bill No. 5854 (built environment
28 pollution). If section 8 of the bill is not enacted by June 30, 2009,
29 the amounts provided in this subsection shall lapse.

30 (2) Beginning July 1, 2010, the functions of the emergency food
31 assistance program are transferred to the department of agriculture.
32 Funding for these activities for fiscal year 2011 is appropriated to
33 the department of agriculture.

34 **Sec. 140.** 2009 c 564 s 143 (uncodified) is amended to read as
35 follows:

1 **FOR THE DEPARTMENT OF INFORMATION SERVICES**

2	General Fund--State Appropriation (FY 2010)	((\$1,104,000))
3		<u>\$1,086,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$1,104,000))
5		<u>\$1,086,000</u>
6	General Fund--Federal Appropriation	((\$701,000))
7		<u>\$702,000</u>
8	Data Processing Revolving Account--State	
9	Appropriation	((\$7,824,000))
10		<u>\$7,652,000</u>
11	TOTAL APPROPRIATION	((\$10,733,000))
12		<u>\$10,526,000</u>

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

15 (1) \$100,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$100,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for the purposes of Engrossed
18 Second Substitute House Bill No. 1701 (high-speed internet), including
19 expenditure for deposit to the community technology opportunity
20 account. If the bill is not enacted by June 30, 2009, the amounts
21 provided in this subsection shall lapse.

22 (2) The department shall implement some or all of the following
23 strategies to achieve savings on information technology expenditures
24 through: (a) Holistic virtualization strategies; (b) wide-area network
25 optimization strategies; (c) replacement of traditional telephone
26 communications systems with alternatives; and (d) migration of external
27 voice mail systems to internal voice mail systems coordinated by the
28 department. The department shall report to the office of financial
29 management and the fiscal committees of the legislature semiannually on
30 progress made towards the implementation of savings strategies and the
31 savings realized to date. No later than June 30, 2011, the department
32 shall submit a final report on its findings and savings realized to the
33 office of financial management and the fiscal committees of the
34 legislature.

35 **Sec. 141.** 2009 c 564 s 144 (uncodified) is amended to read as
36 follows:

1 **FOR THE INSURANCE COMMISSIONER**

2	General Fund--Federal Appropriation	((\$1,943,000))
3		<u>\$1,946,000</u>
4	Insurance Commissioners Regulatory Account--State	
5	Appropriation	((\$47,978,000))
6		<u>\$48,147,000</u>
7	TOTAL APPROPRIATION	((\$49,921,000))
8		<u>\$50,093,000</u>

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

11 (1) \$410,000 of the insurance commissioner's regulatory account
12 appropriation is provided solely to implement Substitute Senate Bill
13 No. 5480 (discount health plans). If the bill is not enacted by June
14 30, 2009, the amount provided in this subsection shall lapse.

15 (2) \$598,000 of the insurance commissioner's regulatory account
16 appropriation is provided solely to implement Substitute Senate Bill
17 No. 5195 (life settlements model act). If the bill is not enacted by
18 June 30, 2009, the amount provided in this subsection shall lapse.

19 (3) \$551,000 of the insurance commissioner's regulatory account
20 appropriation is provided solely to implement Second Substitute Senate
21 Bill No. 5346 (health care administration simplification). If the bill
22 is not enacted by June 30, 2009, the amount provided in this subsection
23 shall lapse.

24 **Sec. 142.** 2009 c 564 s 145 (uncodified) is amended to read as
25 follows:

26 **FOR THE BOARD OF ACCOUNTANCY**

27	Certified Public Accountants' Account--State	
28	Appropriation	((\$3,016,000))
29		<u>\$2,300,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations: Beginning July 1, 2010, the functions of
32 the board of accountancy are transferred to the department of
33 licensing. Funding for these activities for fiscal year 2011 is
34 appropriated to the department of licensing.

35 **Sec. 143.** 2009 c 564 s 147 (uncodified) is amended to read as
36 follows:

1 **FOR THE HORSE RACING COMMISSION**

2 Horse Racing Commission Operating Account--State
3 Appropriation ((~~\$5,123,000~~))
4 \$4,865,000

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

9 **Sec. 144.** 2009 c 564 s 148 (uncodified) is amended to read as
10 follows:

11 **FOR THE LIQUOR CONTROL BOARD**

12 Liquor Control Board Construction and Maintenance
13 Account--State Appropriation \$8,817,000
14 Liquor Revolving Account--State Appropriation ((~~\$200,506,000~~))
15 \$156,645,000
16 TOTAL APPROPRIATION ((~~\$209,323,000~~))
17 \$165,462,000

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

20 (1) \$1,306,000 of the liquor revolving account--state appropriation
21 is provided solely for the liquor control board to open five new state
22 stores.

23 (2) \$40,000 of the liquor revolving account--state appropriation is
24 provided solely for the liquor control board to open ten new contract
25 stores.

26 (3) \$3,059,000 of the liquor revolving account--state appropriation
27 is provided solely for the liquor control board to increase state and
28 local revenues from new retail strategies including opening nine state
29 stores on Sunday, opening state liquor stores on seven holidays,
30 opening six mall locations during the holiday season, and increasing
31 lottery sales.

32 (4) \$173,000 of the liquor revolving account--state appropriation
33 is provided solely for the Engrossed House Bill No. 2040 (beer and wine
34 regulation commission). If the bill is not enacted by June 30, 2009,
35 the amount provided in this subsection shall lapse.

1	Disaster Response Account--State Appropriation	((\$28,194,000))
2		<u>\$31,469,000</u>
3	Disaster Response Account--Federal Appropriation	((\$91,263,000))
4		<u>\$128,829,000</u>
5	Military Department Rent and Lease Account--State	
6	Appropriation	\$615,000
7	Military Department Active State Service Account--Federal	
8	Appropriation	((\$200,000))
9		<u>\$592,000</u>
10	Worker and Community Right-to-Know Account--State	
11	Appropriation	((\$341,000))
12		<u>\$342,000</u>
13	Nisqually Earthquake Account--State Appropriation	((\$144,000))
14		<u>\$299,000</u>
15	Nisqually Earthquake Account--Federal Appropriation	((\$856,000))
16		<u>\$1,031,000</u>
17	TOTAL APPROPRIATION	((\$330,846,000))
18		<u>\$396,087,000</u>

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

21 (1) ((~~\$28,194,000~~)) \$31,469,000 of the disaster response account--
22 state appropriation and ((~~\$91,263,000~~)) \$128,829,000 of the disaster
23 response account--federal appropriation may be spent only on disasters
24 declared by the governor and with the approval of the office of
25 financial management. The military department shall submit a report
26 ((~~quarterly~~)) to the office of financial management and the legislative
27 fiscal committees on October 1st and February 1st of each year
28 detailing information on the disaster response account, including: (a)
29 The amount and type of deposits into the account; (b) the current
30 available fund balance as of the reporting date; and (c) the projected
31 fund balance at the end of the 2009-2011 biennium based on current
32 revenue and expenditure patterns.

33 (2) ((~~\$144,000~~)) \$299,000 of the Nisqually earthquake account--
34 state appropriation and ((~~\$856,000~~)) \$1,031,000 of the Nisqually
35 earthquake account--federal appropriation are provided solely for
36 response and recovery costs associated with the February 28, 2001,
37 earthquake. The military department shall submit a report
38 ((~~quarterly~~)) to the office of financial management and the legislative

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

15 (3) \$85,000,000 of the general fund--federal appropriation is
16 provided solely for homeland security, subject to the following
17 conditions:

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

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

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

33 (4) \$500,000 of the general fund--state appropriation for fiscal
34 year 2010 (~~(and \$500,000 of the general fund state appropriation for~~
35 ~~fiscal year 2011 are)) is provided solely for the military department
36 to contract with the Washington information network 2-1-1 to operate a
37 statewide 2-1-1 system. The department shall provide the entire amount~~

1 for 2-1-1 and (~~shall~~) may not use any of the funds for administrative
2 purposes.

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

5 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

6	General Fund--State Appropriation (FY 2010)	((\$3,128,000))
7		<u>\$2,717,000</u>
8	General Fund--State Appropriation (FY 2011)	((\$3,130,000))
9		<u>\$2,605,000</u>
10	Department of Personnel Service Account--State	
11	Appropriation	((\$3,290,000))
12		<u>\$3,301,000</u>
13	<u>Higher Education Personnel Services Account--State</u>	
14	<u>Appropriation</u>	<u>\$250,000</u>
15	TOTAL APPROPRIATION	((\$9,548,000))
16		<u>\$8,873,000</u>

17 **Sec. 149.** 2009 c 564 s 153 (uncodified) is amended to read as
18 follows:

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

20	General Fund--State Appropriation (FY 2010)	((\$1,418,000))
21		<u>\$1,371,000</u>
22	General Fund--State Appropriation (FY 2011)	((\$1,380,000))
23		<u>\$1,360,000</u>
24	General Fund--Federal Appropriation	((\$1,653,000))
25		<u>\$2,308,000</u>
26	General Fund--Private/Local Appropriation	\$14,000
27	TOTAL APPROPRIATION	((\$4,465,000))
28		<u>\$5,053,000</u>

29 **Sec. 150.** 2009 c 564 s 154 (uncodified) is amended to read as
30 follows:

31 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

32	General Fund--State Appropriation (FY 2010)	((\$1,674,000))
33		<u>\$1,642,000</u>
34	General Fund--State Appropriation (FY 2011)	((\$1,549,000))
35		<u>\$1,449,000</u>

1 TOTAL APPROPRIATION ((~~\$3,223,000~~))
2 \$3,091,000

(End of part)

1 be necessary to finance a unified health care plan for the WMIP program
2 enrollment. The WMIP pilot projects shall not exceed a daily
3 enrollment of 6,000 persons, nor expand beyond one county, during the
4 2009-2011 biennium. The amount of funding assigned to the pilot
5 projects from each program may not exceed the average per capita cost
6 assumed in this act for individuals covered by that program,
7 actuarially adjusted for the health condition of persons enrolled in
8 the pilot project, times the number of clients enrolled in the pilot
9 project. In implementing the WMIP pilot projects, the department may:
10 (a) Withhold from calculations of "available resources" as set forth in
11 RCW 71.24.025 a sum equal to the capitated rate for individuals
12 enrolled in the pilots; and (b) employ capitation financing and risk-
13 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 department shall conduct an evaluation of the WMIP, measuring
17 changes in participant health outcomes, changes in patterns of service
18 utilization, participant satisfaction, participant access to services,
19 and the state fiscal impact.

20 (5)(a) The appropriations to the department of social and health
21 services in this act shall be expended for the programs and in the
22 amounts specified in this act. However, after May 1, 2010, unless
23 specifically prohibited by this act, the department may transfer
24 general fund--state appropriations for fiscal year 2010 among programs
25 after approval by the director of financial management. However, the
26 department shall not transfer state moneys that are provided solely for
27 a specified purpose except as expressly provided in (b) of this
28 subsection.

29 (b) To the extent that transfers under (a) of this subsection are
30 insufficient to fund actual expenditures in excess of fiscal year 2010
31 caseload forecasts and utilization assumptions in the medical
32 assistance, long-term care, foster care, adoptions support, and child
33 support programs, the department may transfer state moneys that are
34 provided solely for a specified purpose. The department shall not
35 transfer funds, and the director of financial management shall not
36 approve the transfer, unless the transfer is consistent with the
37 objective of conserving, to the maximum extent possible, the
38 expenditure of state funds. The director of financial management shall

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

18 **Sec. 202.** 2009 c 564 s 202 (uncodified) is amended to read as
 19 follows:

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

22	General Fund--State Appropriation (FY 2010)	((\$315,241,000))
23		<u>\$308,752,000</u>
24	General Fund--State Appropriation (FY 2011)	((\$317,248,000))
25		<u>\$301,850,000</u>
26	General Fund--Federal Appropriation	((\$496,509,000))
27		<u>\$499,985,000</u>
28	General Fund--Private/Local Appropriation	((\$828,000))
29		<u>\$2,795,000</u>
30	Home Security Fund Appropriation	((\$8,389,000))
31		<u>\$9,354,000</u>
32	Domestic Violence Prevention Account--State	
33	Appropriation	\$1,154,000
34	Education Legacy Trust Account--State Appropriation . . .	((\$725,000))
35		<u>\$362,000</u>
36	TOTAL APPROPRIATION	((\$1,140,094,000))
37		<u>\$1,124,252,000</u>

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

3 (1) (~~(\$5,563,000)~~) \$5,467,000 of the general fund--state
4 appropriation for fiscal year 2010 and (~~(\$5,563,000)~~) \$5,435,000 of the
5 general fund--state appropriation for fiscal year 2011 are provided
6 solely for intensive family preservation services as defined in RCW
7 74.14C.010 and for evidence-based services that prevent out-of-home
8 placement and reduce length of stay in the child welfare system.

9 (2) (~~(\$993,000)~~) \$976,000 of the general fund--state appropriation
10 for fiscal year 2010 and (~~(\$993,000)~~) \$970,000 of the general fund--
11 state appropriation for fiscal year 2011 are provided solely to
12 contract for the operation of one pediatric interim care facility. The
13 facility shall provide residential care for up to seventeen children
14 through two years of age. Seventy-five percent of the children served
15 by the facility must be in need of special care as a result of
16 substance abuse by their mothers. The facility shall also provide on-
17 site training to biological, adoptive, or foster parents. The facility
18 shall provide at least three months of consultation and support to
19 parents accepting placement of children from the facility. The
20 facility may recruit new and current foster and adoptive parents for
21 infants served by the facility. The department shall not require case
22 management as a condition of the contract.

23 (3) (~~(\$375,000)~~) \$369,000 of the general fund--state appropriation
24 for fiscal year 2008, (~~(\$375,000)~~) \$366,000 of the general fund--state
25 appropriation for fiscal year 2009, and (~~(\$322,000)~~) \$316,000 of the
26 general fund--federal appropriation are provided solely for up to three
27 nonfacility-based programs for the training, consultation, support, and
28 recruitment of biological, foster, and adoptive parents of children
29 through age three in need of special care as a result of substance
30 abuse by their mothers, except that each program may serve up to three
31 medically fragile nonsubstance-abuse- affected children. In selecting
32 nonfacility-based programs, preference shall be given to programs whose
33 federal or private funding sources have expired or that have
34 successfully performed under the existing pediatric interim care
35 program.

36 (4) (~~(\$2,500,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2010 and \$2,500,000 of the general fund--state~~
38 ~~appropriation for fiscal year 2011 are provided solely for secure~~

1 ~~crisis residential centers. Within appropriated amounts, the~~
2 ~~department shall collaborate with providers to maintain no less than~~
3 ~~forty five beds that are geographically representative of the state.~~
4 ~~The department shall examine current secure crisis residential staffing~~
5 ~~requirements, flexible payment options, center specific waivers, and~~
6 ~~other appropriate methods to accomplish this outcome.~~

7 ~~(5))~~ A maximum of ~~(((\$76,831,000))~~ \$71,109,000 of the general
8 fund--state appropriations and ~~(((\$56,901,000))~~ \$53,460,000 of the
9 general fund--federal appropriations for the 2009-11 biennium shall be
10 expended for behavioral rehabilitative services and these amounts are
11 provided solely for this purpose. The department shall work with
12 behavioral rehabilitative service providers to safely keep youth with
13 emotional, behavioral, or medical needs at home, with relatives, or
14 with other permanent placement resources and decrease the length of
15 ~~((stay))~~ service through improved emotional, behavioral, or medical
16 outcomes for children in behavioral rehabilitative services ~~((in order~~
17 ~~to achieve the appropriated levels))~~.

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

21 (b) ~~((The department and the contracted provider shall mutually~~
22 ~~agree and establish an exit date for when the child is to exit the~~
23 ~~behavioral rehabilitative service provider. The department and the~~
24 ~~contracted provider should mutually agree, to the greatest extent~~
25 ~~possible, on a viable placement for the child to go to once the child's~~
26 ~~treatment process has been completed. The child shall exit only when~~
27 ~~the emotional, behavioral, or medical condition has improved or if the~~
28 ~~provider has not shown progress toward the outcomes specified in the~~
29 ~~signed contract at the time of exit. This subsection (b) does not~~
30 ~~prevent or eliminate the department's responsibility for removing the~~
31 ~~child from the provider if the child's emotional, behavioral, or~~
32 ~~medical condition worsens or is threatened.~~

33 ~~(e))~~ The department is encouraged to use performance-based
34 contracts with incentives directly tied to outcomes described in this
35 section. The contracts should incentivize contracted providers to
36 accept the hardest to ~~((place))~~ serve children and incentivize
37 improvement in children's emotional, mental, and medical well-being
38 ~~((within the established exit date))~~. The department is further

1 encouraged to increase the use of behavioral rehabilitative service
2 (~~(group homes)~~), wrap around services to facilitate and support
3 placement of youth at home, with relatives, or other permanent
4 resources, and other means to control expenditures.

5 ~~((d))~~ (c) The total foster care per capita amount shall not
6 increase more than four percent in the 2009-11 biennium and shall not
7 include behavioral rehabilitative service.

8 ~~((6) Within amounts provided for the foster care and adoption~~
9 ~~support programs, the department shall control reimbursement decisions~~
10 ~~for foster care and adoption support cases such that the aggregate~~
11 ~~average cost per case for foster care and for adoption support does not~~
12 ~~exceed the amounts assumed in the projected caseload expenditures.~~

13 ~~(7))~~ (5) Within amounts appropriated in this section, priority
14 shall be given to proven intervention models, including evidence-based
15 prevention and early intervention programs identified by the Washington
16 state institute for public policy and the department. The department
17 shall include information on the number, type, and outcomes of the
18 evidence-based programs being implemented in its reports on child
19 welfare reform efforts.

20 ~~((8) \$37,000))~~ (6) \$36,000 of the general fund--state
21 appropriation for fiscal year 2010, ~~((37,000))~~ \$36,000 of the general
22 fund--state appropriation for fiscal year 2011, and ~~((32,000))~~ \$31,000
23 of the general fund--federal appropriation are provided solely for the
24 implementation of chapter 465, Laws of 2007 (child welfare).

25 ~~((9) \$125,000 of the general fund--state appropriation for fiscal~~
26 ~~year 2010 and \$125,000 of the general fund--state appropriation for~~
27 ~~fiscal year 2011 are provided solely for continuum of care services.~~
28 ~~\$100,000 of this amount is for Casey family partners and \$25,000 of~~
29 ~~this amount is for volunteers of America crosswalk in fiscal year 2010.~~
30 ~~\$100,000 of this amount is for Casey family partners and \$25,000 of~~
31 ~~this amount is for volunteers of America crosswalk in fiscal year 2011.~~

32 ~~(10) \$616,000))~~ (7) \$297,000 of the general fund--state
33 appropriation for fiscal year 2010 ~~(, \$616,000 of the general fund--~~
34 ~~state appropriation for fiscal year 2011,))~~ and ~~((368,000))~~ \$85,000 of
35 the general fund--federal appropriation are provided solely to contract
36 with medical professionals for comprehensive safety assessments of
37 high-risk families. The safety assessments will use validated
38 assessment tools to guide intervention decisions through the

1 identification of additional safety and risk factors. (~~(\$800,000 of~~
2 ~~this amount is for comprehensive safety assessments for families~~
3 ~~receiving in-home child protective services or family voluntary~~
4 ~~services. \$800,000 of this amount is for comprehensive safety~~
5 ~~assessments of families with an infant age birth to fifteen days where~~
6 ~~the infant was, at birth, diagnosed as substance exposed and the~~
7 ~~department received an intake referral related to the infant due to the~~
8 ~~substance exposure.~~

9 ~~(11) \$7,970,000))~~ (8) \$7,833,000 of the general fund--state
10 appropriation for fiscal year 2010, (~~(\$7,711,000))~~ \$7,534,000 of the
11 general fund--state appropriation for fiscal year 2011, and
12 (~~(\$5,177,000))~~ \$5,073,000 of the general fund--federal appropriation
13 are provided solely for court-ordered supervised visits between parents
14 and dependent children and for sibling visits. The department shall
15 work collaboratively with the juvenile dependency courts to stay within
16 appropriations without impeding reunification outcomes between parents
17 and dependent children. (~~The department shall report to the~~
18 ~~legislative fiscal committees quarterly, the number of children in~~
19 ~~foster care who receive supervised visits, their frequency, length of~~
20 ~~time of each visit, and whether reunification is attained.~~

21 ~~(12) \$1,789,000))~~ (9) \$1,753,000 of the home security fund--state
22 appropriation is provided solely for street youth program services.

23 (~~(13) \$1,584,000))~~ (10) \$1,557,000 of the general fund--state
24 appropriation for fiscal year 2010, (~~(\$1,584,000))~~ \$1,548,000 of the
25 general fund--state appropriation for fiscal year 2011, and
26 (~~(\$1,586,000))~~ \$1,554,000 of the general fund--federal appropriation
27 are provided solely for the department to recruit foster parents. The
28 recruitment efforts shall include collaborating with community-based
29 organizations and current or former foster parents to recruit foster
30 parents.

31 (~~(14) \$725,000))~~ (11) \$362,000 of the education legacy trust
32 account--state appropriation is provided solely for children's
33 administration to contract with an educational advocacy provider with
34 expertise in foster care educational outreach. Funding is provided
35 solely for contracted education coordinators to assist foster children
36 in succeeding in K-12 and higher education systems. Funding shall be
37 prioritized to regions with high numbers of foster care youth and/or

1 regions where backlogs of youth that have formerly requested
2 educational outreach services exist.

3 ~~((15) \$1,300,000))~~ (12) \$1,274,000 of the home security fund
4 account--state appropriation is provided solely for HOPE beds.

5 ~~((16) \$5,300,000))~~ (13) 5,193,000 of the home security fund
6 account--state appropriation is provided solely for the crisis
7 residential centers.

8 ~~((17))~~ (14) The appropriations in this section reflect reductions
9 in the appropriations for the children's administration administrative
10 expenses. It is the intent of the legislature that these reductions
11 shall be achieved, to the greatest extent possible, by reducing those
12 administrative costs that do not affect direct client services or
13 direct service delivery or programs.

14 ~~((18))~~ (15) Within the amounts appropriated in this section, the
15 department shall contract for a pilot project with family and community
16 networks in Whatcom county and up to four additional counties to
17 provide services. The pilot project shall be designed to provide a
18 continuum of services that reduce out-of-home placements and the
19 lengths of stay for children in out-of-home placement. The department
20 and the community networks shall collaboratively select the additional
21 counties for the pilot project and shall collaboratively design the
22 contract. Within the framework of the pilot project, the contract
23 shall seek to maximize federal funds. The pilot project in each county
24 shall include the creation of advisory and management teams which
25 include members from neighborhood-based family advisory committees,
26 residents, parents, youth, providers, and local and regional department
27 staff. The Whatcom county team shall facilitate the development of
28 outcome-based protocols and policies for the pilot project and develop
29 a structure to oversee, monitor, and evaluate the results of the pilot
30 projects. The department shall report the costs and savings of the
31 pilot project to the appropriate committees of the legislature by
32 November 1 of each year.

33 ~~((19) \$157,000))~~ (16) \$154,000 of the general fund--state
34 appropriation for fiscal year 2010 and ~~((157,000))~~ \$153,000 of the
35 general fund--state appropriation for fiscal year 2011 are provided
36 solely for the department to contract with a nonprofit entity for a
37 reunification pilot project in Whatcom and Skagit counties and for an
38 analysis of the reunification pilot project. The contract for the

1 reunification pilot project shall include (~~a rate of \$46.16 per hour~~
2 ~~for~~) evidence-based interventions, in combination with supervised
3 visits, (~~to provide 3,564 hours of services~~) to reduce the length of
4 stay for children in the child welfare system. The contract shall also
5 include evidence-based intensive parenting skills building services and
6 family support case management services for (~~38~~) families
7 participating in the reunification pilot project. The contract shall
8 include the flexibility for the nonprofit entity to subcontract with
9 trained providers.

10 (~~(20) \$303,000~~) (17) \$298,000 of the general fund--state
11 appropriation for fiscal year 2010, (~~(\$418,000)~~) \$408,000 of the
12 general fund--state appropriation for fiscal year 2011, and
13 (~~(\$257,000)~~) \$252,000 of the general fund--federal appropriation are
14 provided solely to implement Engrossed Substitute House Bill No. 1961
15 (increasing adoptions act). (~~If the bill is not enacted by June 30,~~
16 ~~2009, the amounts provided in this subsection shall lapse.~~

17 ~~(21) \$100,000~~) (18) \$98,000 of the general fund--state
18 appropriation for fiscal year 2010 and (~~(\$100,000)~~) \$98,000 of the
19 general fund--state appropriation for fiscal year 2011 are provided
20 solely for the department to contract with an agency that is working in
21 partnership with, and has been evaluated by, the University of
22 Washington school of social work to implement promising practice
23 constellation hub models of foster care support.

24 (~~(22)~~) (19) The legislature intends for the department to reduce
25 the time a child remains in the child welfare system. The department
26 shall establish a measurable goal and report progress toward meeting
27 that goal to the legislature by January 15 of each fiscal year of the
28 2009-11 fiscal biennium. To the extent that actual caseloads exceed
29 those assumed in this section, it is the intent of the legislature to
30 address those issues in a manner similar to all other caseload
31 programs.

32 **Sec. 203.** 2009 c 564 s 203 (uncodified) is amended to read as
33 follows:

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

36 General Fund--State Appropriation (FY 2010) (~~(\$104,870,000)~~)
37 \$102,739,000

1	General Fund--State Appropriation (FY 2011)	((\$93,081,000))
2		<u>\$100,557,000</u>
3	General Fund--Federal Appropriation	((\$6,565,000))
4		<u>\$1,675,000</u>
5	General Fund--Private/Local Appropriation	((\$1,900,000))
6		<u>\$1,901,000</u>
7	Washington Auto Theft Prevention Authority Account--	
8	State Appropriation	\$3,896,000
9	Juvenile Accountability Incentive Account--Federal	
10	Appropriation	((\$2,801,000))
11		<u>\$2,804,000</u>
12	TOTAL APPROPRIATION	((\$213,113,000))
13		<u>\$213,572,000</u>

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

16 (1) \$353,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$353,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for deposit in the county criminal
19 justice assistance account for costs to the criminal justice system
20 associated with the implementation of chapter 338, Laws of 1997
21 (juvenile code revisions). The amounts provided in this subsection are
22 intended to provide funding for county adult court costs associated
23 with the implementation of chapter 338, Laws of 1997 and shall be
24 distributed in accordance with RCW 82.14.310.

25 (2) ((~~\$3,578,000~~)) \$3,408,000 of the general fund--state
26 appropriation for fiscal year 2010 and ((~~\$3,578,000~~)) \$2,898,000 of the
27 general fund--state appropriation for fiscal year 2011 are provided
28 solely for the implementation of chapter 338, Laws of 1997 (juvenile
29 code revisions). The amounts provided in this subsection are intended
30 to provide funding for county impacts associated with the
31 implementation of chapter 338, Laws of 1997 and shall be distributed to
32 counties as prescribed in the current consolidated juvenile services
33 (CJS) formula.

34 (3) \$3,716,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$3,716,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely to implement community juvenile
37 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile

1 code revisions). Funds provided in this subsection may be used solely
2 for community juvenile accountability grants, administration of the
3 grants, and evaluations of programs funded by the grants.

4 (4) (~~(\$1,506,000)~~) \$1,431,000 of the general fund--state
5 appropriation for fiscal year 2010 and (~~(\$1,506,000)~~) \$1,206,000 of the
6 general fund--state appropriation for fiscal year 2011 are provided
7 solely to implement alcohol and substance abuse treatment programs for
8 locally committed offenders. The juvenile rehabilitation
9 administration shall award these moneys on a competitive basis to
10 counties that submitted a plan for the provision of services approved
11 by the division of alcohol and substance abuse. The juvenile
12 rehabilitation administration shall develop criteria for evaluation of
13 plans submitted and a timeline for awarding funding and shall assist
14 counties in creating and submitting plans for evaluation.

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

29 (6) \$1,287,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$1,287,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for expansion of the following
32 treatments and therapies in juvenile rehabilitation administration
33 programs identified by the Washington state institute for public policy
34 in its October 2006 report: "Evidence-Based Public Policy Options to
35 Reduce Future Prison Construction, Criminal Justice Costs and Crime
36 Rates": Multidimensional treatment foster care, family integrated
37 transitions, and aggression replacement training. The administration

1 may concentrate delivery of these treatments and therapies at a limited
2 number of programs to deliver the treatments in a cost-effective
3 manner.

4 (7)(a) For the fiscal year ending June 30, 2010, the juvenile
5 rehabilitation administration shall administer a block grant, rather
6 than categorical funding, of consolidated juvenile service funds,
7 community juvenile accountability act grants, the chemical dependency
8 disposition alternative funds, the special sex offender disposition
9 alternative funds, the mental health disposition alternative,
10 sentencing disposition alternative, and evidence-based program
11 expansion grants to juvenile courts for the purpose of serving youth
12 adjudicated in the juvenile justice system. Evidence-based programs,
13 based on the criteria established by the Washington state institute for
14 public policy, and disposition alternatives will be funding priorities.
15 Funds may be used for promising practices when approved by juvenile
16 rehabilitation administration, based on criteria established in
17 consultation with Washington state institute for public policy and the
18 juvenile courts.

19 By September 1, 2009, a committee with four members, in
20 consultation with Washington state institute for public policy, shall
21 develop a funding formula that takes into account the juvenile courts
22 average daily population of program eligible youth in conjunction with
23 the number of youth served in each approved evidence-based program or
24 disposition alternative. The committee shall have one representative
25 from the juvenile rehabilitation administration, one representative
26 from the office of financial management, one representative from the
27 office of the administrator of the courts, and one representative from
28 the juvenile courts. Decision making will be by majority rule.

29 By September 1, 2010, the Washington state institute for public
30 policy shall provide a report to the office of financial management and
31 the legislature on the administration of the block grant authorized in
32 this subsection. The report shall include the criteria used for
33 allocating the funding as a block grant and the participation targets
34 and actual participation in the programs subject to the block grant.

35 (b) By December 1, 2009, the committee established in (a) of this
36 subsection, in consultation with Washington state institute for public
37 policy, shall propose to the office of financial management and the
38 legislature changes in the process of funding and managing, including

1 accountability and information collection and dissemination, grants to
2 juvenile courts for serving youth adjudicated in the juvenile court
3 system use in the fiscal year ending June 30, 2011. The proposal shall
4 include, but is not limited to: A process of making a block grant of
5 funds consistent with (a) of this subsection; a program of data
6 collection and measurement criteria for receiving the funds which will
7 include targets of the number of youth served in identified evidence-
8 based programs and disposition alternatives in which the juvenile
9 courts and office of the administrator of the courts will have
10 responsibility for collecting and distributing information and
11 providing access to the data systems to the juvenile rehabilitation
12 administration and the Washington state institute for public policy
13 related to program and outcome data; and necessary changes to the
14 Washington administrative code.

15 (c) Within the funds provided for criminal justice analysis in
16 section 610(4) of this act, the Washington state institute for public
17 policy shall conduct an analysis of the costs per participant of
18 evidence-based programs by the juvenile courts and by December 1, 2009,
19 shall report the results of this analysis to the juvenile
20 rehabilitation administration, the juvenile courts, office of the
21 administrator of the courts, the office of financial management, and
22 the fiscal committees of the legislature.

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

1 **Sec. 204.** 2009 c 564 s 204 (uncodified) is amended to read as
2 follows:

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

5 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

6	General Fund--State Appropriation (FY 2010)	((\$266,677,000))
7		<u>\$273,892,000</u>
8	General Fund--State Appropriation (FY 2011)	((\$296,619,000))
9		<u>\$300,453,000</u>
10	General Fund--Federal Appropriation	((\$463,180,000))
11		<u>\$499,100,000</u>
12	<u>Washington Housing Trust Account--State</u>	
13	<u>Appropriation</u>	<u>\$83,000</u>
14	General Fund--Private/Local Appropriation	((\$14,868,000))
15		<u>\$24,018,000</u>
16	TOTAL APPROPRIATION	((\$1,041,344,000))
17		<u>\$1,097,546,000</u>

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

20 (a) \$113,689,000 of the general fund--state appropriation for
21 fiscal year 2010 and ((~~\$113,689,000~~)) \$112,559,000 of the general
22 fund--state appropriation for fiscal year 2011 are provided solely for
23 persons and services not covered by the medicaid program. ((~~This is a~~
24 ~~reduction of \$11,606,000 each fiscal year from~~)) The nonmedicaid
25 funding ((that was)) allocated for expenditure by regional support
26 networks ((during fiscal year 2009 prior to supplemental budget
27 reductions. This \$11,606,000 reduction)) shall be distributed among
28 regional support networks proportional to each network's share of the
29 total state population. To the extent possible, levels of regional
30 support network spending shall be maintained in the following priority
31 order: (i) Crisis and commitment services; (ii) community inpatient
32 services; and (iii) residential care services, including personal care
33 and emergency housing assistance.

34 (b) \$16,900,000 of the general fund--state appropriation for fiscal
35 year 2010 and ((~~\$16,900,000~~)) \$13,650,000 of the general fund--state
36 appropriation for fiscal year 2011 are provided solely for the
37 department and regional support networks to contract for implementation
38 of high-intensity program for active community treatment (PACT) teams,

1 and other proven program approaches that the department concurs will
2 enable the regional support network to achieve significant reductions
3 in the number of beds the regional support network would otherwise need
4 to use at the state hospitals.

5 (c) The number of nonforensic beds allocated for use by regional
6 support networks at eastern state hospital shall be 192 per day. The
7 number of nonforensic beds allocated for use by regional support
8 networks at western state hospital shall be 617 per day during the
9 first quarter of fiscal year 2010, and 587 per day thereafter. Beds in
10 the program for adaptive living skills (PALS) are not included in the
11 preceding bed allocations. The department shall separately charge
12 regional support networks for persons served in the PALS program.

13 (d) From the general fund--state appropriations in this subsection,
14 the secretary of social and health services shall assure that regional
15 support networks reimburse the aging and disability services
16 administration for the general fund--state cost of medicaid personal
17 care services that enrolled regional support network consumers use
18 because of their psychiatric disability.

19 (e) \$4,582,000 of the general fund--state appropriation for fiscal
20 year 2010 and \$4,582,000 of the general fund--state appropriation for
21 fiscal year 2011 are provided solely for mental health services for
22 mentally ill offenders while confined in a county or city jail and for
23 facilitating access to programs that offer mental health services upon
24 release from confinement.

25 (f) The department is authorized to continue to contract directly,
26 rather than through contracts with regional support networks, for
27 children's long-term inpatient facility services.

28 ~~(g) ((\$750,000 of the general fund--state appropriation for fiscal~~
29 ~~year 2010 and \$750,000 of the general fund--state appropriation for~~
30 ~~fiscal year 2011 are provided solely to continue performance-based~~
31 ~~incentive contracts to provide appropriate community support services~~
32 ~~for individuals with severe mental illness who were discharged from the~~
33 ~~state hospitals as part of the expanding community services initiative.~~
34 ~~These funds will be used to enhance community residential and support~~
35 ~~services provided by regional support networks through other state and~~
36 ~~federal funding.~~

37 (h)) \$1,500,000 of the general fund--state appropriation for
38 fiscal year 2010 ~~((and \$1,500,000 of the general fund--state~~

1 ~~appropriation for fiscal year 2011 are))~~ is provided solely for the
2 Spokane regional support network to implement services to reduce
3 utilization and the census at eastern state hospital. Such services
4 shall include:

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

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

11 (iii) Mental health services provided in nursing facilities to
12 individuals with dementia, and consultation to facility staff treating
13 those individuals; and

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

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

19 ~~((+i))~~ (h) The department shall return to the Spokane regional
20 support network fifty percent of the amounts assessed against the
21 network during the last six months of calendar year 2009 for state
22 hospital utilization in excess of its contractual limit. The regional
23 support network shall use these funds for operation during its initial
24 months of a new sixteen-bed evaluation and treatment facility that will
25 enable the network to reduce its use of the state hospital, and for
26 diversion and community support services for persons with dementia who
27 would likely otherwise require care at the state hospital.

28 ~~((+j))~~ (i) The department is directed to identify and implement
29 program efficiencies and benefit changes in its delivery of medicaid
30 managed-care services that are sufficient to operate within the state
31 and federal appropriations in this section. Such actions may include
32 but are not limited to methods such as adjusting the care access
33 standards; improved utilization management of ongoing, recurring, and
34 high-intensity services; and increased uniformity in provider payment
35 rates. The department shall ensure that the capitation rate
36 adjustments necessary to accomplish these efficiencies and changes are
37 distributed uniformly and equitably across all regional support

1 networks statewide. The department is directed to report to the
2 relevant legislative fiscal and policy committees at least thirty days
3 prior to implementing rate adjustments reflecting these changes.

4 ~~((k))~~ (j) In developing the new medicaid managed care rates under
5 which the public mental health managed care system will operate during
6 the five years beginning in fiscal year 2011, the department should
7 seek to estimate the reasonable and necessary cost of efficiently and
8 effectively providing a comparable set of medically necessary mental
9 health benefits to persons of different acuity levels regardless of
10 where in the state they live. Actual prior period spending in a
11 regional administrative area shall not be a key determinant of future
12 payment rates. The department shall report to the office of financial
13 management and to the relevant fiscal and policy committees of the
14 legislature on its proposed new waiver and mental health managed care
15 rate-setting approach by October 1, 2009, and again at least sixty days
16 prior to implementation of new capitation rates.

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

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

37 (m) The department shall develop a plan for a new behavioral health
38 service delivery system for children and young adults under age twenty-

1 one. The plan shall be based on the policies and principles set forth
2 in RCW 71.36.005 and 71.36.025. The plan shall be developed in
3 consultation with regional support networks, local government and
4 public safety officials, health care providers and plans, and consumer
5 and family advisory organizations. The department shall report to the
6 governor and legislature on the status of the new plan by October 1,
7 2011.

8 (2) INSTITUTIONAL SERVICES

9	General Fund--State Appropriation (FY 2010)	((\$120,679,000))
10		<u>\$120,952,000</u>
11	General Fund--State Appropriation (FY 2011)	((\$125,017,000))
12		<u>\$126,981,000</u>
13	General Fund--Federal Appropriation	((\$151,300,000))
14		<u>\$149,131,000</u>
15	General Fund--Private/Local Appropriation	((\$65,870,000))
16		<u>\$63,005,000</u>
17	TOTAL APPROPRIATION	((\$462,866,000))
18		<u>\$460,069,000</u>

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

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

24 (b) \$231,000 of the general fund--state appropriation for fiscal
25 year 2008 and \$231,000 of the general fund--state appropriation for
26 fiscal year 2009 are provided solely for a community partnership
27 between western state hospital and the city of Lakewood to support
28 community policing efforts in the Lakewood community surrounding
29 western state hospital. The amounts provided in this subsection (2)(b)
30 are for the salaries, benefits, supplies, and equipment for one full-
31 time investigator, one full-time police officer, and one full-time
32 community service officer at the city of Lakewood.

33 (c) \$45,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$45,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for payment to the city of
36 Lakewood for police services provided by the city at western state
37 hospital and adjacent areas.

1 (d) \$2,015,000 of the general fund--state appropriation for fiscal
 2 year 2011, \$115,000 of the general fund--federal appropriation, and
 3 \$345,000 of the general fund--private/local appropriation are provided
 4 solely for mental health public safety investments. Of this amount,
 5 \$75,000 shall be used by the department to contract with the state
 6 institute of public policy at the Evergreen State College to undertake
 7 a national review for best practice assessment tools in each of three
 8 areas: Civil involuntary treatment commitments, forensic competency,
 9 and criminal insanity releases. \$100,000 shall be used solely to fund
 10 forensic review panel public safety evaluations as needed. \$2,300,000
 11 shall be used to open an additional civil patient ward at western state
 12 hospital on or after January 2011.

13 (3) SPECIAL PROJECTS

14	General Fund--State Appropriation (FY 2010)	\$1,819,000
15	General Fund--State Appropriation (FY 2011)	(\$1,812,000)
16		<u>\$1,548,000</u>
17	General Fund--Federal Appropriation	(\$2,142,000)
18		<u>\$2,143,000</u>
19	TOTAL APPROPRIATION	(\$5,773,000)
20		<u>\$5,510,000</u>

21 The appropriations in this subsection are subject to the following
 22 conditions and limitations: \$1,511,000 of the general fund--state
 23 appropriation for fiscal year 2010 and ~~(\$1,511,000)~~ \$1,247,000 of the
 24 general fund--state appropriation for fiscal year 2011 are provided
 25 solely for children's evidence based mental health services. Funding
 26 is sufficient to continue serving children at the same levels as fiscal
 27 year 2009.

28 (4) PROGRAM SUPPORT

29	General Fund--State Appropriation (FY 2010)	(\$4,123,000)
30		<u>\$4,078,000</u>
31	General Fund--State Appropriation (FY 2011)	(\$4,155,000)
32		<u>\$4,081,000</u>
33	General Fund--Federal Appropriation	(\$7,330,000)
34		<u>\$7,189,000</u>
35	TOTAL APPROPRIATION	(\$15,608,000)
36		<u>\$15,348,000</u>

1 ((b)) The department is authorized and encouraged to continue its
2 contract with the Washington state institute for public policy to
3 provide a longitudinal analysis of long-term mental health outcomes as
4 directed in chapter 334, Laws of 2001 (mental health performance
5 audit); to build upon the evaluation of the impacts of chapter 214,
6 Laws of 1999 (mentally ill offenders); and to assess program outcomes
7 and cost effectiveness of the children's mental health pilot projects
8 as required by chapter 372, Laws of 2006.

9 **Sec. 205.** 2009 c 564 s 205 (uncodified) is amended to read as
10 follows:

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

13 (1) COMMUNITY SERVICES

14 General Fund--State Appropriation (FY 2010)	((\$313,050,000))
	<u>\$305,004,000</u>
16 General Fund--State Appropriation (FY 2011)	((\$368,549,000))
	<u>\$367,502,000</u>
18 General Fund--Federal Appropriation	((\$851,610,000))
	<u>\$836,284,000</u>
20 <u>General Fund--Private/Local Appropriation</u>	<u>\$243,000</u>
21 TOTAL APPROPRIATION	((\$1,533,209,000))
	<u>\$1,509,033,000</u>

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

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

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

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

11 (d) (~~(\$5,593,000)~~) \$1,076,000 of the general fund--state
12 appropriation for fiscal year 2010, (~~(\$4,002,000)~~) \$3,448,000 of the
13 general fund--state appropriation for fiscal year 2011, and
14 (~~(\$14,701,000)~~) \$6,220,000 of the general fund--federal appropriation
15 are provided solely for community residential and support services.
16 Funding in this subsection shall be prioritized for (i) residents of
17 residential habilitation centers who are able to be adequately cared
18 for in community settings and who choose to live in those community
19 settings; (ii) clients without residential services who are at
20 immediate risk of institutionalization or in crisis; (iii) children who
21 are at risk of institutionalization or who are aging out of other state
22 services; and (iv) current home and community-based waiver program
23 clients who have been assessed as having an immediate need for
24 increased services. First priority shall be given to children who are
25 at risk of institutionalization. The department shall ensure that the
26 average cost per day for all program services other than start-up costs
27 shall not exceed \$300. In order to maximize the number of clients
28 served and ensure the cost-effectiveness of the waiver programs, the
29 department will strive to limit new client placement expenditures to 90
30 percent of the budgeted daily rate. If this can be accomplished,
31 additional clients may be served with excess funds, provided the total
32 projected carry-forward expenditures do not exceed the amounts
33 estimated. The department shall electronically report to the
34 appropriate committees of the legislature, within 45 days following
35 each fiscal year quarter, the number of persons served with these
36 additional community services, where they were residing, what kinds of
37 services they were receiving prior to placement, and the actual
38 expenditures for all community services to support these clients.

1 (e)(i) (~~(\$493,000)~~) \$920,000 of the general fund--state
2 appropriation for fiscal year 2010, (~~(\$1,463,000)~~) \$2,582,000 of the
3 general fund--state appropriation for fiscal year 2011, and
4 (~~(\$2,741,000)~~) \$4,677,000 of the general fund--federal appropriation
5 are provided solely for community services for persons with
6 developmental disabilities who also have community protection issues.
7 Funding in this subsection shall be prioritized for (A) clients being
8 diverted or discharged from the state psychiatric hospitals; (B)
9 clients participating in the dangerous mentally ill offender program;
10 (C) clients participating in the community protection program; and (D)
11 mental health crisis diversion outplacements. The department shall
12 ensure that the average cost per day for all program services other
13 than start-up costs shall not exceed \$349 per day in fiscal year 2010
14 and \$356 per day in fiscal year 2011. In order to maximize the number
15 of clients served and ensure the cost-effectiveness of the waiver
16 programs, the department will strive to limit new client placement
17 expenditures to 90 percent of the budgeted daily rate. If this can be
18 accomplished, additional clients may be served with excess funds if the
19 total projected carry-forward expenditures do not exceed the amounts
20 estimated.

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

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

34 ~~(g) (~~(i)~~ \$682,000 of the general fund--state appropriation for~~
35 ~~fiscal year 2010, \$1,651,000 of the general fund--state appropriation~~
36 ~~for fiscal year 2011, and \$1,678,000 of the general fund--federal~~
37 ~~appropriation are provided solely for the state's contribution to the~~
38 ~~training partnership, as provided in RCW 74.39A.360, pursuant to a~~

1 ~~collective bargaining agreement negotiated with the exclusive~~
2 ~~bargaining representative of individual providers established under RCW~~
3 ~~74.39A.270.~~

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

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

11 ~~(i) Within the amounts appropriated in this subsection (1), the~~
12 ~~department shall implement all necessary rules to facilitate the~~
13 ~~transfer to a department home and community based services (HCBS)~~
14 ~~waiver of all eligible individuals who (i) currently receive services~~
15 ~~under the existing state only employment and day program or the~~
16 ~~existing state only residential program, and (ii) otherwise meet the~~
17 ~~waiver eligibility requirements. The amounts appropriated are~~
18 ~~sufficient to ensure that all individuals currently receiving services~~
19 ~~under the state only employment and day and state only residential~~
20 ~~programs who are not transferred to a department HCBS waiver will~~
21 ~~continue to receive services.~~

22 ~~(j) Adult day health services shall only be authorized for in-home~~
23 ~~clients.~~

24 ~~(k))~~ In addition to other reductions, the appropriations in this
25 subsection reflect reductions targeted specifically to state government
26 administrative costs. These administrative reductions shall be
27 achieved, to the greatest extent possible, by reducing those
28 administrative costs that do not affect direct client services or
29 direct service delivery or programs.

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

34 ~~((m))~~ (i) Within the appropriations of this section, the
35 department shall reduce all seventeen payment levels of the seventeen-
36 level payment system from the fiscal year 2009 levels for boarding
37 homes, boarding homes contracted as assisted living, and adult family
38 homes. Excluded from the reductions are exceptional care rate add-ons.

1 The long-term care program may develop add-ons to pay exceptional care
2 rates to adult family homes and boarding homes with specialty contracts
3 to provide support for the following specifically eligible clients:

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

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

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

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

14 ~~((n))~~ (j) The amounts appropriated in this subsection reflect a
15 reduction in funds available for employment and day services. In
16 administering this reduction the department shall negotiate with
17 counties and their vendors so that this reduction, to the greatest
18 extent possible, is achieved by reducing vendor rates and allowable
19 contract administrative charges (overhead) and not through reductions
20 to direct client services or direct service delivery or programs.

21 ~~((o) Within the amounts allotted for employment and day services
22 in this section, the department shall prioritize the funding of
23 employment services for students graduating from high school during
24 fiscal years 2010 and 2011. However, nothing in this subsection is
25 intended to displace services for other recipients of employment
26 services.~~

27 ~~(p))~~ (k) As part of the needs assessment instrument, the
28 department may collect data on family income for minor children with
29 developmental disabilities and all individuals who are receiving state-
30 only funded services. The department may ensure that this information
31 is collected as part of the client assessment process.

32 (l) In accordance with RCW 43.70.250 and 43.135.055, the department
33 is authorized to raise the following fee charged for its fee-supported
34 programs, if necessary, to meet but not exceed the actual costs of
35 conducting business and the appropriation levels in this section:
36 Licensed boarding home annual per bed fee.

37 (m) The amount of the adult family home license fee for fiscal year
38 2011 is \$1,213.

1	(2) INSTITUTIONAL SERVICES	
2	General Fund--State Appropriation (FY 2010)	((\$61,612,000))
3		<u>\$61,264,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$74,185,000))
5		<u>\$72,358,000</u>
6	General Fund--Federal Appropriation	((\$202,160,000))
7		<u>\$195,923,000</u>
8	General Fund--Private/Local Appropriation	\$22,441,000
9	TOTAL APPROPRIATION	((\$360,398,000))
10		<u>\$351,986,000</u>

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

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

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

21 (c) \$721,000 of the general fund--state appropriation for fiscal
22 year 2010 and \$721,000 of the general fund--state appropriation for
23 fiscal year 2011 are provided solely for the department to fulfill its
24 contracts with the school districts under chapter 28A.190 RCW to
25 provide transportation, building space, and other support services as
26 are reasonably necessary to support the educational programs of
27 students living in residential habilitation centers.

28 (d) In addition to other reductions, the appropriations in this
29 subsection reflect reductions targeted specifically to state government
30 administrative costs. These administrative reductions shall be
31 achieved, to the greatest extent possible, by reducing those
32 administrative costs that do not affect direct client services or
33 direct service delivery or programs.

34	(3) PROGRAM SUPPORT	
35	General Fund--State Appropriation (FY 2010)	((\$1,428,000))
36		<u>\$1,392,000</u>
37	General Fund--State Appropriation (FY 2011)	((\$1,388,000))

1		<u>\$1,360,000</u>
2	General Fund--Federal Appropriation	((\$1,372,000))
3		<u>\$1,315,000</u>
4	TOTAL APPROPRIATION	((\$4,188,000))
5		<u>\$4,067,000</u>

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

13 (4) SPECIAL PROJECTS

14	General Fund--State Appropriation (FY 2010)	\$15,000
15	General Fund--State Appropriation (FY 2011)	\$15,000
16	General Fund--Federal Appropriation	((\$21,066,000))
17		<u>\$21,078,000</u>
18	TOTAL APPROPRIATION	((\$21,096,000))
19		<u>\$21,108,000</u>

20 The appropriations in this subsection are subject to the following
21 conditions and limitations: The appropriations in this subsection are
22 available solely for the infant toddler early intervention program.

23 **Sec. 206.** 2009 c 564 s 206 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
26 **SERVICES PROGRAM**

27	General Fund--State Appropriation (FY 2010)	((\$585,667,000))
28		<u>\$592,476,000</u>
29	General Fund--State Appropriation (FY 2011)	((\$698,622,000))
30		<u>\$705,371,000</u>
31	General Fund--Federal Appropriation	((\$1,814,099,000))
32		<u>\$1,793,258,000</u>
33	General Fund--Private/Local Appropriation	((\$20,373,000))
34		<u>\$20,894,000</u>
35	Traumatic Brain Injury Account--State Appropriation	((\$1,816,000))
36		<u>\$3,816,000</u>

1 TOTAL APPROPRIATION ((~~\$3,120,577,000~~))
2 \$3,115,815,000

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

5 (1) For purposes of implementing chapter 74.46 RCW, the weighted
6 average nursing facility payment rate shall not exceed \$156.37 for
7 fiscal year 2010 and shall not exceed \$158.74 for fiscal year 2011,
8 including the rate add-on described in subsection (12) of this section.
9 There will be no adjustments for economic trends and conditions in
10 fiscal years 2010 and 2011. The economic trends and conditions factor
11 or factors defined in the biennial appropriations act shall not be
12 compounded with the economic trends and conditions factor or factors
13 defined in any other biennial appropriations acts before applying it to
14 the component rate allocations established in accordance with chapter
15 74.46 RCW. When no economic trends and conditions factor for either
16 fiscal year is defined in a biennial appropriations act, no economic
17 trends and conditions factor or factors defined in any earlier biennial
18 appropriations act shall be applied solely or compounded to the
19 component rate allocations established in accordance with chapter 74.46
20 RCW.

21 (2) In accordance with chapter 74.46 RCW, the department shall
22 issue no additional certificates of capital authorization for fiscal
23 year 2010 and no new certificates of capital authorization for fiscal
24 year 2011.

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

31 (4) Within the appropriations of this section, the department shall
32 reduce all seventeen payment levels of the seventeen-level payment
33 system from the fiscal year 2009 levels for boarding homes, boarding
34 homes contracted as assisted living, and adult family homes. Excluded
35 from the reductions are exceptional care rate add-ons. The long-term
36 care program may develop add-ons to pay exceptional care rates to adult
37 family homes and boarding homes with specialty contracts to provide
38 support for the following specifically eligible clients:

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

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

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

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

11 (5) Amounts appropriated in this section reflect a reduction to
12 funds appropriated for in-home care. The department shall reduce the
13 number of in-home hours authorized. The reduction shall be scaled
14 based on the acuity level of care recipients. The largest hour
15 reductions shall be to lower acuity patients and the smallest hour
16 reductions shall be to higher acuity patients. In doing so, the
17 department shall comply with all maintenance of effort requirements
18 contained in the American reinvestment and recovery act.

19 (6) \$536,000 of the general fund--state appropriation for fiscal
20 year 2010, \$1,477,000 of the general fund--state appropriation for
21 fiscal year 2011, and \$2,830,000 of the general fund--federal
22 appropriation are provided solely for health care benefits pursuant to
23 a collective bargaining agreement negotiated with the exclusive
24 bargaining representative of individual providers established under RCW
25 74.39A.270.

26 ~~(7) ((a) \$1,212,000 of the general fund--state appropriation for~~
27 ~~fiscal year 2010, \$2,934,000 of the general fund--state appropriation~~
28 ~~for fiscal year 2011, and \$2,982,000 of the general fund--federal~~
29 ~~appropriation are provided solely for the state's contribution to the~~
30 ~~training partnership, as provided in RCW 74.39A.360, pursuant to a~~
31 ~~collective bargaining agreement negotiated with the exclusive~~
32 ~~bargaining representative of individual providers established under RCW~~
33 ~~74.39A.270.~~

34 ~~(b) \$330,000 of the general fund--state appropriation for fiscal~~
35 ~~year 2010, \$660,000 of the general fund--state appropriation for fiscal~~
36 ~~year 2011, and \$810,000 of the general fund--federal appropriation are~~
37 ~~provided solely for transfer from the department to the training~~
38 ~~partnership, as provided in RCW 74.39A.360, for infrastructure and~~

1 ~~instructional costs associated with training of individual providers,~~
2 ~~pursuant to a collective bargaining agreement negotiated with the~~
3 ~~exclusive bargaining representative of individual providers established~~
4 ~~under RCW 74.39A.270.~~

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

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

12 ~~(8))~~ Within the amounts appropriated in this section, the
13 department may expand the new freedom waiver program to accommodate new
14 waiver recipients throughout the state. As possible, and in compliance
15 with current state and federal laws, the department shall allow current
16 waiver recipients to transfer to the new freedom waiver.

17 ~~((9))~~ (8) Individuals receiving services as supplemental security
18 income (SSI) state supplemental payments shall not become eligible for
19 medical assistance under RCW 74.09.510 due solely to the receipt of SSI
20 state supplemental payments.

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

23 ~~(11))~~ (9) \$3,955,000 of the general fund--state appropriation for
24 fiscal year 2010, \$4,239,000 of the general fund--state appropriation
25 for fiscal year 2011, and \$10,190,000 of the general fund--federal
26 appropriation are provided solely for the continued operation of
27 community residential and support services for persons who are older
28 adults or who have co-occurring medical and behavioral disorders and
29 who have been discharged or diverted from a state psychiatric hospital.
30 These funds shall be used to serve individuals whose treatment needs
31 constitute substantial barriers to community placement, who no longer
32 require active psychiatric treatment at an inpatient hospital level of
33 care, and who no longer meet the criteria for inpatient involuntary
34 commitment. Coordination of these services will be done in partnership
35 between the mental health program and the aging and disability services
36 administration.

37 ~~((12))~~ (10) Within the funds provided, the department shall
38 continue to provide an add-on per medicaid resident day per facility

1 not to exceed \$1.57. The add-on shall be used to increase wages,
2 benefits, and/or staffing levels for certified nurse aides; or to
3 increase wages and/or benefits for dietary aides, housekeepers, laundry
4 aides, or any other category of worker whose statewide average dollars-
5 per-hour wage was less than \$15 in calendar year 2008, according to
6 cost report data. The add-on may also be used to address resulting
7 wage compression for related job classes immediately affected by wage
8 increases to low-wage workers. The department shall continue reporting
9 requirements and a settlement process to ensure that the funds are
10 spent according to this subsection. The department shall adopt rules
11 to implement the terms of this subsection.

12 ~~((+13))~~ (11) \$1,840,000 of the general fund--state appropriation
13 for fiscal year 2010 ~~((and \$1,877,000 of the general fund--state~~
14 ~~appropriation for fiscal year 2011))~~ are provided solely for operation
15 of the volunteer chore services program.

16 ~~((+14))~~ (12) In accordance with chapter 74.39 RCW, the department
17 may implement two medicaid waiver programs for persons who do not
18 qualify for such services as categorically needy, subject to federal
19 approval and the following conditions and limitations:

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

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

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

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

33 ~~((+15))~~ (13) The department shall establish waiting lists to the
34 extent necessary to assure that annual expenditures on the community
35 options program entry systems (COPES) program do not exceed
36 appropriated levels. In establishing and managing any such waiting
37 list, the department shall assure priority access to persons with the
38 greatest unmet needs, as determined by department assessment processes.

1 ~~((+16+))~~ (14) The department shall contract for housing with
2 service models, such as cluster care, to create efficiencies in service
3 delivery and responsiveness to unscheduled personal care needs by
4 clustering hours for clients that live in close proximity to each
5 other.

6 ~~((+17+))~~ (15) The department shall not pay a home care agency
7 licensed under chapter 70.127 RCW for personal care services provided
8 by a family member, pursuant to Substitute House Bill No. 2361
9 (modifying state payments for in-home care).

10 ~~((+18+))~~ (16) \$204,000 of the general fund--state appropriation for
11 fiscal year 2010, \$1,099,000 of the general fund--state appropriation
12 for fiscal year 2011, and \$1,697,000 of the general fund--federal
13 appropriation are provided solely to implement Engrossed House Bill No.
14 2194 (extraordinary medical placement for offenders). The department
15 shall work in partnership with the department of corrections to
16 identify services and find placements for offenders who are released
17 through the extraordinary medical placement program. The department
18 shall collaborate with the department of corrections to identify and
19 track cost savings to the department of corrections, including medical
20 cost savings and to identify and track expenditures incurred by the
21 aging and disability services program for community services and by the
22 medical assistance program for medical expenses. A joint report
23 regarding the identified savings and expenditures shall be provided to
24 the office of financial management and the appropriate fiscal
25 committees of the legislature by November 30, 2010. ~~((If this bill is
26 not enacted by June 30, 2009, the amounts provided in this subsection
27 shall lapse.~~

28 ~~(19) Sufficient funding is provided in this section for the
29 department to implement Engrossed Second Substitute House Bill No. 1935
30 (adult family homes). During the 2009-11 biennium, the initial
31 licensing fee for an adult family home shall be set at \$900.00. During
32 the 2009-11 biennium, the annual licensing renewal fee shall be set at
33 \$100.00.))~~

34 (17) In accordance with RCW 43.70.250 and 43.135.055, the
35 department is authorized to raise the following fees charged for its
36 fee-supported programs, if necessary, to meet but not exceed the actual
37 costs of conducting business and the appropriation levels in this

1 section: Nursing home licensing fee and licensed boarding home annual
2 per bed fee.

3 (18) The amount of the adult family home license fee for fiscal
4 year 2011 is \$1,213.

5 **Sec. 207.** 2009 c 564 s 207 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**
8 **PROGRAM**

9	General Fund--State Appropriation (FY 2010)	((\$557,621,000))
10		<u>\$567,434,000</u>
11	General Fund--State Appropriation (FY 2011)	((\$588,286,000))
12		<u>\$497,141,000</u>
13	General Fund--Federal Appropriation	((\$1,140,367,000))
14		<u>\$1,162,509,000</u>
15	General Fund--Private/Local Appropriation	((\$27,920,000))
16		<u>\$28,325,000</u>
17	Administrative Contingency Account--State	
18	Appropriation	((\$29,136,000))
19		<u>\$24,336,000</u>
20	<u>Prostitution Prevention and Intervention Account--</u>	
21	<u>State Appropriation</u>	<u>\$125,000</u>
22	TOTAL APPROPRIATION	((\$2,343,330,000))
23		<u>\$2,279,870,000</u>

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

26 (1) ((~~\$303,196,000~~)) \$303,393,000 of the general fund--state
27 appropriation for fiscal year 2010, ((~~\$309,755,000~~)) \$243,563,000 of
28 the general fund--state appropriation for fiscal year 2011,
29 ((~~\$29,136,000~~)) \$24,336,000 of the administrative contingency account--
30 state appropriation, and \$778,606,000 of the general fund--federal
31 appropriation are provided solely for all components of the WorkFirst
32 program. The department shall use moneys from the administrative
33 contingency account for WorkFirst job placement services provided by
34 the employment security department. Within the amounts provided for
35 the WorkFirst program, the department may provide assistance using
36 state-only funds for families eligible for temporary assistance for

1 needy families. In addition, within the amounts provided for WorkFirst
2 the department shall:

3 (a) Establish a career services work transition program;

4 (b) Continue to implement WorkFirst program improvements that are
5 designed to achieve progress against outcome measures specified in RCW
6 74.08A.410. Outcome data regarding job retention and wage progression
7 shall be reported quarterly to appropriate fiscal and policy committees
8 of the legislature for families who leave assistance, measured after 12
9 months, 24 months, and 36 months. The department shall also report the
10 percentage of families who have returned to temporary assistance for
11 needy families after 12 months, 24 months, and 36 months;

12 (c) Submit a report electronically by October 1, 2009, to the
13 fiscal committees of the legislature containing a spending plan for the
14 WorkFirst program. The plan shall identify how spending levels in the
15 2009-2011 biennium will be adjusted to stay within available federal
16 grant levels and the appropriated state-fund levels;

17 (d) Provide quarterly fiscal reports to the office of financial
18 management and the legislative fiscal committees detailing information
19 on the amount expended from general fund--state and general fund--
20 federal by activity;

21 (e) Maintain the fiscal year 2009 grant standard for the temporary
22 assistance for needy families grant.

23 (2) The department and the office of financial management shall
24 electronically report quarterly the expenditures, (~~maintenance of~~
25 ~~effort allotments,~~) expenditure amounts, and caseloads for the
26 WorkFirst program to the legislative fiscal committees.

27 (3) \$84,856,000 of the general fund--state appropriation for fiscal
28 year 2010 and (~~(\$95,173,000)~~) \$51,200,000 of the general fund--state
29 appropriation for fiscal year 2011 are provided solely for cash
30 assistance and other services to recipients in the general assistance--
31 unemployable program.

32 Within these amounts:

33 (a) The department shall aggressively pursue opportunities to
34 transfer general assistance unemployable clients to general assistance
35 expedited coverage and to facilitate client applications for federal
36 supplemental security income when the client's incapacities indicate
37 that he or she would be likely to meet the federal disability criteria

1 for supplemental security income. The department shall initiate and
2 file the federal supplemental security income interim agreement as
3 quickly as possible in order to maximize the recovery of federal funds;

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

9 (c) The department shall actively coordinate with local workforce
10 development councils to expedite access to worker retraining programs
11 for general assistance unemployable clients in those regions of the
12 state with the greatest number of such clients;

13 (d) By July 1, 2009, the department shall enter into an interagency
14 agreement with the department of veterans' affairs to establish a
15 process for referral of veterans who may be eligible for veteran's
16 services. This agreement must include outstationing department of
17 veterans' affairs staff in selected community service office locations
18 in King and Pierce counties to facilitate applications for veterans'
19 services; and

20 (e) In addition to any earlier evaluation that may have been
21 conducted, the department shall intensively evaluate those clients who
22 have been receiving general assistance unemployable benefits for twelve
23 months or more as of July 1, 2009, or thereafter, if the available
24 medical and incapacity related evidence indicates that the client is
25 unlikely to meet the disability standard for federal supplemental
26 security income benefits. The evaluation shall identify services
27 necessary to eliminate or minimize barriers to employment, including
28 mental health treatment, substance abuse treatment and vocational
29 rehabilitation services. The department shall expedite referrals to
30 chemical dependency treatment, mental health and vocational
31 rehabilitation services for these clients.

32 (f) The appropriations in this subsection reflect a change in the
33 earned income disregard policy for general assistance unemployable
34 clients. It is the intent of the legislature that the department shall
35 adopt the temporary assistance for needy families earned income policy
36 for general assistance unemployable.

37 ((+5+)) (4) \$750,000 of the general fund--state appropriation for

1 fiscal year 2010 and \$750,000 of the general fund--state appropriation
2 for fiscal year 2011 are provided solely for naturalization services.

3 ((+6)) (5)(a) \$3,550,000 of the general fund--state appropriation
4 for fiscal year 2010 is provided solely for refugee employment
5 services, of which \$2,650,000 is provided solely for the department to
6 pass through to statewide refugee assistance organizations for limited
7 English proficiency pathway services; and \$3,550,000 of the general
8 fund--state appropriation for fiscal year 2011 is provided solely for
9 refugee employment services, of which \$2,650,000 is provided solely for
10 the department to pass through to statewide refugee assistance
11 organizations for limited English proficiency pathway services.

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

16 ((+7)) (6) The appropriations in this section reflect reductions
17 in the appropriations for the economic services administration's
18 administrative expenses. It is the intent of the legislature that
19 these reductions shall be achieved, to the greatest extent possible, by
20 reducing those administrative costs that do not affect direct client
21 services or direct service delivery or program.

22 **Sec. 208.** 2009 c 564 s 208 (uncodified) is amended to read as
23 follows:

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

26	General Fund--State Appropriation (FY 2010)	((\$82,117,000))
27		<u>\$81,941,000</u>
28	General Fund--State Appropriation (FY 2011)	((\$84,772,000))
29		<u>\$76,199,000</u>
30	General Fund--Federal Appropriation	((\$145,671,000))
31		<u>\$147,238,000</u>
32	General Fund--Private/Local Appropriation	\$2,719,000
33	Criminal Justice Treatment Account--State	
34	Appropriation	((\$17,747,000))
35		<u>\$17,748,000</u>
36	Problem Gambling Account--State Appropriation	((\$1,459,000))
37		<u>\$1,460,000</u>

1 TOTAL APPROPRIATION ((~~\$334,485,000~~))
2 \$327,305,000

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

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

10 ~~(2) ((Within the amounts appropriated in this section, the~~
11 ~~department shall continue to provide for chemical dependency treatment~~
12 ~~services for adult medicaid eligible and general assistance~~
13 ~~unemployable patients.~~

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

20 **Sec. 209.** 2009 c 564 s 209 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**
23 **PROGRAM**

24 General Fund--State Appropriation (FY 2010) ((~~\$1,597,387,000~~))
25 \$1,787,717,000

26 General Fund--State Appropriation (FY 2011) ((~~\$1,984,797,000~~))
27 \$2,113,589,000

28 General Fund--Federal Appropriation ((~~\$5,210,672,000~~))
29 \$5,630,833,000

30 General Fund--Private/Local Appropriation ((~~\$12,903,000~~))
31 \$36,263,000

32 Emergency Medical Services and Trauma Care Systems
33 Trust Account--State Appropriation \$15,076,000

34 Tobacco Prevention and Control Account--
35 State Appropriation ((~~\$3,766,000~~))
36 \$4,643,000

37 Hospital Safety Net Assessment Fund--State

1	<u>Appropriation</u>	<u>\$265,067,000</u>
2	TOTAL APPROPRIATION	((\$8,824,601,000))
3		<u>\$9,853,188,000</u>

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

6 (1) Based on quarterly expenditure reports and caseload forecasts,
7 if the department estimates that expenditures for the medical
8 assistance program will exceed the appropriations, the department shall
9 take steps including but not limited to reduction of rates or
10 elimination of optional services to reduce expenditures so that total
11 program costs do not exceed the annual appropriation authority.

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

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

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

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

1 settlements shall be at the department's discretion. During either the
2 interim cost settlement or the final cost settlement, the department
3 shall recoup from the public hospital districts the supplemental
4 payments that exceed the medicaid cost limit and/or the medicare upper
5 payment limit. The department shall apply federal rules for
6 identifying the eligible incurred medicaid costs and the medicare upper
7 payment limit.

8 (6) (~~(\$1,110,000)~~) \$1,108,000 of the general fund--federal
9 appropriation and (~~(\$1,105,000)~~) \$1,108,000 of the general fund--state
10 appropriation for fiscal year 2011 are provided solely for grants to
11 rural hospitals. The department shall distribute the funds under a
12 formula that provides a relatively larger share of the available
13 funding to hospitals that (a) serve a disproportionate share of low-
14 income and medically indigent patients, and (b) have relatively smaller
15 net financial margins, to the extent allowed by the federal medicaid
16 program.

17 (7) (~~(\$9,818,000)~~) \$9,842,000 of the general fund--state
18 appropriation for fiscal year 2011, and (~~(\$9,865,000)~~) \$9,842,000 of
19 the general fund--federal appropriation are provided solely for grants
20 to nonrural hospitals. The department shall distribute the funds under
21 a formula that provides a relatively larger share of the available
22 funding to hospitals that (a) serve a disproportionate share of low-
23 income and medically indigent patients, and (b) have relatively smaller
24 net financial margins, to the extent allowed by the federal medicaid
25 program.

26 (8) The department shall continue the inpatient hospital certified
27 public expenditures program for the 2009-11 biennium. The program
28 shall apply to all public hospitals, including those owned or operated
29 by the state, except those classified as critical access hospitals or
30 state psychiatric institutions. The department shall submit reports to
31 the governor and legislature by November 1, 2009, and by November 1,
32 2010, that evaluate whether savings continue to exceed costs for this
33 program. If the certified public expenditures (CPE) program in its
34 current form is no longer cost-effective to maintain, the department
35 shall submit a report to the governor and legislature detailing
36 cost-effective alternative uses of local, state, and federal resources
37 as a replacement for this program. During fiscal year 2010 and fiscal
38 year 2011, hospitals in the program shall be paid and shall retain one

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

1 appropriated in this section for the remaining state grants for the
2 participating hospitals.

3 (9) The department is authorized to use funds appropriated in this
4 section to purchase goods and supplies through direct contracting with
5 vendors when the department determines it is cost-effective to do so.

6 ~~((+12+))~~ (10) \$93,000 of the general fund--state appropriation for
7 fiscal year 2010 and \$93,000 of the general fund--federal appropriation
8 are provided solely for the department to pursue a federal Medicaid
9 waiver pursuant to Second Substitute Senate Bill No. 5945 (Washington
10 health partnership plan). If the bill is not enacted by June 30, 2009,
11 the amounts provided in this subsection shall lapse.

12 ~~((+13+))~~ (11) The department shall require managed health care
13 systems that have contracts with the department to serve medical
14 assistance clients to limit any reimbursements or payments the systems
15 make to providers not employed by or under contract with the systems to
16 no more than the medical assistance rates paid by the department to
17 providers for comparable services rendered to clients in the fee-for-
18 service delivery system.

19 ~~((+16) A maximum of \$166,875,000 of the general fund--state
20 appropriation and \$38,389,000 of the general fund--federal
21 appropriation may be expended in the fiscal biennium for the general
22 assistance-unemployable medical program, and these amounts are provided
23 solely for this program. Of these amounts, \$10,749,000 of the general
24 fund--state appropriation for fiscal year 2010 and \$10,892,000 of the
25 general fund--federal appropriation are provided solely for payments to
26 hospitals for providing outpatient services to low income patients who
27 are recipients of general assistance-unemployable. Pursuant to RCW
28 74.09.035, the department shall not expend for the general assistance
29 medical care services program any amounts in excess of the amounts
30 provided in this subsection.~~

31 ~~(17) If the department determines that it is feasible within the
32 amounts provided in subsection (16) of this section, and without the
33 loss of federal disproportionate share hospital funds, the department
34 shall contract with the carrier currently operating a managed care
35 pilot project for the provision of medical care services to general
36 assistance-unemployable clients. Mental health services shall be
37 included in the services provided through the managed care system. If
38 the department determines that it is feasible, effective October 1,~~

1 ~~2009, in addition to serving clients in the pilot counties, the carrier~~
2 ~~shall expand managed care services to clients residing in at least the~~
3 ~~following counties: Spokane, Yakima, Chelan, Kitsap, and Cowlitz. If~~
4 ~~the department determines that it is feasible, the carrier shall~~
5 ~~complete implementation into the remaining counties. Total per person~~
6 ~~costs to the state, including outpatient and inpatient services and any~~
7 ~~additional costs due to stop loss agreements, shall not exceed the per~~
8 ~~capita payments projected for the general assistance unemployable~~
9 ~~eligibility category, by fiscal year, in the February 2009 medical~~
10 ~~assistance expenditures forecast. The department, in collaboration~~
11 ~~with the carrier, shall seek to improve the transition rate of general~~
12 ~~assistance clients to the federal supplemental security income program.~~

13 ~~(18) The department shall evaluate the impact of the use of a~~
14 ~~managed care delivery and financing system on state costs and outcomes~~
15 ~~for general assistance medical clients. Outcomes measured shall~~
16 ~~include state costs, utilization, changes in mental health status and~~
17 ~~symptoms, and involvement in the criminal justice system.~~

18 ~~(19))~~ (12) The department shall report to the governor and the
19 fiscal committees of the legislature by June 1, 2010, on its progress
20 toward achieving a twenty percentage point increase in the generic
21 prescription drug utilization rate.

22 ~~((+20))~~ (13) State funds shall not be used by hospitals for
23 advertising purposes.

24 ~~((+21))~~ (14) The department shall seek a medicaid state plan
25 amendment to create a professional services supplemental payment
26 program for University of Washington medicine professional providers no
27 later than July 1, 2009. The department shall apply federal rules for
28 identifying the shortfall between current fee-for-service medicaid
29 payments to participating providers and the applicable federal upper
30 payment limit. Participating providers shall be solely responsible for
31 providing the local funds required to obtain federal matching funds.
32 Any incremental costs incurred by the department in the development,
33 implementation, and maintenance of this program will be the
34 responsibility of the participating providers. Participating providers
35 will retain the full amount of supplemental payments provided under
36 this program, net of any potential costs for any related audits or
37 litigation brought against the state. The department shall report to
38 the governor and the legislative fiscal committees on the prospects for

1 expansion of the program to other qualifying providers as soon as
2 feasibility is determined but no later than December 31, 2009. The
3 report will outline estimated impacts on the participating providers,
4 the procedures necessary to comply with federal guidelines, and the
5 administrative resource requirements necessary to implement the
6 program. The department will create a process for expansion of the
7 program to other qualifying providers as soon as it is determined
8 feasible by both the department and providers but no later than June
9 30, 2010.

10 ~~((+22))~~ ~~(\$9,350,000))~~ (15) \$8,245,000 of the general fund--state
11 appropriation for fiscal year 2010, ~~((+\$8,313,000))~~ \$6,979,000 of the
12 general fund--state appropriation for fiscal year 2011, and
13 ~~((+\$20,371,000))~~ \$36,765,000 of the general fund--federal appropriation
14 are provided solely for development and implementation of a replacement
15 system for the existing medicaid management information system. The
16 amounts provided in this subsection are conditioned on the department
17 satisfying the requirements of section 902 of this act.

18 ~~((+23))~~ (16) \$506,000 of the general fund--state appropriation for
19 fiscal year 2011 and \$657,000 of the general fund--federal
20 appropriation are provided solely for the implementation of Second
21 Substitute House Bill No. 1373 (children's mental health). ~~((If the
22 bill is not enacted by June 30, 2009, the amounts provided in this
23 subsection shall lapse.~~

24 ~~(+24))~~ (17) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the department
25 shall pursue insurance claims on behalf of medicaid children served
26 through its in-home medically intensive child program under WAC 388-
27 551-3000. The department shall report to the Legislature by December
28 31, 2009, on the results of its efforts to recover such claims.

29 ~~((+25))~~ (18) The department may, on a case-by-case basis and in
30 the best interests of the child, set payment rates for medically
31 intensive home care services to promote access to home care as an
32 alternative to hospitalization. Expenditures related to these
33 increased payments shall not exceed the amount the department would
34 otherwise pay for hospitalization for the child receiving medically
35 intensive home care services.

36 ~~((+26))~~ (19) \$425,000 of the general fund--state appropriation for
37 fiscal year 2010, \$425,000 of the general fund--state appropriation for
38 fiscal year 2011, and \$1,580,000 of the general fund--federal

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

12 ~~((+27))~~ (20) The department, in conjunction with the office of
13 financial management, shall reduce outpatient and inpatient hospital
14 rates and implement a prorated inpatient payment policy. In
15 determining the level of reductions needed, the department shall
16 include in its calculations services paid under fee-for-service,
17 managed care, and certified public expenditure payment methods; but
18 reductions shall not apply to payments for psychiatric inpatient
19 services or payments to critical access hospitals.

20 ~~((+28))~~ (21) The department will pursue a competitive procurement
21 process for antihemophilic products, emphasizing evidence-based
22 medicine and protection of patient access without significant
23 disruption in treatment.

24 ~~((+29))~~ (22) The department will pursue several strategies towards
25 reducing pharmacy expenditures including but not limited to increasing
26 generic prescription drug utilization by 20 percentage points and
27 promoting increased utilization of the existing mail-order pharmacy
28 program.

29 ~~((+30))~~ (23) The department shall reduce reimbursement for over-
30 the-counter medications while maintaining reimbursement for those over-
31 the-counter medications that can replace more costly prescription
32 medications.

33 ~~((+31))~~ (24) The department shall seek public-private partnerships
34 and federal funds that are or may become available to implement health
35 information technology projects under the federal American recovery and
36 reinvestment act of 2009.

37 ~~((+32))~~ ~~The department shall target funding for maternity support~~
38 ~~services towards pregnant women with factors that lead to higher rates~~

1 of poor birth outcomes, including hypertension, a preterm or low birth
2 weight birth in the most recent previous birth, a cognitive deficit or
3 developmental disability, substance abuse, severe mental illness,
4 unhealthy weight or failure to gain weight, tobacco use, or African
5 American or Native American race.

6 ~~(34))~~ (25) \$79,000 of the general fund--state appropriation for
7 fiscal year 2010 and \$53,000 of the general fund--federal appropriation
8 are provided solely to implement Substitute House Bill No. 1845
9 (medical support obligations).

10 ~~((35))~~ (26) \$63,000 of the general fund--state appropriation for
11 fiscal year 2010, \$583,000 of the general fund--state appropriation for
12 fiscal year 2011, and \$864,000 of the general fund--federal
13 appropriation are provided solely to implement Engrossed House Bill No.
14 2194 (extraordinary medical placement for offenders). The department
15 shall work in partnership with the department of corrections to
16 identify services and find placements for offenders who are released
17 through the extraordinary medical placement program. The department
18 shall collaborate with the department of corrections to identify and
19 track cost savings to the department of corrections, including medical
20 cost savings, and to identify and track expenditures incurred by the
21 aging and disability services program for community services and by the
22 medical assistance program for medical expenses. A joint report
23 regarding the identified savings and expenditures shall be provided to
24 the office of financial management and the appropriate fiscal
25 committees of the legislature by November 30, 2010. ~~((If this bill is
26 not enacted by June 30, 2009, the amounts provided in this subsection
27 shall lapse.~~

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

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

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

3	General Fund--State Appropriation (FY 2010)	((<u>\$34,549,000</u>))
4		<u>\$33,094,000</u>
5	General Fund--State Appropriation (FY 2011)	((<u>\$34,843,000</u>))
6		<u>\$26,377,000</u>
7	General Fund--Federal Appropriation	((<u>\$55,407,000</u>))
8		<u>\$51,221,000</u>
9	General Fund--Private/Local Appropriation	((<u>\$1,526,000</u>))
10		<u>\$1,121,000</u>
11	<u>Institutional Impact Account--State Appropriation</u>	<u>\$22,000</u>
12	TOTAL APPROPRIATION	((<u>\$126,325,000</u>))
13		<u>\$111,835,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations: In addition to other reductions, the
16 appropriations in this section reflect reductions targeted specifically
17 to state government administrative costs. These administrative
18 reductions shall be achieved, to the greatest extent possible, by
19 reducing those administrative costs that do not affect direct client
20 services or direct service delivery or programs.

21 ~~((1) \$150,000 of the general fund state appropriation for fiscal~~
22 ~~year 2010 and \$150,000 of the general fund state appropriation for~~
23 ~~fiscal year 2011 are provided solely for the Washington state mentors~~
24 ~~program to continue its public-private partnerships to provide~~
25 ~~technical assistance and training to mentoring programs that serve at-~~
26 ~~risk youth.~~

27 ~~(2) \$445,000 of the general fund state appropriation for fiscal~~
28 ~~year 2010 and \$445,000 of the general fund state appropriation for~~
29 ~~fiscal year 2011 are provided solely for funding of the teamchild~~
30 ~~project through the governor's juvenile justice advisory committee.~~

31 ~~(3) \$178,000 of the general fund state appropriation for fiscal~~
32 ~~year 2010 and \$178,000 of the general fund state appropriation for~~
33 ~~fiscal year 2011 are provided solely for the juvenile detention~~
34 ~~alternatives initiative.~~

35 ~~(4) Amounts appropriated in this section reflect a reduction to the~~
36 ~~family policy council. The family policy council shall reevaluate~~
37 ~~staffing levels and administrative costs to ensure to the extent~~

1 possible a maximum ratio of grant moneys provided and administrative
2 costs.

3 ~~(5) Amounts appropriated in this section reflect a reduction to the~~
4 ~~council on children and families. The council on children and families~~
5 ~~shall reevaluate staffing levels and administrative costs to ensure to~~
6 ~~the extent possible a maximum ratio of grant moneys provided and~~
7 ~~administrative costs.))~~

8 **Sec. 213.** 2009 c 564 s 213 (uncodified) is amended to read as
9 follows:

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

12	General Fund--State Appropriation (FY 2010)	((\$53,431,000))
13		<u>\$65,697,000</u>
14	General Fund--State Appropriation (FY 2011)	((\$53,472,000))
15		<u>\$65,173,000</u>
16	General Fund--Federal Appropriation	((\$49,494,000))
17		<u>\$60,135,000</u>
18	TOTAL APPROPRIATION	((\$156,397,000))
19		<u>\$191,005,000</u>

20 **Sec. 214.** 2009 c 564 s 214 (uncodified) is amended to read as
21 follows:

22 **FOR THE STATE HEALTH CARE AUTHORITY**

23	General Fund--State Appropriation (FY 2010)	((\$206,295,000))
24		<u>\$208,238,000</u>
25	General Fund--State Appropriation (FY 2011)	((\$182,138,000))
26		<u>\$170,441,000</u>
27	General Fund--Federal Appropriation	((\$6,302,000))
28		<u>\$8,856,000</u>
29	State Health Care Authority Administration Account--	
30	State Appropriation	((\$35,261,000))
31		<u>\$35,151,000</u>
32	Medical Aid Account--State Appropriation	((\$529,000))
33		<u>\$530,000</u>
34	TOTAL APPROPRIATION	((\$430,525,000))
35		<u>\$423,216,000</u>

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

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

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

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

36 (4) In order to maximize the funding appropriated for the basic
37 health plan, the health care authority is directed to make
38 modifications that will reduce the total number of subsidized enrollees

1 to approximately 65,000 by January 1, 2010. In addition to the reduced
2 enrollment, other modifications may include changes in enrollee premium
3 obligations, changes in benefits, enrollee cost-sharing, and
4 termination of the enrollment of individuals concurrently enrolled in
5 a medical assistance program as provided in Substitute House Bill No.
6 2341.

7 ~~(5) ((\$250,000 of the general fund--state appropriation for fiscal~~
8 ~~year 2010 and \$250,000 of the general fund--state appropriation for~~
9 ~~fiscal year 2011 are provided solely for the implementation of~~
10 ~~Substitute Senate Bill No. 5360 (community collaboratives). If the~~
11 ~~bill is not enacted by June 30, 2009, the amounts provided in this~~
12 ~~section shall lapse.~~

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

17 **Sec. 215.** 2009 c 564 s 215 (uncodified) is amended to read as
18 follows:

19 **FOR THE HUMAN RIGHTS COMMISSION**

20 General Fund--State Appropriation (FY 2010)	(((\$2,802,000))
	<u>\$2,638,000</u>
22 General Fund--State Appropriation (FY 2011)	(((\$2,814,000))
	<u>\$2,556,000</u>
24 General Fund--Federal Appropriation	(((\$1,299,000))
	<u>\$1,609,000</u>
26 TOTAL APPROPRIATION	(((\$6,915,000))
	<u>\$6,803,000</u>

28 **Sec. 216.** 2009 c 564 s 216 (uncodified) is amended to read as
29 follows:

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

31 Worker and Community Right-to-Know Account--	
32 State Appropriation	\$20,000
33 Accident Account--State Appropriation	(((\$18,453,000))
	<u>\$18,331,000</u>
35 Medical Aid Account--State Appropriation	(((\$18,453,000))
	<u>\$18,331,000</u>

1 TOTAL APPROPRIATION ((~~\$36,926,000~~))
2 \$36,682,000

3 **Sec. 217.** 2009 c 564 s 217 (uncodified) is amended to read as
4 follows:

5 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**
6 General Fund--State Appropriation (FY 2010) ((~~\$19,146,000~~))
7 \$17,986,000
8 General Fund--State Appropriation (FY 2011) ((~~\$19,176,000~~))
9 \$18,787,000
10 General Fund--Federal Appropriation \$228,000
11 General Fund--Private/Local Appropriation \$200,000
12 Death Investigations Account--State Appropriation \$148,000
13 Municipal Criminal Justice Assistance Account--
14 State Appropriation \$460,000
15 Washington Auto Theft Prevention Authority Account--
16 State Appropriation \$5,844,000
17 TOTAL APPROPRIATION ((~~\$44,974,000~~))
18 \$43,653,000

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

21 (1) ((~~\$1,874,000~~)) \$813,000 of the general fund--state
22 appropriation for fiscal year 2010 and ((~~\$1,922,000~~)) \$1,397,000 of the
23 general fund--state appropriation for fiscal year 2011 are provided
24 solely for ((~~10~~)) 4 additional basic law enforcement academies in
25 fiscal year 2010 and ((~~10~~)) 7 additional basic law enforcement
26 academies in fiscal year 2011.

27 (2) \$1,191,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$1,191,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the Washington association of
30 sheriffs and police chiefs to continue to develop, maintain, and
31 operate the jail booking and reporting system (JBRS) and the statewide
32 automated victim information and notification system (SAVIN).

33 (3) \$5,000,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$5,000,000 of the general fund--state appropriation for
35 fiscal year 2011, are provided to the Washington association of
36 sheriffs and police chiefs solely to verify the address and residency

1 of registered sex offenders and kidnapping offenders under RCW
2 9A.44.130. The Washington association of sheriffs and police chiefs
3 shall:

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

- 7 (i) For level I offenders, every twelve months;
- 8 (ii) For level II offenders, every six months; and
- 9 (iii) For level III offenders, every three months.

10 For the purposes of this subsection, unclassified offenders and
11 kidnapping offenders shall be considered at risk level I unless in the
12 opinion of the local jurisdiction a higher classification is in the
13 interest of public safety.

14 (b) Collect performance data from all participating jurisdictions
15 sufficient to evaluate the efficiency and effectiveness of the address
16 and residency verification program; and

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

21 The Washington association of sheriffs and police chiefs may retain up
22 to three percent of the amount provided in this subsection for the cost
23 of administration. Any funds not disbursed for address and residency
24 verification or retained for administration may be allocated to local
25 prosecutors for the prosecution costs associated with failing-to-
26 register offenses.

27 (4) \$30,000 of the general fund--state appropriation for fiscal
28 year 2010 is provided solely for the implementation of Second
29 Substitute House Bill No. 2078 (persons with developmental disabilities
30 in correctional facilities or jails). If the bill is not enacted by
31 June 30, 2009, the amount provided in this subsection shall lapse.

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

34 **Sec. 218.** 2009 c 564 s 218 (uncodified) is amended to read as
35 follows:

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

37 General Fund--State Appropriation (FY 2010) (~~(\$24,224,000)~~)

1		<u>\$24,837,000</u>
2	General Fund--State Appropriation (FY 2011)	((\$25,237,000))
3		<u>\$8,989,000</u>
4	((General Fund--Federal Appropriation	\$100,000))
5	General Fund--Federal Appropriation	((\$10,000,000))
6		<u>\$4,810,000</u>
7	<u>General Fund--Private/Local Appropriation</u>	<u>\$84,000</u>
8	Asbestos Account--State Appropriation	((\$924,000))
9		<u>\$922,000</u>
10	<u>Building Code Council Account--State Appropriation</u>	<u>\$593,000</u>
11	Electrical License Account--State Appropriation	((\$43,162,000))
12		<u>\$37,066,000</u>
13	Farm Labor Revolving Account--Private/Local Appropriation	\$28,000
14	Worker and Community Right-to-Know Account--	
15	State Appropriation	((\$1,979,000))
16		<u>\$1,984,000</u>
17	Public Works Administration Account--State	
18	Appropriation	((\$5,764,000))
19		<u>\$5,876,000</u>
20	Manufactured Home Installation Training Account--	
21	State Appropriation	((\$138,000))
22		<u>\$145,000</u>
23	Accident Account--State Appropriation	((\$248,281,000))
24		<u>\$250,680,000</u>
25	Accident Account--Federal Appropriation	\$13,622,000
26	Medical Aid Account--State Appropriation	((\$249,537,000))
27		<u>\$249,391,000</u>
28	Medical Aid Account--Federal Appropriation	\$3,186,000
29	Plumbing Certificate Account--State Appropriation	((\$1,693,000))
30		<u>\$1,706,000</u>
31	Pressure Systems Safety Account--State	
32	Appropriation	((\$3,775,000))
33		<u>\$4,155,000</u>
34	TOTAL APPROPRIATION	((\$631,650,000))
35		<u>\$608,074,000</u>

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

1 (1) Pursuant to RCW 43.135.055, the department is authorized to
2 increase fees related to factory assembled structures, contractor
3 registration, electricians, plumbers, asbestos removal, boilers,
4 elevators, and manufactured home installers. These increases are
5 necessary to support expenditures authorized in this section,
6 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
7 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

8 (2) \$424,000 of the accident account--state appropriation and
9 \$76,000 of the medical aid account--state appropriation are provided
10 solely for implementation of a community agricultural worker safety
11 grant at the department of agriculture. The department shall enter
12 into an interagency agreement with the department of agriculture to
13 implement the grant.

14 (3) \$4,850,000 of the medical aid account--state appropriation is
15 provided solely to continue the program of safety and health as
16 authorized by RCW 49.17.210 to be administered under rules adopted
17 pursuant to chapter 34.05 RCW, provided that projects funded involve
18 workplaces insured by the medical aid fund, and that priority is given
19 to projects fostering accident prevention through cooperation between
20 employers and employees or their representatives.

21 (4) \$150,000 of the medical aid account--state appropriation is
22 provided solely for the department to contract with one or more
23 independent experts to evaluate and recommend improvements to the
24 rating plan under chapter 51.18 RCW, including analyzing how risks are
25 pooled, the effect of including worker premium contributions in
26 adjustment calculations, incentives for accident and illness
27 prevention, return-to-work practices, and other sound risk-management
28 strategies that are consistent with recognized insurance principles.

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

35 (6) The appropriations in this section reflect reductions in the
36 appropriations for the department of labor and industries'
37 administrative expenses. It is the intent of the legislature that

1 these reductions shall be achieved, to the greatest extent possible, by
2 reducing administrative costs only.

3 (7) \$500,000 of the accident account--state appropriation is
4 provided solely for the department to contract with one or more
5 independent experts to oversee and assist the department's
6 implementation of improvements to the rating plan under chapter 51.18
7 RCW, in collaboration with the department and with the department's
8 work group of retrospective rating and workers' compensation
9 stakeholders. The independent experts will validate the impact of
10 recommended changes on retrospective rating participants and
11 nonparticipants, confirm implementation technology changes, and provide
12 other implementation assistance as determined by the department.

13 (8) \$194,000 of the accident account--state appropriation and
14 \$192,000 of the medical aid account--state appropriation are provided
15 solely for implementation of Senate Bill No. 5346 (health care
16 administrative procedures). If the bill is not enacted by June 30,
17 2009, the amounts provided in this subsection shall lapse.

18 (9) \$131,000 of the accident account--state appropriation and
19 \$128,000 of the medical aid account--state appropriation are provided
20 solely for implementation of Senate Bill No. 5613 (stop work orders).
21 If the bill is not enacted by June 30, 2009, the amounts provided in
22 this subsection shall lapse.

23 (10) \$68,000 of the accident account--state appropriation and
24 \$68,000 of the medical aid account--state appropriation are provided
25 solely for implementation of Senate Bill No. 5688 (registered domestic
26 partners). If the bill is not enacted by June 30, 2009, the amounts
27 provided in this subsection shall lapse.

28 (11) \$320,000 of the accident account--state appropriation and
29 \$147,000 of the medical aid account--state appropriation are provided
30 solely for implementation of Senate Bill No. 5873 (apprenticeship
31 utilization). If the bill is not enacted by June 30, 2009, the amounts
32 provided in this subsection shall lapse.

33 ~~((15) \$73,000 of the general fund--state appropriation for fiscal~~
34 ~~year 2010, \$66,000 of the general fund--state appropriation for fiscal~~
35 ~~year 2011, \$606,000)) (12) \$537,000 of the accident account--state~~
36 ~~appropriation, and ((\$600,000)) \$532,000 of the medical aid account--~~
37 ~~state appropriation are provided solely for the implementation of House~~

1 Bill No. 1555 (underground economy). If the bill is not enacted by
2 June 30, 2009, the amounts provided in this subsection shall lapse.

3 ~~((+16+))~~ (13) \$574,000 of the accident account--state appropriation
4 and \$579,000 of the medical account--state appropriation are provided
5 solely for the implementation of House Bill No. 1402 (industrial
6 insurance appeals). If the bill is not enacted by June 30, 2009, the
7 amounts provided in this subsection shall lapse.

8 **Sec. 219.** 2009 c 564 s 219 (uncodified) is amended to read as
9 follows:

10 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**

11	General Fund--State Appropriation (FY 2010)	(((\$1,913,000))
12		<u>\$1,882,000</u>
13	((General Fund--State Appropriation (FY 2011)	\$1,917,000
14	TOTAL APPROPRIATION	(\$3,830,000))

15 The appropriation in this section is subject to the following
16 conditions and limitations: Beginning July 1, 2010, the functions of
17 the indeterminate sentence review board are transferred to the
18 department of corrections. Funding for these activities for fiscal
19 year 2011 is appropriated to the department of corrections.

20 **Sec. 220.** 2009 c 564 s 220 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

23 (1) HEADQUARTERS

24	General Fund--State Appropriation (FY 2010)	\$1,913,000
25	General Fund--State Appropriation (FY 2011)	(((\$1,899,000))
26		<u>\$1,915,000</u>
27	Charitable, Educational, Penal, and Reformatory	
28	Institutions Account--State Appropriation	\$10,000
29	TOTAL APPROPRIATION	(((\$3,822,000))
30		<u>\$3,838,000</u>

31 The appropriations in this subsection are subject to the following
32 conditions and limitations: In addition to other reductions, the
33 appropriations in this section reflect reductions targeted specifically
34 to state government administrative costs. These administrative
35 reductions shall be achieved, to the greatest extent possible, by

1 reducing those administrative costs that do not affect direct client
2 services or direct service delivery or programs.

3 (2) FIELD SERVICES

4	General Fund--State Appropriation (FY 2010)	\$4,885,000
5	General Fund--State Appropriation (FY 2011)	(\$4,943,000)
6		<u>\$4,969,000</u>
7	General Fund--Federal Appropriation	(\$1,842,000)
8		<u>\$2,385,000</u>
9	General Fund--Private/Local Appropriation	(\$3,491,000)
10		<u>\$4,512,000</u>
11	Veterans Innovations Program Account--State	
12	Appropriation	(\$648,000)
13		<u>\$649,000</u>
14	Veteran Estate Management Account--Private/Local	
15	Appropriation	(\$1,069,000)
16		<u>\$1,074,000</u>
17	TOTAL APPROPRIATION	(\$16,878,000)
18		<u>\$18,474,000</u>

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

21 (a) The department shall collaborate with the department of social
22 and health services to identify and assist eligible general assistance
23 unemployable clients to access the federal department of veterans
24 affairs benefits.

25 (b) \$648,000 of the veterans innovations program account--state
26 appropriation is provided solely for the department to continue support
27 for returning combat veterans through the veterans innovation program,
28 including emergency financial assistance through the defenders' fund
29 and long-term financial assistance through the competitive grant
30 program.

31 (c) In addition to other reductions, the appropriations in this
32 section reflect reductions targeted specifically to state government
33 administrative costs. These administrative reductions shall be
34 achieved, to the greatest extent possible, by reducing those
35 administrative costs that do not affect direct client services or
36 direct service delivery or programs.

37 (3) INSTITUTIONAL SERVICES

1	General Fund--State Appropriation (FY 2010)	((\$3,638,000))
2		<u>\$3,318,000</u>
3	General Fund--State Appropriation (FY 2011)	((\$2,845,000))
4		<u>\$3,193,000</u>
5	General Fund--Federal Appropriation	((\$50,791,000))
6		<u>\$50,118,000</u>
7	General Fund--Private/Local Appropriation	((\$31,734,000))
8		<u>\$33,651,000</u>
9	TOTAL APPROPRIATION	((\$89,008,000))
10		<u>\$90,280,000</u>

11 The appropriations in this subsection are subject to the following
12 conditions and limitations: In addition to other reductions, the
13 appropriations in this section reflect reductions targeted specifically
14 to state government administrative costs. These administrative
15 reductions shall be achieved, to the greatest extent possible, by
16 reducing those administrative costs that do not affect direct client
17 services or direct service delivery or programs.

18 **Sec. 221.** 2009 c 564 s 221 (uncodified) is amended to read as
19 follows:

20 **FOR THE HOME CARE QUALITY AUTHORITY**

21	General Fund--State Appropriation (FY 2010)	\$1,229,000
22	(General Fund--State Appropriation (FY 2011)	\$1,221,000
23	TOTAL APPROPRIATION	\$2,450,000)

24 **Sec. 222.** 2009 c 564 s 222 (uncodified) is amended to read as
25 follows:

26 **FOR THE DEPARTMENT OF HEALTH**

27	General Fund--State Appropriation (FY 2010)	((\$108,879,000))
28		<u>\$104,895,000</u>
29	General Fund--State Appropriation (FY 2011)	((\$84,169,000))
30		<u>\$74,533,000</u>
31	General Fund--Federal Appropriation	((\$480,871,000))
32		<u>\$541,981,000</u>
33	General Fund--Private/Local Appropriation	((\$138,846,000))
34		<u>\$161,962,000</u>
35	Hospital Data Collection Account--State Appropriation . .	((\$326,000))
36		<u>\$216,000</u>
37	Health Professions Account--State Appropriation	((\$76,218,000))

1		<u>\$82,514,000</u>
2	Aquatic Lands Enhancement Account--State	
3	Appropriation	((\$603,000))
4		<u>\$604,000</u>
5	Emergency Medical Services and Trauma Care Systems	
6	Trust Account--State Appropriation	((\$13,531,000))
7		<u>\$11,613,000</u>
8	Safe Drinking Water Account--State Appropriation	((\$2,723,000))
9		<u>\$2,733,000</u>
10	Drinking Water Assistance Account--Federal	
11	Appropriation	((\$22,817,000))
12		<u>\$22,867,000</u>
13	Waterworks Operator Certification--State	
14	Appropriation	((\$1,519,000))
15		<u>\$1,522,000</u>
16	Drinking Water Assistance Administrative Account--	
17	State Appropriation	\$326,000
18	<u>Nursing Resource Center Account--State Appropriation</u>	<u>\$154,000</u>
19	State Toxics Control Account--State Appropriation	((\$3,600,000))
20		<u>\$3,611,000</u>
21	Medical Test Site Licensure Account--State	
22	Appropriation	((\$2,117,000))
23		<u>\$2,275,000</u>
24	Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
25	<u>Community and Economic Development Fee</u>	
26	<u>Account--State Appropriation</u>	<u>\$298,000</u>
27	Public Health Supplemental Account--Private/Local	
28	Appropriation	((\$3,525,000))
29		<u>\$3,805,000</u>
30	Accident Account--State Appropriation	((\$295,000))
31		<u>\$296,000</u>
32	Medical Aid Account--State Appropriation	\$48,000
33	Tobacco Prevention and Control Account--	
34	State Appropriation	((\$46,884,000))
35		<u>\$44,203,000</u>
36	Biotoxin Account--State Appropriation	\$1,165,000
37	TOTAL APPROPRIATION	((\$989,974,000))
38		<u>\$1,063,133,000</u>

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

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

24 (2) In accordance with RCW 43.70.250 and 43.135.055, the department
25 is authorized to raise fees in fiscal year 2011 as necessary to meet
26 the actual costs of conducting business and the appropriation levels in
27 this section. This authorization applies to fees for the review of
28 sewage tank designs, and fees associated with the following
29 professions: Acupuncture; dental; denturist; mental health counselor;
30 nursing; nursing assistant; optometry; radiologic technologist;
31 recreational therapy; respiratory therapy; and social worker.

32 (3) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is
33 authorized to establish fees by the amount necessary to fully support
34 the cost of activities related to the administration of long-term care
35 worker certification. The department is further authorized to increase
36 fees by the amount necessary to implement the regulatory requirements
37 of the following bills: House Bill No. 1414 (health care assistants),

1 House Bill No. 1740 (dental residency licenses), and House Bill No.
2 1899 (retired active physician licenses).

3 (4) \$764,000 of the health professions account--state appropriation
4 is provided solely for the medical quality assurance commission to
5 maintain disciplinary staff and associated costs sufficient to reduce
6 the backlog of disciplinary cases and to continue to manage the
7 disciplinary caseload of the commission.

8 (5) \$57,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$58,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the midwifery licensure and
11 regulatory program to offset a reduction in revenue from fees. There
12 shall be no change to the current annual fees for new or renewed
13 licenses for the midwifery program. The department shall convene the
14 midwifery advisory committee on a quarterly basis to address issues
15 related to licensed midwifery.

16 (6) Funding for the human papillomavirus vaccine shall not be
17 included in the department's universal vaccine purchase program in
18 fiscal year 2010. Remaining funds for the universal vaccine purchase
19 program shall be used to continue the purchase of all other vaccines
20 included in the program until May 1, 2010, or until state funds are
21 exhausted, at which point state funding for the universal vaccine
22 purchase program shall be discontinued. Funds from section 317 of the
23 federal public health services act direct assistance shall not be used
24 in lieu of state funds.

25 (7) Beginning July 1, 2010, the department, in collaboration with
26 the department of social and health services, shall maximize the use of
27 existing federal funds, including section 317 of the federal public
28 health services act direct assistance as well as federal funds that may
29 become available under the American recovery and reinvestment act, in
30 order to continue to provide immunizations for low-income, nonmedicaid
31 eligible children up to three hundred percent of the federal poverty
32 level in state-sponsored health programs.

33 (8) The department shall eliminate outreach activities for the
34 health care directives registry and use the remaining amounts to
35 maintain the contract for the registry and minimal staffing necessary
36 to administer the basic entry functions for the registry.

37 (9) Funding in this section reflects a temporary reduction of

1 resources for the 2009-11 fiscal biennium for the state board of health
2 to conduct health impact reviews.

3 (10) Pursuant to RCW 43.135.055 and 43.70.125, the department is
4 authorized to adopt rules to establish a fee schedule to apply to
5 applicants for initial certification surveys of health care facilities
6 for purposes of receiving federal health care program reimbursement.
7 The fees shall only apply when the department has determined that
8 federal funding is not sufficient to compensate the department for the
9 cost of conducting initial certification surveys. The fees for initial
10 certification surveys may be established as follows: Up to \$1,815 for
11 ambulatory surgery centers, up to \$2,015 for critical access hospitals,
12 up to \$980 for end stage renal disease facilities, up to \$2,285 for
13 home health agencies, up to \$2,285 for hospice agencies, up to \$2,285
14 for hospitals, up to \$520 for rehabilitation facilities, up to \$690 for
15 rural health clinics, and up to \$7,000 for transplant hospitals.

16 (11) Funding for family planning grants for fiscal year 2011 is
17 reduced in the expectation that federal funding shall become available
18 to expand coverage of services for individuals through programs at the
19 department of social and health services. In the event that such
20 funding is not provided, the legislature intends to continue funding
21 through a supplemental appropriation at fiscal year 2010 levels.

22 (12) \$16,000,000 of the tobacco prevention and control account--
23 state appropriation is provided solely for local health jurisdictions
24 to conduct core public health functions as defined in RCW 43.70.514.

25 (13) \$100,000 of the health professions account appropriation is
26 provided solely for implementation of Substitute House Bill No. 1414
27 (health care assistants). ~~((If the bill is not enacted by June 30,
28 2009, the amount provided in this subsection shall lapse.))~~

29 (14) \$42,000 of the health professions account--state appropriation
30 is provided solely to implement Substitute House Bill No. 1740
31 (dentistry license issuance). ~~((If the bill is not enacted by June 30,
32 2009, the amount provided in this section shall lapse.))~~

33 (15) \$23,000 of the health professions account--state appropriation
34 is provided solely to implement Second Substitute House Bill No. 1899
35 (retired active physician licenses). ~~((If the bill is not enacted by
36 June 30, 2009, the amount provided in this section shall lapse.))~~

37 (16) \$12,000 of the general fund--state appropriation for fiscal
38 year 2010 and \$67,000 of the general fund--private/local appropriation

1 are provided solely to implement House Bill No. 1510 (birth
2 certificates). ~~((If the bill is not enacted by June 30, 2009, the
3 amount provided in this section shall lapse.))~~

4 (17) \$31,000 of the health professions account is provided for the
5 implementation of Second Substitute Senate Bill No. 5850 (human
6 trafficking). ~~((If the bill is not enacted by June 2009, the amount
7 provided in this subsection shall lapse.))~~

8 (18) \$282,000 of the health professions account is provided for the
9 implementation of Substitute Senate Bill No. 5752 (dentists cost
10 recovery). ~~((If the bill is not enacted by June 2009, the amount
11 provided in this subsection shall lapse.))~~

12 (19) \$106,000 of the health professions account is provided for the
13 implementation of Substitute Senate Bill No. 5601 (speech language
14 assistants). ~~((If the bill is not enacted by June 2009, the amount
15 provided in this subsection shall lapse.))~~

16 **Sec. 223.** 2009 c 564 s 223 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF CORRECTIONS**

19 (1) ADMINISTRATION AND SUPPORT SERVICES

20 General Fund--State Appropriation (FY 2010)	((\$55,622,000))
	<u>\$55,772,000</u>
22 General Fund--State Appropriation (FY 2011)	((\$56,318,000))
	<u>\$57,049,000</u>
24 TOTAL APPROPRIATION	((\$111,940,000))
	<u>\$112,821,000</u>

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

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

34 (b) \$35,000 of the general fund--state appropriation for fiscal
35 year 2010 and \$35,000 of the general fund--state appropriation for
36 fiscal year 2011 are provided solely for the support of a statewide
37 council on mentally ill offenders that includes as its members

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

9 (2) CORRECTIONAL OPERATIONS

10	General Fund--State Appropriation (FY 2010)	((\$459,575,000))
11		<u>\$456,871,000</u>
12	General Fund--State Appropriation (FY 2011)	((\$629,070,000))
13		<u>\$624,712,000</u>
14	General Fund--Federal Appropriation	((\$185,131,000))
15		<u>\$186,719,000</u>
16	((General Fund--Private/Local Appropriation	\$3,536,000))
17	Washington Auto Theft Prevention Authority Account--	
18	State Appropriation	\$5,960,000
19	TOTAL APPROPRIATION	((\$1,283,272,000))
20		<u>\$1,274,262,000</u>

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

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

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

34 ~~((+d))~~ (c) During the 2009-11 biennium, when contracts are
35 established or renewed for offender pay phone and other telephone
36 services provided to inmates, the department shall select the
37 contractor or contractors primarily based on the following factors:

38 (i) The lowest rate charged to both the inmate and the person paying

1 for the telephone call; and (ii) the lowest commission rates paid to
2 the department, while providing reasonable compensation to cover the
3 costs of the department to provide the telephone services to inmates
4 and provide sufficient revenues for the activities funded from the
5 institutional welfare betterment account.

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

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

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

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

32 (3) COMMUNITY SUPERVISION

33	General Fund--State Appropriation (FY 2010)	(((\$152,122,000))
34		<u>\$152,827,000</u>
35	General Fund--State Appropriation (FY 2011)	(((\$141,982,000))
36		<u>\$138,861,000</u>
37	((General Fund--Federal Appropriation	(\$750,000))
38	<u>Federal Seizure Account--State Appropriation</u>	<u>\$217,000</u>

1	<u>State Seizure Account--State Appropriation</u>	<u>\$61,000</u>
2	TOTAL APPROPRIATION	((\$294,854,000))
3		<u>\$291,966,000</u>

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

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

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

16 ~~(c) ((\$375,000 of the general fund--state appropriation for fiscal~~
17 ~~year 2010 is provided solely as a matching amount of state funds for a~~
18 ~~federal second chance act grant and is contingent upon receipt of~~
19 ~~\$750,000 of federal funding under the second chance act.~~

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

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

28 (4) CORRECTIONAL INDUSTRIES

29	General Fund--State Appropriation (FY 2010)	\$2,574,000
30	General Fund--State Appropriation (FY 2011)	((\$2,565,000))
31		<u>\$2,569,000</u>
32	TOTAL APPROPRIATION	((\$5,139,000))
33		<u>\$5,143,000</u>

34 The appropriations in this subsection are subject to the following
35 conditions and limitations: \$132,000 of the general fund--state
36 appropriation for fiscal year 2010 and \$132,000 of the general fund--
37 state appropriation for fiscal year 2011 are provided solely for

1 transfer to the jail industries board. The board shall use the amounts
2 provided only for administrative expenses, equipment purchases, and
3 technical assistance associated with advising cities and counties in
4 developing, promoting, and implementing consistent, safe, and efficient
5 offender work programs.

6 (5) INTERAGENCY PAYMENTS

7	General Fund--State Appropriation (FY 2010)	((\$40,455,000))
8		<u>\$40,728,000</u>
9	General Fund--State Appropriation (FY 2011)	((\$40,450,000))
10		<u>\$40,084,000</u>
11	TOTAL APPROPRIATION	((\$80,905,000))
12		<u>\$80,812,000</u>

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

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

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

22 **Sec. 224.** 2009 c 564 s 224 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

25	General Fund--State Appropriation (FY 2010)	((\$2,544,000))
26		<u>\$2,504,000</u>
27	((General Fund--State Appropriation (FY 2011)	(\$2,550,000))
28	General Fund--Federal Appropriation	((\$18,125,000))
29		<u>\$9,683,000</u>
30	General Fund--Private/Local Appropriation	((\$20,000))
31		<u>\$15,000</u>
32	TOTAL APPROPRIATION	((\$23,239,000))
33		<u>\$12,202,000</u>

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

1 (1) Sufficient amounts are appropriated in this section to support
2 contracts for services that provide employment support and help with
3 life activities for deaf and blind individuals in King county.

4 (2) Beginning July 1, 2010, the functions of the department of
5 services for the blind are transferred to the department of social and
6 health services. Funding for these activities for fiscal year 2011 is
7 appropriated to the department of social and health services.

8 **Sec. 225.** 2009 c 564 s 225 (uncodified) is amended to read as
9 follows:

10 **FOR THE SENTENCING GUIDELINES COMMISSION**

11	General Fund--State Appropriation (FY 2010)	(((\$978,000))
12		<u>\$962,000</u>
13	General Fund--State Appropriation (FY 2011)	(((\$976,000))
14		<u>\$968,000</u>
15	TOTAL APPROPRIATION	(((\$1,954,000))
16		<u>\$1,930,000</u>

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

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

36 (2)(a) Except as provided in subsection (b), during the 2009-11

1 biennium, the reports required by RCW 9.94A.480(2) and 9.94A.850(2) (d)
2 and (h) shall be prepared within the available funds and may be delayed
3 or suspended at the discretion of the commission.

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

7 **Sec. 226.** 2009 c 564 s 226 (uncodified) is amended to read as
8 follows:

9 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

10	General Fund--State Appropriation (FY 2010)	((\$7,054,000))
11		<u>\$5,054,000</u>
12	General Fund--State Appropriation (FY 2011)	((\$53,000))
13		<u>\$2,053,000</u>
14	General Fund--Federal Appropriation	((\$320,561,000))
15		<u>\$323,561,000</u>
16	General Fund--Private/Local Appropriation	((\$33,825,000))
17		<u>\$33,833,000</u>
18	Unemployment Compensation Administration	
19	Account--Federal Appropriation	((\$332,904,000))
20		<u>\$362,198,000</u>
21	Administrative Contingency Account--State	
22	Appropriation	((\$293,000))
23		<u>\$359,000</u>
24	Employment Service Administrative Account--	
25	State Appropriation	((\$37,195,000))
26		<u>\$37,748,000</u>
27	TOTAL APPROPRIATION	((\$731,885,000))
28		<u>\$764,806,000</u>

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

31 (1) ((~~\$55,029,000~~)) \$59,829,000 of the unemployment compensation
32 administration account--federal appropriation is provided from amounts
33 made available to the state by section 903(d) of the social security
34 act (Reed act). This amount is authorized to continue current
35 unemployment insurance functions and department services to employers
36 and job seekers.

1 (2) \$32,067,000 of the unemployment compensation administration
2 account--federal appropriation is provided from amounts made available
3 to the state by section 903(d) of the social security act (Reed act).
4 This amount is authorized to fund the replacement of the unemployment
5 insurance tax information system (TAXIS) for the employment security
6 department. This section is subject to section 902 of this act.

7 (3) \$110,000 of the unemployment compensation administration
8 account--federal appropriation is provided solely for implementation of
9 Senate Bill No. 5804 (leaving part time work voluntarily). ~~((If the
10 bill is not enacted by June 30, 2009, the amounts provided in this
11 subsection shall lapse.))~~

12 (4) \$1,263,000 of the unemployment compensation administration
13 account--federal appropriation is provided solely for implementation of
14 Senate Bill No. 5963 (unemployment insurance). ~~((If the bill is not
15 enacted by June 30, 2009, the amounts provided in this subsection shall
16 lapse.))~~

17 (5) \$159,000 of the unemployment compensation account--federal
18 appropriation is provided solely for the implementation of House Bill
19 No. 1555 (underground economy) from funds made available to the state
20 by section 903(d) of the social security act (Reed act).

21 (6) \$293,000 of the administrative contingency--state appropriation
22 for fiscal year 2010 is provided solely for the implementation of House
23 Bill No. 2227 (evergreen jobs act). ~~((If the bill is not enacted by
24 June 30, 2009, the amounts provided in this subsection shall lapse.))~~

25 (7) \$7,000,000 of the general fund--state appropriation for fiscal
26 year 2010 is provided solely for the implementation of Senate Bill No.
27 5809 (WorkForce employment and training). ~~((If the bill is not enacted
28 by June 30, 2009, the amounts provided in this subsection shall
29 lapse.))~~

(End of part)

PART III
NATURAL RESOURCES

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

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2010)	(\$441,000)
	<u>\$434,000</u>
General Fund--State Appropriation (FY 2011)	(\$445,000)
	<u>\$442,000</u>
General Fund--Federal Appropriation	\$30,000
General Fund--Private/Local Appropriation	(\$864,000)
	<u>\$854,000</u>
TOTAL APPROPRIATION	(\$1,780,000)
	<u>\$1,760,000</u>

Sec. 302. 2009 c 564 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2010)	(\$60,166,000)
	<u>\$58,624,000</u>
General Fund--State Appropriation (FY 2011)	(\$58,190,000)
	<u>\$51,662,000</u>
General Fund--Federal Appropriation	(\$82,452,000)
	<u>\$82,438,000</u>
General Fund--Private/Local Appropriation	(\$16,668,000)
	<u>\$16,920,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$14,000
Reclamation Account--State Appropriation	(\$3,679,000)
	<u>\$3,678,000</u>
Flood Control Assistance Account--State Appropriation	(\$1,965,000)
	<u>\$1,963,000</u>
Waste Reduction/Recycling/Litter Control--State Appropriation	(\$14,554,000)
	<u>\$12,513,000</u>

1 State and Local Improvements Revolving Account
2 (Water Supply Facilities)--State Appropriation \$426,000
3 Freshwater Aquatic Algae Control Account--State
4 Appropriation \$509,000
5 Water Rights Tracking System Account--State
6 Appropriation \$116,000
7 Site Closure Account--State Appropriation ((\$706,000))
8 \$924,000
9 Wood Stove Education and Enforcement Account--
10 State Appropriation ((\$612,000))
11 \$613,000
12 Worker and Community Right-to-Know Account--
13 State Appropriation ((\$1,670,000))
14 \$1,673,000
15 State Toxics Control Account--State Appropriation . . . ((\$101,727,000))
16 \$97,635,000
17 State Toxics Control Account--Private/Local
18 Appropriation ((\$383,000))
19 \$381,000
20 Local Toxics Control Account--State Appropriation . . . ((\$24,730,000))
21 \$24,724,000
22 Water Quality Permit Account--State Appropriation . . . ((\$37,433,000))
23 \$37,372,000
24 Underground Storage Tank Account--State
25 Appropriation ((\$3,298,000))
26 \$3,292,000
27 Biosolids Permit Account--State Appropriation ((\$1,413,000))
28 \$1,811,000
29 Hazardous Waste Assistance Account--State
30 Appropriation ((\$5,930,000))
31 \$5,925,000
32 Air Pollution Control Account--State Appropriation . . . ((\$2,843,000))
33 \$2,143,000
34 Oil Spill Prevention Account--State Appropriation . . . ((\$10,688,000))
35 \$10,668,000
36 Air Operating Permit Account--State Appropriation . . . ((\$2,783,000))
37 \$2,777,000
38 Freshwater Aquatic Weeds Account--State

1	Appropriation	((\$1,699,000))
2		<u>\$1,700,000</u>
3	Oil Spill Response Account--State Appropriation	((\$7,078,000))
4		<u>\$7,077,000</u>
5	Metals Mining Account--State Appropriation	\$14,000
6	<u>Pollution Liability Insurance Program Trust Account--</u>	
7	<u>State Appropriation</u>	<u>\$314,000</u>
8	Water Pollution Control Revolving Account--State	
9	Appropriation	((\$465,000))
10		<u>\$539,000</u>
11	Water Pollution Control Revolving Account--Federal	
12	Appropriation	((\$1,940,000))
13		<u>\$2,309,000</u>
14	TOTAL APPROPRIATION	((\$444,200,000))
15		<u>\$430,754,000</u>

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

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

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

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

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

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

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

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

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

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

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

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

1 permitting, air emissions new source review, and manufacturer
2 registration and renewal.

3 ((+12)) (11) \$63,000 of the state toxics control account--state
4 appropriation is provided solely for implementation of Substitute
5 Senate Bill No. 5797 (solid waste handling permits). If the bill is
6 not enacted by June 30, 2009, the amount provided in this subsection
7 shall lapse.

8 ((+13)) (12) \$225,000 of the general fund--state appropriation for
9 fiscal year 2010 and \$193,000 of the general fund--state appropriation
10 for fiscal year 2011 are provided solely for implementation of
11 Engrossed Second Substitute Bill No. 5560 (agency climate leadership).
12 If the bill is not enacted by June 30, 2009, the amounts provided in
13 this subsection shall lapse.

14 ((+14)) (13) \$150,000 of the general fund--state appropriation for
15 fiscal year 2010 (~~and \$150,000 of the general fund--state~~
16 ~~appropriation for fiscal year 2011 are~~) is provided solely for
17 watershed planning implementation grants to continue ongoing efforts to
18 develop and implement water agreements in the Nooksack Basin and the
19 Bertrand watershed. These amounts are intended to support project
20 administration; monitoring; negotiations in the Nooksack watershed
21 between tribes, the department, and affected water users; continued
22 implementation of a flow augmentation project; plan implementation in
23 the Fishtrap watershed; and the development of a water bank.

24 ((+15)) (14) \$215,000 of the general fund--state appropriation for
25 fiscal year 2010 and \$235,000 of the general fund--state appropriation
26 for fiscal year 2011 are provided solely to provide watershed planning
27 implementation grants for WRIA 32 to implement Substitute House Bill
28 No. 1580 (pilot local water management program). If the bill is not
29 enacted by June 30, 2009, the amounts provided in this subsection shall
30 lapse.

31 ((+16)) (15) \$200,000 of the general fund--state appropriation for
32 fiscal year 2010 and \$200,000 of the general fund--state appropriation
33 for fiscal year 2011 are provided solely for the purpose of supporting
34 the trust water rights program and processing trust water right
35 transfer applications that improve instream flow.

36 ((+17)) (16)(a) The department shall convene a stock water working
37 group that includes: Legislators, four members representing
38 agricultural interests, three members representing environmental

1 interests, the attorney general or designee, the director of the
2 department of ecology or designee, the director of the department of
3 agriculture or designee, and affected federally recognized tribes shall
4 be invited to send participants.

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

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

11 ~~((+19+))~~ (17) \$73,000 of the water quality permit account--state
12 appropriation is provided solely to implement Substitute House Bill No.
13 1413 (water discharge fees). If the bill is not enacted by June 30,
14 2009, the amount provided in this subsection shall lapse.

15 ~~((+20+))~~ (18) The department shall continue to work with the
16 Columbia Snake River irrigators' association to determine how seasonal
17 water operation and maintenance conservation can be utilized. In
18 implementing this proviso, the department shall also consult with the
19 Columbia River policy advisory group as appropriate.

20 ~~((+21+))~~ (19) The department shall track any changes in costs,
21 wages, and benefits that would have resulted if House Bill No. 1716
22 (public contract living wages), as introduced in the 2009 regular
23 session of the legislature, were enacted and made applicable to
24 contracts and related subcontracts entered into, renewed, or extended
25 during the 2009-11 biennium. The department shall submit a report to
26 the house of representatives commerce and labor committee and the
27 senate labor, commerce, and consumer protection committee by December
28 1, 2011. The report shall include data on any aggregate changes in
29 wages and benefits that would have resulted during the 2009-11
30 biennium.

31 ~~((+22+))~~ (20) Within amounts appropriated in this section the
32 department shall develop recommendations by December 1, 2009, for a
33 convenient and effective mercury-containing light recycling program for
34 residents, small businesses, and small school districts throughout the
35 state. The department shall consider options including but not limited
36 to, a producer-funded program, a recycler-supported or recycle fee
37 program, a consumer fee at the time of purchase, general fund
38 appropriations, or a currently existing dedicated account. The

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

8 ~~((+23+))~~ (21) During the 2009-11 biennium, the department shall
9 implement its cost reimbursement authority for processing water right
10 applications using a competitive bidding process. For each cost
11 reimbursement application, the department shall obtain cost proposals
12 and other necessary information from at least three prequalified costs
13 reimbursement consultants and shall select the lowest responsive
14 bidder.

15 ~~((+24+))~~ (22) \$140,000 of the freshwater aquatic algae control
16 account--state appropriation is provided solely for grants to cities,
17 counties, tribes, special purpose districts, and state agencies for
18 capital and operational expenses used to manage and study excessive
19 saltwater algae with an emphasis on the periodic accumulation of sea
20 lettuce on Puget Sound beaches.

21 ~~((+25+))~~ (23) By December 1, 2009, the department in consultation
22 with local governments shall conduct a remedial action grant financing
23 alternatives report. The report shall address options for financing the
24 remedial action grants identified in the department's report, entitled
25 "House Bill 1761, Model Toxics Control Accounts Ten-Year Financing
26 Plan" and shall include but not be limited to the following: (a)
27 Capitalizing cleanup costs using debt insurance; (b) capitalizing
28 cleanup costs using prefunded cost-cap insurance; (c) other contractual
29 instruments with local governments; and (d) an assessment of overall
30 economic benefits of the remedial action grants funded using the
31 instruments identified in this section.

32 (24) \$220,000 of the site closure account--state appropriation is
33 provided solely for litigation expenses associated with the lawsuit
34 filed by energy solutions, inc., against the northwest interstate
35 compact on low-level radioactive waste management, and its executive
36 director.

37 (25) \$300,000 of the state toxics control account--state

1 appropriation is provided solely for piloting and evaluating two
2 coordinated, multijurisdictional permitting teams for nontransportation
3 projects.

4 **Sec. 303.** 2009 c 564 s 303 (uncodified) is amended to read as
5 follows:

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

7	General Fund--State Appropriation (FY 2010)	((\$23,541,000))
8		<u>\$23,176,000</u>
9	General Fund--State Appropriation (FY 2011)	((\$22,944,000))
10		<u>\$20,620,000</u>
11	General Fund--Federal Appropriation	((\$5,902,000))
12		<u>\$6,910,000</u>
13	General Fund--Private/Local Appropriation	\$73,000
14	Winter Recreation Program Account--State	
15	Appropriation	((\$1,558,000))
16		<u>\$1,559,000</u>
17	Off Road Vehicle Account--State Appropriation	((\$239,000))
18		<u>\$240,000</u>
19	Snowmobile Account--State Appropriation	((\$4,842,000))
20		<u>\$4,844,000</u>
21	Aquatic Lands Enhancement Account--State	
22	Appropriation	((\$363,000))
23		<u>\$365,000</u>
24	Recreation Resources Account--State Appropriation	\$9,802,000
25	NOVA Program Account--State Appropriation	\$9,560,000
26	Parks Renewal and Stewardship Account--State	
27	Appropriation	((\$73,278,000))
28		<u>\$72,925,000</u>
29	Parks Renewal and Stewardship Account--	
30	Private/Local Appropriation	\$300,000
31	TOTAL APPROPRIATION	((\$152,402,000))
32		<u>\$150,374,000</u>

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

35 (1) \$79,000 of the general fund--state appropriation for fiscal
36 year 2010 and \$79,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for a grant for the operation of
2 the Northwest avalanche center.

3 ((+3)) (2) Proceeds received from voluntary donations given by
4 motor vehicle registration applicants shall be used solely for the
5 operation and maintenance of state parks.

6 ((+5)) (3) With the passage of Substitute House Bill No. 2339
7 (state parks system donation), the legislature finds that it has
8 provided sufficient funds to ensure that all state parks remain open
9 during the 2009-11 biennium. The commission shall not close state
10 parks unless the bill is not enacted by June 30, 2009, or revenue
11 collections are insufficient to fund the ongoing operation of state
12 parks. By January 10, 2010, the commission shall provide a report to
13 the legislature on their budget and resources related to operating
14 parks for the remainder of the biennium.

15 ((+6)) (4) The commission shall work with the department of
16 general administration to evaluate the commission's existing leases
17 with the intention of increasing net revenue to state parks. The
18 commission shall provide to the office of financial management and the
19 legislative fiscal committees no later than September 30, 2009, a list
20 of leases the commission proposes be managed by the department of
21 general administration.

22 **Sec. 304.** 2009 c 564 s 304 (uncodified) is amended to read as
23 follows:

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

25	General Fund--State Appropriation (FY 2010)	((\$1,511,000))
26		<u>\$1,486,000</u>
27	General Fund--State Appropriation (FY 2011)	((\$1,558,000))
28		<u>\$1,335,000</u>
29	General Fund--Federal Appropriation	((\$10,431,000))
30		<u>\$10,322,000</u>
31	General Fund--Private/Local Appropriation	\$250,000
32	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
33	Firearms Range Account--State Appropriation	\$39,000
34	Recreation Resources Account--State Appropriation	((\$2,805,000))
35		<u>\$2,787,000</u>
36	NOVA Program Account--State Appropriation	((\$1,062,000))
37		<u>\$1,052,000</u>

1 TOTAL APPROPRIATION ((~~\$17,934,000~~))
2 \$17,549,000

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

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

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

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

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

31 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

32 General Fund--State Appropriation (FY 2010) ((~~\$1,079,000~~))
33 \$1,169,000
34 General Fund--State Appropriation (FY 2011) ((~~\$1,074,000~~))
35 \$1,155,000
36 TOTAL APPROPRIATION ((~~\$2,153,000~~))
37 \$2,324,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$96,000 of the general fund--state
3 appropriation for fiscal year 2010 is provided solely for tenant
4 improvement costs associated with moving the office to a new location.

5 **Sec. 306.** 2009 c 564 s 306 (uncodified) is amended to read as
6 follows:

7 **FOR THE CONSERVATION COMMISSION**

8	General Fund--State Appropriation (FY 2010)	((\$7,692,000))
9		<u>\$7,575,000</u>
10	General Fund--State Appropriation (FY 2011)	((\$7,707,000))
11		<u>\$7,107,000</u>
12	General Fund--Federal Appropriation	\$1,179,000
13	TOTAL APPROPRIATION	((\$16,578,000))
14		<u>\$15,861,000</u>

15 **Sec. 307.** 2009 c 564 s 307 (uncodified) is amended to read as
16 follows:

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

18	General Fund--State Appropriation (FY 2010)	((\$41,234,000))
19		<u>\$41,138,000</u>
20	General Fund--State Appropriation (FY 2011)	((\$39,939,000))
21		<u>\$36,688,000</u>
22	General Fund--Federal Appropriation	((\$86,330,000))
23		<u>\$86,522,000</u>
24	General Fund--Private/Local Appropriation	((\$47,490,000))
25		<u>\$47,609,000</u>
26	Off Road Vehicle Account--State Appropriation	((\$415,000))
27		<u>\$416,000</u>
28	Aquatic Lands Enhancement Account--State	
29	Appropriation	((\$6,757,000))
30		<u>\$6,788,000</u>
31	Recreational Fisheries Enhancement--State	
32	Appropriation	((\$3,640,000))
33		<u>\$3,488,000</u>
34	Warm Water Game Fish Account--State Appropriation	((\$2,877,000))
35		<u>\$2,884,000</u>
36	Eastern Washington Pheasant Enhancement Account--	

1	State Appropriation	((\$848,000))
2		<u>\$851,000</u>
3	Aquatic Invasive Species Enforcement Account--	
4	State Appropriation	((\$207,000))
5		<u>\$208,000</u>
6	Aquatic Invasive Species Prevention Account--	
7	State Appropriation	((\$844,000))
8		<u>\$845,000</u>
9	Wildlife Account--State Appropriation	((\$74,744,000))
10		<u>\$83,806,000</u>
11	Game Special Wildlife Account--State	
12	Appropriation	((\$2,381,000))
13		<u>\$2,385,000</u>
14	Game Special Wildlife Account--Federal	
15	Appropriation	((\$8,928,000))
16		<u>\$3,428,000</u>
17	Game Special Wildlife Account--Private/Local	
18	Appropriation	\$487,000
19	Wildlife Rehabilitation Account--State Appropriation	\$270,000
20	Regional Fisheries Salmonid Recovery Account--	
21	Federal Appropriation	\$5,001,000
22	Oil Spill Prevention Account--State Appropriation	((\$884,000))
23		<u>\$886,000</u>
24	Oyster Reserve Land Account--State Appropriation	\$918,000
25	<u>Hydraulic Permit Fee Account--State Appropriation</u>	<u>\$1,500,000</u>
26	TOTAL APPROPRIATION	((\$324,194,000))
27		<u>\$326,118,000</u>

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

30 (1) \$294,000 of the aquatic lands enhancement account--state
31 appropriation is provided solely for the implementation of hatchery
32 reform recommendations defined by the hatchery scientific review group.

33 (2) \$355,000 of the general fund--state appropriation for fiscal
34 year 2010 and \$422,000 of the general fund--state appropriation for
35 fiscal year 2011 are provided solely for the department to implement a
36 pilot project with the Confederated Tribes of the Colville Reservation
37 to develop expanded recreational fishing opportunities on Lake Rufus
38 Woods and its northern shoreline and to conduct joint enforcement of

1 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to
2 state and tribal intergovernmental agreements developed under the
3 Columbia River water supply program. For the purposes of the pilot
4 project:

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

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

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

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

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

21 (3) Prior to submitting its 2011-2013 biennial operating and
22 capital budget request related to state fish hatcheries to the office
23 of financial management, the department shall contract with the
24 hatchery scientific review group (HSRG) to review this request. This
25 review shall: (a) Determine if the proposed requests are consistent
26 with HSRG recommendations; (b) prioritize the components of the
27 requests based on their contributions to protecting wild salmonid
28 stocks and meeting the recommendations of the HSRG; and (c) evaluate
29 whether the proposed requests are being made in the most cost effective
30 manner. The department shall provide a copy of the HSRG review to the
31 office of financial management with their agency budget proposal.

32 (4) Within existing funds, the department shall continue
33 implementing its capital program action plan dated September 1, 2007,
34 including the purchase of the necessary maintenance and support costs
35 for the capital programs and engineering tools. The department shall
36 report to the office of financial management and the appropriate
37 committees of the legislature, its progress in implementing the plan,

1 including improvements instituted in its capital program, by September
2 30, 2011.

3 ~~((+6))~~ (5) \$1,232,000 of the state wildlife account--state
4 appropriation is provided solely to implement Substitute House Bill No.
5 1778 (fish and wildlife). If the bill is not enacted by June 30, 2009,
6 the amount provided in this subsection shall lapse.

7 ~~((+7))~~ (6) \$400,000 of the general fund--state appropriation for
8 fiscal year 2010 and \$400,000 of the general fund--state appropriation
9 for fiscal year 2011 are provided solely for a state match to support
10 the Puget Sound nearshore partnership between the department and the
11 U.S. army corps of engineers.

12 ~~((+8))~~ (7) ~~(((\$100,000))~~ \$50,000 of the general fund--state
13 appropriation for fiscal year 2010 and ~~(((\$100,000))~~ \$50,000 of the
14 general fund--state appropriation for fiscal year 2011 are provided
15 solely for removal of derelict gear in Washington waters.

16 ~~((+9))~~ (8) The department of fish and wildlife shall dispose of
17 all ~~((fixed-wing))~~ Cessna aircraft it currently owns. The proceeds
18 from the aircraft shall be deposited into the state wildlife account.
19 Disposal of the aircraft must occur no later than June 30, 2010. The
20 department shall coordinate with the department of natural resources on
21 the installation of fire surveillance equipment into its Partenavia
22 aircraft. The department shall make its Partenavia aircraft available
23 to the department of natural resources on a cost-reimbursement basis
24 for its use in coordinating fire suppression efforts. The two agencies
25 shall develop an interagency agreement that defines how they will share
26 access to the plane.

27 ~~((+10))~~ (9) \$50,000 of the general fund--state appropriation for
28 fiscal year 2010 is provided solely for an electron project fish
29 passage study consistent with the recommendations and protocols
30 contained in the 2008 electron project downstream fish passage final
31 report.

32 ~~((+11))~~ (10) \$60,000 of the general fund--state appropriation for
33 fiscal year 2010 and \$60,000 of the general fund--state appropriation
34 for fiscal year 2011 are provided solely for implementation of
35 Engrossed Second Substitute Bill No. 5560 (agency climate leadership).
36 If the bill is not enacted by June 30, 2009, the amounts provided in
37 this subsection shall lapse.

1 ~~((+12+))~~ (11) If sufficient new revenues are not identified to
2 continue hatchery operations, within the constraints of legally binding
3 tribal agreements, the department shall dispose of, by removal, sale,
4 lease, reversion, or transfer of ownership, the following hatcheries:
5 McKernan, Colville, Omak, Bellingham, Arlington, and Mossyrock.
6 Disposal of the hatcheries must occur by June 30, 2011, and any
7 proceeds received from disposal shall be deposited in the state
8 wildlife account. Within available funds, the department shall provide
9 quarterly reports on the progress of disposal to the office of
10 financial management and the appropriate fiscal committees of the
11 legislature. The first report shall be submitted no later than
12 September 30, 2009.

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

22 (13) Within the amounts appropriated in this section, the
23 department of fish and wildlife shall develop a method for allocating
24 its administrative and overhead costs proportionate to program fund
25 use. As part of its 2011-2013 biennial operating budget, the
26 department shall submit a decision package that rebalances expenditure
27 authority for all agency funds based upon proportionate contributions.

28 (14) Within the amounts appropriated in this section, the
29 department shall identify additional opportunities for partnerships in
30 order to keep fish hatcheries operational. Such partnerships shall aim
31 to maintain fish production and salmon recovery with less reliance on
32 state operating funds.

33 (15) Within the amounts appropriated in this section, the
34 department shall work with stakeholders to develop a long-term funding
35 model that sustains the department's work of conserving species and
36 habitat, providing sustainable recreational and commercial
37 opportunities and using sound business practices. The funding model
38 analysis shall assess the appropriate uses of each fund source and

1 whether the department's current and projected revenue levels are
2 adequate to sustain its current programs. The department shall report
3 its recommended funding model including supporting analysis and
4 stakeholder participation summary to the office of financial management
5 and the appropriate committees of the legislature by October 1, 2010.

6 (16) By October 1, 2010, the department shall enter into an
7 interagency agreement with the department of natural resources for land
8 management services for the department's wildlife conservation and
9 recreation lands. Land management services may include but are not
10 limited to records management, real estate services such as surveying,
11 and land acquisition and disposal services. The interagency agreement
12 shall describe business processes, service delivery expectations, cost,
13 and timing. In the agreement, the department shall define its roles
14 and responsibilities. A draft agreement shall be submitted to the
15 office of financial management and the appropriate fiscal committees of
16 the legislature by July 1, 2010.

17 **Sec. 308.** 2009 c 564 s 308 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

20	General Fund--State Appropriation (FY 2010)	((\$40,275,000))
21		<u>\$48,822,000</u>
22	General Fund--State Appropriation (FY 2011)	((\$40,857,000))
23		<u>\$37,425,000</u>
24	General Fund--Federal Appropriation	((\$26,731,000))
25		<u>\$27,241,000</u>
26	General Fund--Private/Local Appropriation	((\$1,371,000))
27		<u>\$2,372,000</u>
28	Forest Development Account--State Appropriation	((\$41,765,000))
29		<u>\$41,968,000</u>
30	Off Road Vehicle Account--State Appropriation	((\$4,236,000))
31		<u>\$4,452,000</u>
32	Surveys and Maps Account--State Appropriation	((\$2,543,000))
33		<u>\$2,350,000</u>
34	Aquatic Lands Enhancement Account--State	
35	Appropriation	((\$7,217,000))
36		<u>\$8,275,000</u>
37	Resources Management Cost Account--State	

1	Appropriation	((\$78,951,000))
2		<u>\$81,069,000</u>
3	Surface Mining Reclamation Account--State	
4	Appropriation	((\$3,490,000))
5		<u>\$3,500,000</u>
6	Disaster Response Account--State Appropriation	\$5,000,000
7	Forest and Fish Support Account--State Appropriation	\$8,000,000
8	Aquatic Land Dredged Material Disposal Site	
9	Account--State Appropriation	((\$1,336,000))
10		<u>\$1,337,000</u>
11	Natural Resources Conservation Areas Stewardship	
12	Account--State Appropriation	\$34,000
13	State Toxics Control Account--State Appropriation	((\$80,000))
14		<u>\$720,000</u>
15	Air Pollution Control Account--State Appropriation	((\$569,000))
16		<u>\$570,000</u>
17	NOVA Program Account--State Appropriation	\$982,000
18	Derelict Vessel Removal Account--State	
19	Appropriation	((\$1,754,000))
20		<u>\$1,755,000</u>
21	Agricultural College Trust Management Account--	
22	State Appropriation	((\$2,643,000))
23		<u>\$1,949,000</u>
24	TOTAL APPROPRIATION	((\$267,834,000))
25		<u>\$277,821,000</u>

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

28 (1) \$1,355,000 of the general fund--state appropriation for fiscal
29 year 2010 and ((~~\$1,299,000~~)) \$349,000 of the general fund--state
30 appropriation for fiscal year 2011 are provided solely for deposit into
31 the agricultural college trust management account and are provided
32 solely to manage approximately 70,700 acres of Washington State
33 University's agricultural college trust lands.

34 (2) ((~~\$11,128,000~~)) \$22,670,000 of the general fund--state
35 appropriation for fiscal year 2010, \$11,128,000 of the general fund--
36 state appropriation for fiscal year 2011, and \$5,000,000 of the
37 disaster response account--state appropriation are provided solely for
38 emergency fire suppression. None of the general fund and disaster

1 response account amounts provided in this subsection may be used to
2 fund agency indirect and administrative expenses. Agency indirect and
3 administrative costs shall be allocated among the agency's remaining
4 accounts and appropriations. The department of natural resources shall
5 submit a quarterly report to the office of financial management and the
6 legislative fiscal committees detailing information on current and
7 planned expenditures from the disaster response account. This work
8 shall be done in coordination with the military department.

9 (3) \$5,000,000 of the forest and fish support account--state
10 appropriation is provided solely for adaptive management, monitoring,
11 and participation grants to tribes. If federal funding for this
12 purpose is reinstated, the amount provided in this subsection shall
13 lapse.

14 (4) \$600,000 of the derelict vessel removal account--state
15 appropriation is provided solely for removal of derelict and abandoned
16 vessels that have the potential to contaminate Puget Sound.

17 (5) \$666,000 of the general fund--federal appropriation is provided
18 solely to implement House Bill No. 2165 (forest biomass energy
19 project). If the bill is not enacted by June 30, 2009, the amount
20 provided in this subsection shall lapse.

21 (6) \$5,000 of the general fund--state appropriation for fiscal year
22 2010 and \$5,000 of the general fund--state appropriation for fiscal
23 year 2011 are provided solely to implement Substitute House Bill No.
24 1038 (specialized forest products). If the bill is not enacted by June
25 30, 2009, the amounts provided in this subsection shall lapse.

26 (7) \$440,000 of the state general fund--state appropriation for
27 fiscal year 2010 and \$440,000 of the state general fund--state
28 appropriation for fiscal year 2011 are provided solely for forest work
29 crews that support correctional camps and are contingent upon
30 continuing operations of Naselle youth camp at the level provided in
31 fiscal year 2008. The department shall consider using up to \$2,000,000
32 of the general fund--federal appropriation to support and utilize
33 correctional camp crews to implement natural resource projects approved
34 by the federal government for federal stimulus funding.

35 (8) The department of natural resources shall dispose of the King
36 Air aircraft it currently owns. Before disposal and within existing
37 funds, the department shall transfer specialized equipment for fire
38 surveillance to the department of fish and wildlife's Partenavia

1 aircraft. Disposal of the aircraft must occur no later than June 30,
2 2010, and the proceeds from the sale of the aircraft shall be deposited
3 into the natural resources equipment revolving fund. At the expiration
4 of current leases, the department shall lease facilities in eastern
5 Washington sufficient to house the necessary aircraft, mechanics, and
6 pilots used for forest fire prevention and suppression.

7 (9) \$30,000 of the general fund--state appropriation for fiscal
8 year 2010 and \$30,000 of the general fund--state appropriation for
9 fiscal year 2011 are provided solely for implementation of Engrossed
10 Second Substitute Bill No. 5560 (agency climate leadership). If the
11 bill is not enacted by June 30, 2009, the amounts provided in this
12 subsection shall lapse.

13 (10) \$1,030,000 of the aquatic lands enhancement account--state
14 appropriation for fiscal year 2011 is provided solely for continuing
15 scientific studies already underway as part of the adaptive management
16 process. Funds may not be used to initiate new studies unless the
17 department secures new federal funding for the adaptive management
18 process.

19 (11) In developing the department's capital budget request for the
20 2011-13 biennium, the department shall develop a prioritization process
21 for purchasing easements currently eligible for purchase under the
22 forest riparian easement program. The process should prioritize
23 easements for landowners who: (a) Have the greatest proportion of
24 riparian management zones in their total aggregated ownership; (b) are
25 under the greatest pressures to convert their lands to nonforest land
26 use; and (c) provide the greatest ecological benefits from these
27 easements. By October 1, 2010, the department shall deliver to the
28 governor and the legislature policy recommendations to reflect this
29 prioritization process in statute.

30 (12) By October 1, 2010, the department shall enter into an
31 interagency agreement with the department of fish and wildlife for
32 providing land management services on the department of fish and
33 wildlife's wildlife conservation and recreation lands. Land management
34 services may include but are not limited to records management, real
35 estate services such as surveying, and land acquisition and disposal
36 services. The interagency agreement shall describe business processes,
37 service delivery expectations, cost, and timing. A draft agreement

1 shall be submitted to the office of financial management and the
2 appropriate fiscal committees of the legislature by July 1, 2010.

3 **Sec. 309.** 2009 c 564 s 309 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF AGRICULTURE**

6	General Fund--State Appropriation (FY 2010)	((\$12,616,000))
7		<u>\$12,350,000</u>
8	General Fund--State Appropriation (FY 2011)	((\$12,295,000))
9		<u>\$15,980,000</u>
10	General Fund--Federal Appropriation	((\$11,565,000))
11		<u>\$21,838,000</u>
12	General Fund--Private/Local Appropriation	((\$194,000))
13		<u>\$195,000</u>
14	Aquatic Lands Enhancement Account--State	
15	Appropriation	((\$2,559,000))
16		<u>\$2,562,000</u>
17	State Toxics Control Account--State Appropriation	((\$4,298,000))
18		<u>\$4,697,000</u>
19	Water Quality Permit Account--State Appropriation	\$61,000
20	TOTAL APPROPRIATION	((\$43,588,000))
21		<u>\$57,683,000</u>

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

24 (1) \$350,000 of the aquatic lands enhancement account appropriation
25 is provided solely for funding to the Pacific county noxious weed
26 control board to eradicate remaining spartina in Willapa Bay.

27 (2) \$19,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$6,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely to implement Substitute Senate
30 Bill No. 5797 (solid waste handling permits). If the bill is not
31 enacted by June 30, 2009, the amounts provided in this subsection shall
32 lapse.

33 (3) The department is authorized to establish or increase the
34 following fees in the 2009-11 biennium as necessary to meet the actual
35 costs of conducting business: Christmas tree grower licensing, nursery
36 dealer licensing, plant pest inspection and testing, and commission
37 merchant licensing.

1 (1) \$305,000 of the general fund--state appropriation for fiscal
2 year 2010 is provided solely for measuring water and habitat quality to
3 determine watershed health and assist salmon recovery.

4 (2) \$896,000 of the state toxics control account--state
5 appropriation is provided solely for activities that contribute to
6 Puget Sound protection and recovery, including provision of independent
7 advice and assessment of the state's oil spill prevention,
8 preparedness, and response programs, including review of existing
9 activities and recommendations for any necessary improvements. The
10 partnership may carry out this function through an existing committee,
11 such as the ecosystem coordination board or the leadership council, or
12 may appoint a special advisory council. Because this is a unique
13 statewide program, the partnership may invite participation from
14 outside the Puget Sound region.

15 (3) Within the amounts appropriated in this section, the Puget
16 Sound partnership shall facilitate an ongoing monitoring consortium to
17 integrate monitoring efforts for storm water, water quality, watershed
18 health, and other indicators to enhance monitoring efforts in Puget
19 Sound.

20 (4) The Puget Sound partnership shall work with Washington State
21 University and the environmental protection agency to secure funding
22 for the beach watchers program.

23 (5) \$877,000 of the general fund--state appropriation for fiscal
24 year 2010 and (~~(\$877,000)~~) \$502,000 of the general fund--state
25 appropriation for fiscal year 2011 are provided solely to support
26 public education and volunteer programs. The partnership is directed
27 to distribute the majority of funding as grants to local organizations,
28 local governments, and education, communication, and outreach network
29 partners. The partnership shall track progress for this activity
30 through the accountability system of the Puget Sound partnership.

31 (6) The Puget Sound partnership shall negotiate an agreement with
32 the recreation and conservation office to consolidate or share certain
33 administrative functions currently performed by each agency
34 independently. They shall proportionately share the costs of such
35 shared functions. Examples of shared functions may include, but are
36 not limited to, support for personnel, information technology, grant
37 and contract management, invasive species work, legislative

1 coordination, and policy and administrative support of various boards
2 and councils.

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2009 c 564 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2010)	.. (\$1,668,000)
	<u>\$1,436,000</u>
General Fund--State Appropriation (FY 2011)	.. (\$1,712,000)
	<u>\$1,542,000</u>
Architects' License Account--State Appropriation	.. (\$1,056,000)
	<u>\$770,000</u>
Professional Engineers' Account--State Appropriation	.. (\$3,586,000)
	<u>\$3,599,000</u>
Real Estate Commission Account--State Appropriation	.. (\$10,047,000)
	<u>\$10,084,000</u>
Master License Account--State Appropriation	.. (\$15,718,000)
	<u>\$15,778,000</u>
Uniform Commercial Code Account--State Appropriation	.. (\$3,100,000)
	<u>\$3,110,000</u>
Real Estate Education Account--State Appropriation	.. \$276,000
Real Estate Appraiser Commission Account--State Appropriation	.. (\$1,692,000)
	<u>\$1,691,000</u>
Business and Professions Account--State Appropriation	.. (\$15,270,000)
	<u>\$15,320,000</u>
Real Estate Research Account--State Appropriation	.. \$320,000
Geologists' Account--State Appropriation	.. \$53,000
Derelict Vessel Removal Account--State Appropriation	.. \$31,000
<u>Certified Public Accountants' Account--State Appropriation</u>	.. <u>\$1,374,000</u>
TOTAL APPROPRIATION	.. (\$55,828,000)
	<u>\$55,384,000</u>

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

3 (1) Pursuant to RCW 43.135.055, the department is authorized to
4 increase fees for cosmetologists, funeral directors, cemeteries, court
5 reporters and appraisers. These increases are necessary to support the
6 expenditures authorized in this section, consistent with RCW 43.24.086.

7 (2) \$1,352,000 of the business and professions account--state
8 appropriation is provided solely to implement Substitute Senate Bill
9 No. 5391 (tattoo and body piercing). If the bill is not enacted by
10 June 30, 2009, the amount provided in this subsection shall lapse.

11 ((+4)) (3) \$358,000 of the business and professions account--state
12 appropriation is provided solely to implement Senate Bill No. 6126
13 (professional athletics). If the bill is not enacted by June 30, 2009,
14 the amount provided in this subsection shall lapse.

15 **Sec. 402.** 2009 c 564 s 402 (uncodified) is amended to read as
16 follows:

17 **FOR THE STATE PATROL**

18	General Fund--State Appropriation (FY 2010)	((\$41,468,000))
19		<u>\$38,450,000</u>
20	General Fund--State Appropriation (FY 2011)	((\$40,366,000))
21		<u>\$38,825,000</u>
22	General Fund--Federal Appropriation	((\$11,401,000))
23		<u>\$19,586,000</u>
24	General Fund--Private/Local Appropriation	((\$3,568,000))
25		<u>\$4,984,000</u>
26	Death Investigations Account--State Appropriation	((\$6,022,000))
27		<u>\$5,577,000</u>
28	Enhanced 911 Account--State Appropriation	((\$589,000))
29		<u>\$599,000</u>
30	County Criminal Justice Assistance Account--State	
31	Appropriation	((\$3,122,000))
32		<u>\$3,142,000</u>
33	Municipal Criminal Justice Assistance Account--State	
34	Appropriation	((\$1,245,000))
35		<u>\$1,251,000</u>
36	Fire Service Trust Account--State Appropriation	\$131,000
37	Disaster Response Account--State Appropriation	\$8,002,000

1	Fire Service Training Account--State Appropriation	((\$8,717,000))
2		<u>\$8,724,000</u>
3	Aquatic Invasive Species Enforcement Account--State	
4	Appropriation	\$54,000
5	State Toxics Control Account--State Appropriation	((\$504,000))
6		<u>\$506,000</u>
7	Fingerprint Identification Account--State	
8	Appropriation	((\$7,371,000))
9		<u>\$8,420,000</u>
10	TOTAL APPROPRIATION	((\$132,560,000))
11		<u>\$138,251,000</u>

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

14 (1) \$200,000 of the fire service training account--state
15 appropriation is provided solely for two FTEs in the office of the
16 state director of fire protection to exclusively review K-12
17 construction documents for fire and life safety in accordance with the
18 state building code. It is the intent of this appropriation to provide
19 these services only to those districts that are located in counties
20 without qualified review capabilities.

21 (2) \$8,000,000 of the disaster response account--state
22 appropriation is provided solely for Washington state fire service
23 resource mobilization costs incurred in response to an emergency or
24 disaster authorized under RCW 43.43.960 and 43.43.964. The state
25 patrol shall submit a report quarterly to the office of financial
26 management and the legislative fiscal committees detailing information
27 on current and planned expenditures from this account. This work shall
28 be done in coordination with the military department.

29 ((+4)) (3) The 2010 legislature will review the use of king air
30 planes by the executive branch and the adequacy of funding in this
31 budget regarding maintaining and operating the planes to successfully
32 accomplish their mission.

33 ((+5)) (4) The appropriations in this section reflect reductions
34 in the appropriations for the agency's administrative expenses. It is
35 the intent of the legislature that these reductions shall be achieved,
36 to the greatest extent possible, by reducing those administrative costs
37 that do not affect direct client services or direct service delivery or
38 programs.

1 (~~(+6)~~) (5) \$400,000 of the fire service training account--state
2 appropriation is provided solely for the firefighter apprenticeship
3 training program.

4 (~~(+7)~~) (6) \$48,000 of the fingerprint identification account--
5 state appropriation is provided solely to implement Substitute House
6 Bill No. 1621 (consumer loan companies). If the bill is not enacted by
7 June 30, 2009, the amounts provided in this subsection shall lapse.

8 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,
9 the state patrol is authorized to increase the following fees in fiscal
10 year 2011 as necessary to meet the actual costs of conducting business
11 and the appropriation levels in this section: Collision records
12 requests; fire training academy courses; and fire training academy dorm
13 accommodations.

(End of part)

PART V
EDUCATION

Sec. 501. 2009 c 564 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2010)	((\$34,798,000))
	<u>\$35,220,000</u>
General Fund--State Appropriation (FY 2011)	((\$32,969,000))
	<u>\$28,825,000</u>
General Fund--Federal Appropriation	((\$86,571,000))
	<u>\$87,433,000</u>
TOTAL APPROPRIATION	((\$154,338,000))
	<u>\$151,478,000</u>

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

(1) A maximum of ((~~\$22,532,000~~)) \$23,471,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$21,023,000~~)) \$18,538,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) ((~~\$11,792,000~~)) \$11,797,000 of the general fund--state appropriation for fiscal year 2010 and ((~~\$11,325,000~~)) \$11,024,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

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

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, via the monthly report of school

1 district enrollment, accurate monthly headcount and FTE enrollments for
2 students in internet alternative learning experience (ALE) programs as
3 well as information about resident and serving districts.

4 (iii) (~~(\$927,000)~~) \$918,000 of the general fund--state
5 appropriation for fiscal year 2010 and \$941,000 of the general fund--
6 state appropriation for fiscal year 2011 are provided solely for
7 research and development activities associated with the development of
8 options for new school finance systems, including technical staff,
9 reprogramming, and analysis of alternative student funding formulae.
10 Within this amount is \$150,000 for the state board of education for
11 further development of accountability systems, and \$150,000 for the
12 professional educator standards board for continued development of
13 teacher certification and evaluation systems.

14 (b) \$965,000 of the general fund--state appropriation for fiscal
15 year 2010 and (~~(\$965,000)~~) \$946,000 of the general fund--state
16 appropriation for fiscal year 2011 are provided solely for the
17 operation and expenses of the state board of education, including basic
18 education assistance activities.

19 (c) \$5,366,000 of the general fund--state appropriation for fiscal
20 year 2010 and (~~(\$5,264,000)~~) \$3,199,000 of the general fund--state
21 appropriation for fiscal year 2011 are provided solely to the
22 professional educator standards board for the following:

23 (i) \$1,070,000 in fiscal year 2010 and (~~(\$1,070,000)~~) \$1,058,000 in
24 fiscal year 2011 are for the operation and expenses of the Washington
25 professional educator standards board, including administering the
26 alternative routes to certification program, pipeline for paraeducators
27 conditional scholarship loan program, and the retooling to teach math
28 conditional loan program;

29 (ii) \$3,431,000 of the general fund--state appropriation for fiscal
30 year 2010 and (~~(\$3,431,000)~~) \$1,378,000 of the general fund--state
31 appropriation for fiscal year 2011 are for conditional scholarship
32 loans and mentor stipends provided through the alternative routes to
33 certification program administered by the professional educator
34 standards board. Of these amounts:

35 (A) \$500,000 each year is for conditional scholarships to
36 candidates seeking an endorsement in special education, math, science,
37 or bilingual education;

1 (B) \$2,372,000 for fiscal year 2010 and (~~(\$2,372,000)~~) \$319,000 for
2 fiscal year 2011 are for the expansion of conditional scholarship loans
3 and mentor stipends for individuals enrolled in alternative route state
4 partnership programs and seeking endorsements in math, science, special
5 education or bilingual education;

6 (C) Any remaining amounts in this subsection (c) shall be used to
7 continue existing alternative routes to certification programs; and

8 (D) Candidates seeking math and science endorsements under (A) and
9 (B) of this subsection shall receive priority for funding;

10 (iii) \$231,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$231,000 of the general fund--state appropriation for
12 fiscal year 2011 are for the recruiting Washington teachers program;

13 (iv) \$200,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$200,000 of the general fund--state appropriation for
15 fiscal year 2011 provided in this subsection are for \$4,000 conditional
16 loan stipends for paraeducators participating in the pipeline for
17 paraeducators program;

18 (v) \$244,000 of the general fund--state appropriation for fiscal
19 year 2010 and \$244,000 of the general fund--state appropriation for
20 fiscal year 2011 are for conditional stipends for certificated teachers
21 pursuing a mathematics or science endorsement under the retooling to
22 teach mathematics or science program. The conditional stipends shall
23 be for endorsement exam fees as well as stipends for teachers who must
24 also complete coursework; and

25 (vi) \$102,000 of the general fund--state appropriation for fiscal
26 year 2010 is provided for the implementation of Second Substitute
27 Senate Bill No. 5973 (student achievement gap). The professional
28 educator standards board (PESB) will convene a workgroup to identify a
29 list of model standards for cultural competency and make
30 recommendations to the education committees of the legislature on the
31 strengths and weaknesses of those standards. Funding is also included
32 here in the amount of \$10,000 for the PESB to develop an interagency
33 agreement with the center for the improvement of student learning to
34 participate.

35 (d) (~~(\$1,099,000)~~) \$1,349,000 of the general fund--state
36 appropriation for fiscal year 2010 and \$144,000 of the general fund--
37 state appropriation for fiscal year 2011 are provided solely for
38 replacement of the apportionment system, which includes the processes

1 that collect school district budget and expenditure information,
2 staffing characteristics, and the student enrollments that drive the
3 funding process.

4 (e) (~~(\$1,227,000)~~) \$1,140,000 of the general fund--state
5 appropriation for fiscal year 2010 and \$1,227,000 of the general fund--
6 state appropriation for fiscal year 2011 are provided solely for the
7 creation of a statewide data base of longitudinal student information.
8 This amount is conditioned on the department satisfying the
9 requirements in section 902 of this act.

10 (f) \$75,000 of the general fund--state appropriation for fiscal
11 year 2010 (~~(and \$75,000 of the general fund--state appropriation for~~
12 ~~fiscal year 2011 are))~~) is provided solely to promote the financial
13 literacy of students. The effort will be coordinated through the
14 financial education public-private partnership.

15 (g) To the maximum extent possible, in adopting new agency rules or
16 making any changes to existing rules or policies related to the fiscal
17 provisions in the administration of part V of this act, the office of
18 the superintendent of public instruction shall attempt to request
19 approval through the normal legislative budget process.

20 (h) \$44,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$45,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the implementation of
23 Substitute Senate Bill No. 5248 (enacting the interstate compact on
24 educational opportunity for military children).

25 (i) \$700,000 of the general fund--state appropriation for fiscal
26 year 2010 and \$700,000 of the general fund--state appropriation for
27 fiscal year 2011 are provided solely for the implementation of
28 Substitute Senate Bill No. 5410 (online learning).

29 (j) \$25,000 of the general fund--state appropriation for fiscal
30 year 2010 (~~(and \$25,000 of the general fund--state appropriation for~~
31 ~~fiscal year 2011 are))~~) is provided solely for project citizen, a
32 program sponsored by the national conference of state legislatures and
33 the center for civic education to promote participation in government
34 by middle school students.

35 (2) (~~(\$12,836,000)~~) \$12,320,000 of the general fund--state
36 appropriation for fiscal year 2010, (~~(\$12,407,000)~~) \$10,445,000 of the
37 general fund--state appropriation for fiscal year 2011, and \$55,890,000
38 of the general fund--federal appropriation are for statewide programs.

1 (a) HEALTH AND SAFETY

2 (i) \$2,541,000 of the general fund--state appropriation for fiscal
3 year 2010 and \$2,541,000 of the general fund--state appropriation for
4 fiscal year 2011 are provided solely for a corps of nurses located at
5 educational service districts, as determined by the superintendent of
6 public instruction, to be dispatched to the most needy schools to
7 provide direct care to students, health education, and training for
8 school staff.

9 (ii) \$100,000 of the general fund--state appropriation for fiscal
10 year 2010 and \$100,000 of the general fund--state appropriation for
11 fiscal year 2011 are provided solely for a school safety training
12 program provided by the criminal justice training commission. The
13 commission, in collaboration with the school safety center advisory
14 committee, shall provide the school safety training for all school
15 administrators and school safety personnel, including school safety
16 personnel hired after the effective date of this section.

17 (iii) \$9,670,000 of the general fund--federal appropriation is
18 provided for safe and drug free schools and communities grants for drug
19 and violence prevention activities and strategies.

20 (iv) \$96,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$96,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for the school safety center in
23 the office of the superintendent of public instruction subject to the
24 following conditions and limitations:

25 (A) The safety center shall: Disseminate successful models of
26 school safety plans and cooperative efforts; provide assistance to
27 schools to establish a comprehensive safe school plan; select models of
28 cooperative efforts that have been proven successful; act as an
29 information dissemination and resource center when an incident occurs
30 in a school district either in Washington or in another state;
31 coordinate activities relating to school safety; review and approve
32 manuals and curricula used for school safety models and training; and
33 develop and maintain a school safety information web site.

34 (B) The school safety center advisory committee shall develop a
35 training program, using the best practices in school safety, for all
36 school safety personnel.

37 (v) \$70,000 of the general fund--state appropriation for fiscal

1 year 2010 (~~and \$70,000 of the general fund--state appropriation for~~
2 ~~fiscal year 2011 are~~) is provided solely for the youth suicide
3 prevention program.

4 (vi) \$50,000 of the general fund--state appropriation for fiscal
5 year 2010 (~~and \$50,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2011 are~~) is provided solely for a nonviolence and
7 leadership training program provided by the institute for community
8 leadership.

9 (b) TECHNOLOGY

10 (i) (~~(\$1,939,000)~~) \$1,842,000 of the general fund--state
11 appropriation for fiscal year 2010 and \$1,939,000 of the general fund--
12 state appropriation for fiscal year 2011 are provided solely for K-20
13 telecommunications network technical support in the K-12 sector to
14 prevent system failures and avoid interruptions in school utilization
15 of the data processing and video-conferencing capabilities of the
16 network. These funds may be used to purchase engineering and advanced
17 technical support for the network.

18 (ii) \$1,475,000 of the general fund--state appropriation for fiscal
19 year 2010, \$1,045,000 of the general fund--state appropriation for
20 fiscal year 2011, and \$435,000 of the general fund--federal
21 appropriation are provided solely for implementing a comprehensive data
22 system to include financial, student, and educator data. The office of
23 the superintendent of public instruction will convene a data governance
24 group to create a comprehensive needs-requirement document, conduct a
25 gap analysis, and define operating rules and a governance structure for
26 K-12 data collections. A preliminary report shall be submitted to the
27 fiscal committees and the education policy committees of the house of
28 representatives and senate by November 2009.

29 (iii) \$1,656,000 of the general fund--federal appropriation for
30 fiscal year 2010 and \$2,483,000 of the general fund--federal
31 appropriation for fiscal year 2011 of the American recovery and
32 reinvestment act (ARRA) 2009 funds for education technology are
33 provided solely for distribution to school districts, by formula, as
34 provided in the ARRA and related federal guidelines. \$4,139,000 of the
35 general fund--federal appropriation of the American recovery and
36 reinvestment act (ARRA) 2009 funds for education technology shall be
37 awarded to local education agencies through a competitive grant
38 process.

1 (c) GRANTS AND ALLOCATIONS

2 (i) \$1,329,000 of the general fund--state appropriation for fiscal
3 year 2010 and \$1,329,000 of the general fund--state appropriation for
4 fiscal year 2011 are provided solely for the special services pilot
5 project to include up to seven participating districts. The office of
6 the superintendent of public instruction shall allocate these funds to
7 the district or districts participating in the pilot program according
8 to the provisions of RCW 28A.630.016.

9 (ii) \$750,000 of the general fund--state appropriation for fiscal
10 year 2010 (~~and \$750,000 of the general fund--state appropriation for~~
11 ~~fiscal year 2011 are~~) is provided solely for the Washington state
12 achievers scholarship program. The funds shall be used to support
13 community involvement officers that recruit, train, and match community
14 volunteer mentors with students selected as achievers scholars.

15 (iii) \$25,000 of the general fund--state appropriation for fiscal
16 year 2010 (~~and \$25,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2011 are~~) is provided solely for developing and
18 disseminating curriculum and other materials documenting women's role
19 in World War II.

20 (iv) \$175,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$175,000 of the general fund--state appropriation for
22 fiscal year 2011 are provided solely for incentive grants for districts
23 and pilot projects to develop preapprenticeship programs. Incentive
24 grant awards up to \$10,000 each shall be used to support the program's
25 design, school/business/labor agreement negotiations, and recruiting
26 high school students for preapprenticeship programs in the building
27 trades and crafts.

28 (v) (~~(\$3,219,000)~~) \$2,898,000 of the general fund--state
29 appropriation for fiscal year 2010 and \$3,220,000 of the general fund--
30 state appropriation for fiscal year 2011 are provided solely for the
31 dissemination of the navigation 101 curriculum to all districts. The
32 funding shall support electronic student planning tools and software
33 for analyzing the impact of navigation 101 on student performance, as
34 well as grants to a maximum of one hundred school districts each year,
35 based on progress and need for the implementation of the navigation 101
36 program. The implementation grants shall be awarded to a cross-section
37 of school districts reflecting a balance of geographic and demographic

1 characteristics. Within the amounts provided, the office of the
2 superintendent of public instruction will create a navigation 101
3 accountability model to analyze the impact of the program.

4 (vi) (~~(\$675,000)~~) \$627,000 of the general fund--state appropriation
5 for fiscal year 2010 (~~((and \$675,000 of the general fund state~~
6 ~~appropriation for fiscal year 2011 are))~~) is provided solely for
7 implementation of a statewide program for comprehensive dropout
8 prevention, intervention, and retrieval.

9 (vii) (~~(\$50,000)~~) \$40,000 of the general fund--state appropriation
10 for fiscal year 2010 (~~((and \$50,000 of the general fund state~~
11 ~~appropriation for fiscal year 2011 are))~~) is provided solely for program
12 initiatives to address the educational needs of Latino students and
13 families. Using the full amounts of the appropriations under this
14 subsection (2)(c)(vii), the office of the superintendent of public
15 instruction shall contract with the Seattle community coalition of
16 compaña quetzal to provide for three initiatives: (A) Early childhood
17 education; (B) parent leadership training; and (C) high school success
18 and college preparation programs.

19 (viii) (~~(\$75,000)~~) \$60,000 of the general fund--state appropriation
20 for fiscal year 2010 (~~((and \$75,000 of the general fund state~~
21 ~~appropriation for fiscal year 2011 are))~~) is provided solely for a pilot
22 project to encourage bilingual high school students to pursue public
23 school teaching as a profession. Using the full amounts of the
24 appropriation under this subsection, the office of the superintendent
25 of public instruction shall contract with the Latino/a educational
26 achievement project (LEAP) to work with school districts to identify
27 and mentor not fewer than fifty bilingual students in their junior year
28 of high school, encouraging them to become bilingual instructors in
29 schools with high English language learner populations. Students shall
30 be mentored by bilingual teachers and complete a curriculum developed
31 and approved by the participating districts.

32 (ix) \$145,000 of the general fund--state appropriation for fiscal
33 year 2010 (~~((and \$145,000 of the general fund state appropriation for~~
34 ~~fiscal year 2011 are))~~) is provided solely to the office of the
35 superintendent of public instruction to enhance the reading skills of
36 students with dyslexia by implementing the findings of the dyslexia
37 pilot program. Funds shall be used to provide information and training
38 to classroom teachers and reading specialists, for development of a

1 dyslexia handbook, and to take other statewide actions to improve the
2 reading skills of students with dyslexia. The training program shall
3 be delivered regionally through the educational service districts.

4 (x) \$97,000 of the general fund--state appropriation for fiscal
5 year 2010 (~~and \$97,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2011 are~~) is provided solely to support vocational student
7 leadership organizations.

8 (~~(xi) \$25,000 of the general--state appropriation for fiscal year~~
9 ~~2010 and \$25,000 of the general fund--state appropriation for fiscal~~
10 ~~year 2011 are provided solely for the communities in school program in~~
11 ~~Pierce county.~~)

12 **Sec. 502.** 2009 c 564 s 502 (uncodified) is amended to read as
13 follows:

14 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
15 **APPORTIONMENT**

16	General Fund--State Appropriation (FY 2010)	((\$5,083,217,000))
17		<u>\$4,723,822,000</u>
18	General Fund--State Appropriation (FY 2011)	((\$5,103,543,000))
19		<u>\$5,419,090,000</u>
20	TOTAL APPROPRIATION	((\$10,186,760,000))
21		<u>\$10,142,912,000</u>

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

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

27 (2) Allocations for certificated staff salaries for the 2009-10 and
28 2010-11 school years shall be determined using formula-generated staff
29 units calculated pursuant to this subsection. Staff allocations for
30 small school enrollments in (e) through (g) of this subsection shall be
31 reduced for vocational full-time equivalent enrollments. Staff
32 allocations for small school enrollments in grades K-6 shall be the
33 greater of that generated under (a) of this subsection, or under (d)
34 and (e) of this subsection. Certificated staffing allocations shall be
35 as follows:

36 (a) On the basis of each 1,000 average annual full-time equivalent

1 enrollments, excluding full-time equivalent enrollment otherwise
2 recognized for certificated staff unit allocations under (d) through
3 (g) of this subsection:

4 (i) Four certificated administrative staff units per thousand full-
5 time equivalent students in grades K-12;

6 (ii)(A) For the 2009-10 school year, fifty-three and two-tenths
7 certificated instructional staff units per thousand full-time
8 equivalent students in grades K-4 for districts that enroll fewer than
9 25 percent of their total full-time equivalent student enrollment in
10 grades K-4 in digital or online learning programs defined in WAC 392-
11 121-182.

12 (B) For the 2009-10 school year, all other districts shall be
13 allocated a minimum of forty-nine certificated instructional staff
14 units per 1,000 full-time-equivalent (FTE) students in grades K through
15 four, and shall be allocated additional certificated instructional
16 staff units to equal the documented staffing level in grades K through
17 four, up to a maximum of fifty-three and two-tenths certificated
18 instructional staff units per 1,000 FTE students.

19 (C) Certificated instructional staff allocations in this subsection
20 (2)(a)(ii) exceeding the statutory minimums established in RCW
21 28A.150.260 shall not be considered part of basic education.

22 (iii) For the 2009-10 school year, forty-six certificated
23 instructional staff units per thousand full-time equivalent students in
24 grades 5-12;

25 (iv) For the 2010-11 school year, forty-nine certificated
26 instructional staff units per thousand full-time equivalent students in
27 grades K-3 and forty-six certificated instructional staff units per
28 thousand full-time equivalent students in grades 4-12;

29 (b) For school districts with a minimum enrollment of 250 full-time
30 equivalent students whose full-time equivalent student enrollment count
31 in a given month exceeds the first of the month full-time equivalent
32 enrollment count by 5 percent, an additional state allocation of 110
33 percent of the share that such increased enrollment would have
34 generated had such additional full-time equivalent students been
35 included in the normal enrollment count for that particular month;

36 (c)(i) On the basis of full-time equivalent enrollment in:

37 (A) Vocational education programs approved by the superintendent of

1 public instruction, a maximum of 0.92 certificated instructional staff
2 units and 0.08 certificated administrative staff units for each 19.5
3 full-time equivalent vocational students; and

4 (B) Skills center programs meeting the standards for skills center
5 funding established in January 1999 by the superintendent of public
6 instruction with a waiver allowed for skills centers in current
7 operation that are not meeting this standard until the 2010-11 school
8 year, 0.92 certificated instructional staff units and 0.08 certificated
9 administrative units for each 16.67 full-time equivalent vocational
10 students;

11 (ii) Vocational full-time equivalent enrollment shall be reported
12 on the same monthly basis as the enrollment for students eligible for
13 basic support, and payments shall be adjusted for reported vocational
14 enrollments on the same monthly basis as those adjustments for
15 enrollment for students eligible for basic support; and

16 (iii) Indirect cost charges by a school district to vocational-
17 secondary programs shall not exceed 15 percent of the combined basic
18 education and vocational enhancement allocations of state funds;

19 (d) For districts enrolling not more than twenty-five average
20 annual full-time equivalent students in grades K-8, and for small
21 school plants within any school district which have been judged to be
22 remote and necessary by the state board of education and enroll not
23 more than twenty-five average annual full-time equivalent students in
24 grades K-8:

25 (i) For those enrolling no students in grades 7 and 8, 1.76
26 certificated instructional staff units and 0.24 certificated
27 administrative staff units for enrollment of not more than five
28 students, plus one-twentieth of a certificated instructional staff unit
29 for each additional student enrolled; and

30 (ii) For those enrolling students in grades 7 or 8, 1.68
31 certificated instructional staff units and 0.32 certificated
32 administrative staff units for enrollment of not more than five
33 students, plus one-tenth of a certificated instructional staff unit for
34 each additional student enrolled;

35 (e) For specified enrollments in districts enrolling more than
36 twenty-five but not more than one hundred average annual full-time
37 equivalent students in grades K-8, and for small school plants within

1 any school district which enroll more than twenty-five average annual
2 full-time equivalent students in grades K-8 and have been judged to be
3 remote and necessary by the state board of education:

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

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

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

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

19 (ii) For all other small high schools under this subsection, nine
20 certificated instructional staff units and one-half of a certificated
21 administrative staff unit for the first sixty average annual full time
22 equivalent students, and additional staff units based on a ratio of
23 0.8732 certificated instructional staff units and 0.1268 certificated
24 administrative staff units per each additional forty-three and one-half
25 average annual full time equivalent students.

26 Units calculated under (f)(ii) of this subsection shall be reduced
27 by certificated staff units at the rate of forty-six certificated
28 instructional staff units and four certificated administrative staff
29 units per thousand vocational full-time equivalent students;

30 (g) For each nonhigh school district having an enrollment of more
31 than seventy annual average full-time equivalent students and less than
32 one hundred eighty students, operating a grades K-8 program or a grades
33 1-8 program, an additional one-half of a certificated instructional
34 staff unit; and

35 (h) For each nonhigh school district having an enrollment of more
36 than fifty annual average full-time equivalent students and less than
37 one hundred eighty students, operating a grades K-6 program or a grades

1 1-6 program, an additional one-half of a certificated instructional
2 staff unit.

3 (3) Allocations for classified salaries for the 2009-10 and 2010-11
4 school years shall be calculated using formula-generated classified
5 staff units determined as follows:

6 (a) For enrollments generating certificated staff unit allocations
7 under subsection (2)(e) through (h) of this section, one classified
8 staff unit for each 2.94 certificated staff units allocated under such
9 subsections;

10 (b) For all other enrollment in grades K-12, including vocational
11 full-time equivalent enrollments, one classified staff unit for each
12 58.75 average annual full-time equivalent students; and

13 (c) For each nonhigh school district with an enrollment of more
14 than fifty annual average full-time equivalent students and less than
15 one hundred eighty students, an additional one-half of a classified
16 staff unit.

17 (4) Fringe benefit allocations shall be calculated at a rate of
18 14.43 percent in the 2009-10 school year and 14.43 percent in the 2010-
19 11 school year for certificated salary allocations provided under
20 subsection (2) of this section, and a rate of 16.58 percent in the
21 2009-10 school year and 16.58 percent in the 2010-11 school year for
22 classified salary allocations provided under subsection (3) of this
23 section.

24 (5) Insurance benefit allocations shall be calculated at the
25 maintenance rate specified in section 504(2) of this act, based on the
26 number of benefit units determined as follows:

27 (a) The number of certificated staff units determined in subsection
28 (2) of this section; and

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

35 (6)(a) For nonemployee-related costs associated with each
36 certificated staff unit allocated under subsection (2)(a), (b), and (d)
37 through (g) of this section, there shall be provided a maximum of

1 \$10,179 per certificated staff unit in the 2009-10 school year and a
2 maximum of (~~(\$10,445)~~) \$10,465 per certificated staff unit in the 2010-
3 11 school year.

4 (b) For nonemployee-related costs associated with each vocational
5 certificated staff unit allocated under subsection (2)(c)(i)(A) of this
6 section, there shall be provided a maximum of \$24,999 per certificated
7 staff unit in the 2009-10 school year and a maximum of (~~(\$25,449)~~)
8 \$25,499 per certificated staff unit in the 2010-11 school year.

9 (c) For nonemployee-related costs associated with each vocational
10 certificated staff unit allocated under subsection (2)(c)(i)(B) of this
11 section, there shall be provided a maximum of \$19,395 per certificated
12 staff unit in the 2009-10 school year and a maximum of (~~(\$19,744)~~)
13 \$19,783 per certificated staff unit in the 2010-11 school year.

14 (7) Allocations for substitute costs for classroom teachers shall
15 be distributed at a maintenance rate of \$607.44 for the 2009-10 and
16 2010-11 school years per allocated classroom teachers exclusive of
17 salary increase amounts provided in section 504 of this act. Solely
18 for the purposes of this subsection, allocated classroom teachers shall
19 be equal to the number of certificated instructional staff units
20 allocated under subsection (2) of this section, multiplied by the ratio
21 between the number of actual basic education certificated teachers and
22 the number of actual basic education certificated instructional staff
23 reported statewide for the prior school year.

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

33 (9) Funding in this section is sufficient to provide additional
34 service year credits to educational staff associates pursuant to
35 chapter 403, Laws of 2007.

36 (10)(a) The superintendent may distribute a maximum of
37 (~~(\$7,288,000)~~) \$7,289,000 outside the basic education formula during
38 fiscal years 2010 and 2011 as follows:

1 (i) For fire protection for school districts located in a fire
2 protection district as now or hereafter established pursuant to chapter
3 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010
4 and a maximum of (~~(\$577,000)~~) \$578,000 may be expended in fiscal year
5 2011;

6 (ii) For summer vocational programs at skills centers, a maximum of
7 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of
8 \$2,385,000 for the 2011 fiscal year. 20 percent of each fiscal year
9 amount may carry over from one year to the next;

10 (iii) A maximum of \$404,000 may be expended for school district
11 emergencies; and

12 (iv) A maximum of \$485,000 each fiscal year may be expended for
13 programs providing skills training for secondary students who are
14 enrolled in extended day school-to-work programs, as approved by the
15 superintendent of public instruction. The funds shall be allocated at
16 a rate not to exceed \$500 per full-time equivalent student enrolled in
17 those programs.

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

21 (11) For purposes of RCW 84.52.0531, the increase per full-time
22 equivalent student is 4.0 percent from the 2008-09 school year to the
23 2009-10 school year and (~~(4.0)~~) 2.0 percent from the 2009-10 school
24 year to the 2010-11 school year.

25 (12) If two or more school districts consolidate and each district
26 was receiving additional basic education formula staff units pursuant
27 to subsection (2)(b) through (g) of this section, the following shall
28 apply:

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

33 (b) For the fourth through eighth school years following
34 consolidation, the difference between the basic education formula staff
35 units received by the districts for the school year prior to
36 consolidation and the basic education formula staff units after
37 consolidation pursuant to subsection (2)(a) through (h) of this section
38 shall be reduced in increments of twenty percent per year.

1 **Sec. 503.** 2009 c 564 s 503 (uncodified) is amended to read as
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION**
4 **EMPLOYEE COMPENSATION.** (1) The following calculations determine the
5 salaries used in the general fund allocations for certificated
6 instructional, certificated administrative, and classified staff units
7 under section 502 of this act:

8 (a) Salary allocations for certificated instructional staff units
9 shall be determined for each district by multiplying the district's
10 certificated instructional total base salary shown on LEAP Document 2
11 by the district's average staff mix factor for certificated
12 instructional staff in that school year, computed using LEAP Document
13 1; and

14 (b) Salary allocations for certificated administrative staff units
15 and classified staff units for each district shall be based on the
16 district's certificated administrative and classified salary allocation
17 amounts shown on LEAP Document 2.

18 (2) For the purposes of this section:

19 (a) "LEAP Document 1" means the staff mix factors for certificated
20 instructional staff according to education and years of experience, as
21 developed by the legislative evaluation and accountability program
22 committee on April 22, 2009, at 08:22 hours; and

23 (b) "LEAP Document 2" means the school year salary allocations for
24 certificated administrative staff and classified staff and derived and
25 total base salaries for certificated instructional staff as developed
26 by the legislative evaluation and accountability program committee on
27 April 22, 2009, at 08:22 hours.

28 (3) Incremental fringe benefit factors shall be applied to salary
29 adjustments at a rate of 14.43 percent for school year 2009-10 and
30 14.43 percent for school year 2010-11 for certificated staff and for
31 classified staff 16.58 percent for school year 2009-10 and 16.58
32 percent for the 2010-11 school year.

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

1

2

Table Of Total Base Salaries For Certificated Instructional Staff

3

For School Year 2009-10

4

Years of

MA+90

5

Service

BA

BA+15

BA+30

BA+45

BA+90

BA+135

MA

MA+45

or PHD

6

0

34,237

35,162

36,120

37,080

40,161

42,145

41,047

44,128

46,115

7

1

34,698

35,635

36,606

37,608

40,721

42,695

41,503

44,617

46,589

8

2

35,137

36,083

37,064

38,144

41,248

43,242

41,963

45,067

47,061

9

3

35,589

36,545

37,536

38,650

41,749

43,791

42,398

45,494

47,538

10

4

36,033

37,031

38,028

39,180

42,297

44,354

42,855

45,971

48,030

11

5

36,492

37,494

38,501

39,718

42,823

44,921

43,319

46,425

48,523

12

6

36,963

37,943

38,984

40,262

43,352

45,462

43,794

46,885

48,993

13

7

37,790

38,786

39,841

41,187

44,324

46,491

44,685

47,820

49,989

14

8

39,002

40,052

41,132

42,590

45,768

48,016

46,086

49,266

51,512

15

9

41,363

42,497

44,008

47,260

49,584

47,503

50,757

53,081

16

10

43,877

45,498

48,794

51,195

48,995

52,291

54,692

17

11

47,032

50,399

52,849

50,528

53,897

56,345

18

12

48,517

52,048

54,571

52,122

55,545

58,068

19

13

53,737

56,335

53,773

57,234

59,831

20

14

55,434

58,165

55,471

59,042

61,663

21

15

56,877

59,679

56,913

60,577

63,266

22

16 or more

58,014

60,871

58,051

61,788

64,531

23

((Table Of Total Base Salaries For Certificated Instructional Staff

24

For School Year 2010-11

25

Years of

MA+90

26

Service

BA

BA+15

BA+30

BA+45

BA+90

BA+135

MA

MA+45

or PHD

27

0

34,237

35,162

36,120

37,080

40,161

42,145

41,047

44,128

46,115

28

1

34,698

35,635

36,606

37,608

40,721

42,695

41,503

44,617

46,589

29

2

35,137

36,083

37,064

38,144

41,248

43,242

41,963

45,067

47,061

30

3

35,589

36,545

37,536

38,650

41,749

43,791

42,398

45,494

47,538

31

4

36,033

37,031

38,028

39,180

42,297

44,354

42,855

45,971

48,030

32

5

36,492

37,494

38,501

39,718

42,823

44,921

43,319

46,425

48,523

33

6

36,963

37,943

38,984

40,262

43,352

45,462

43,794

46,885

48,993

1	7	37,790	38,786	39,841	41,187	44,324	46,491	44,685	47,820	49,989
2	8	39,002	40,052	41,132	42,590	45,768	48,016	46,086	49,266	51,512
3	9		41,363	42,497	44,008	47,260	49,584	47,503	50,757	53,081
4	10			43,877	45,498	48,794	51,195	48,995	52,291	54,692
5	11				47,032	50,399	52,849	50,528	53,897	56,345
6	12				48,517	52,048	54,571	52,122	55,545	58,068
7	13					53,737	56,335	53,773	57,234	59,831
8	14					55,434	58,165	55,471	59,042	61,663
9	15					56,877	59,679	56,913	60,577	63,266
10	16 or more					58,014	60,871	58,051	61,788	64,531))

Table Of Total Base Salaries For Certificated Instructional Staff
For School Year 2010-11

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
11				46,772	50,121	52,557	50,249	53,599	56,034
12				48,249	51,761	54,269	51,835	55,238	57,748
13					53,440	56,024	53,476	56,918	59,501
14					55,128	57,844	55,165	58,716	61,322
15					56,563	59,349	56,599	60,242	62,917
16 or more					57,693	60,535	57,731	61,447	64,174

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

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

5 (i) Credits earned since receiving the masters degree; and

6 (ii) Any credits in excess of forty-five credits that were earned
7 after the baccalaureate degree but before the masters degree.

8 (5) For the purposes of this section:

9 (a) "BA" means a baccalaureate degree.

10 (b) "MA" means a masters degree.

11 (c) "PHD" means a doctorate degree.

12 (d) "Years of service" shall be calculated under the same rules
13 adopted by the superintendent of public instruction.

14 (e) "Credits" means college quarter hour credits and equivalent in-
15 service credits computed in accordance with RCW 28A.415.020 and
16 28A.415.023.

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

22 (a) The employee has a masters degree; or

23 (b) The credits were used in generating state salary allocations
24 before January 1, 1992.

25 (7) The certificated instructional staff base salary specified for
26 each district in LEAP Document 2 and the salary schedules in subsection
27 (4)(a) of this section include one learning improvement day for the
28 2009-10 school year and zero learning improvement days for the 2010-11
29 school year. A school district is eligible for the learning
30 improvement day funds only if the learning improvement day has been
31 added to the 180-day contract year. If fewer days are added, the
32 additional learning improvement allocation shall be adjusted
33 accordingly. The additional day shall be limited to specific
34 activities identified in the state required school improvement plan
35 related to improving student learning that are consistent with
36 education reform implementation, and shall not be considered part of
37 basic education. The principal in each school shall assure that the
38 days are used to provide the necessary school-wide, all staff

1 professional development that is tied directly to the school
2 improvement plan. The school principal and the district superintendent
3 shall maintain documentation as to their approval of these activities.
4 The length of a learning improvement day shall not be less than the
5 length of a full day under the base contract. The superintendent of
6 public instruction shall ensure that school districts adhere to the
7 intent and purposes of this subsection.

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

10 **Sec. 504.** 2009 c 564 s 504 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
13 **COMPENSATION ADJUSTMENTS**

14	General Fund--State Appropriation (FY 2010)	((\$4,215,000))
15		<u>(\$4,301,000)</u>
16	General Fund--State Appropriation (FY 2011)	((\$14,172,000))
17		<u>(\$1,042,000)</u>
18	General Fund--Federal Appropriation	((\$6,000))
19		<u>(\$1,000)</u>
20	TOTAL APPROPRIATION	((\$9,963,000))
21		<u>(\$5,344,000)</u>

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

24 (1)(a) Additional salary adjustments as necessary to fund the base
25 salaries for certificated instructional staff as listed for each
26 district in LEAP Document 2, defined in section 503(2)(b) of this act.
27 Allocations for these salary adjustments shall be provided to all
28 districts that are not grandfathered to receive salary allocations
29 above the statewide salary allocation schedule, and to certain
30 grandfathered districts to the extent necessary to ensure that salary
31 allocations for districts that are currently grandfathered do not fall
32 below the statewide salary allocation schedule.

33 (b) Additional salary adjustments to certain districts as necessary
34 to fund the per full-time-equivalent salary allocations for
35 certificated administrative staff as listed for each district in LEAP
36 Document 2, defined in section 503(2)(b) of this act. These

1 adjustments shall ensure a minimum salary allocation for certificated
2 administrative staff of \$57,986 in the 2009-10 school year and \$57,986
3 in the 2010-11 school year.

4 (c) Additional salary adjustments to certain districts as necessary
5 to fund the per full-time-equivalent salary allocations for classified
6 staff as listed for each district in LEAP Document 2, defined in
7 section 503(2)(b) of this act. These salary adjustments ensure a
8 minimum salary allocation for classified staff of \$31,865 in the 2009-
9 10 school year and \$31,865 in the 2010-11 school year.

10 (d) The appropriations in this subsection (1) include associated
11 incremental fringe benefit allocations at rates 13.79 percent for the
12 2009-10 school year and 13.79 percent for the 2010-11 school year for
13 certificated staff and 13.08 percent for the 2009-10 school year and
14 13.08 percent for the 2010-11 school year for classified staff.

15 (e) The appropriations in this section include the increased or
16 decreased portion of salaries and incremental fringe benefits for all
17 relevant state-funded school programs in part V of this act. Changes
18 for general apportionment (basic education) are based on the salary
19 allocation schedules and methodology in sections 502 and 503 of this
20 act. Changes for special education result from changes in each
21 district's basic education allocation per student. Changes for
22 educational service districts and institutional education programs are
23 determined by the superintendent of public instruction using the
24 methodology for general apportionment salaries and benefits in sections
25 502 and 503 of this act. The appropriations in this section provide
26 incremental fringe benefit alterations based on formula adjustments as
27 follows:

28

	School Year	
	2009-10	2010-11
29 Pupil Transportation (per weighted pupil mile)	\$0	\$0
30 Highly Capable (per formula student)	(\$1.49)	(\$1.49)
31		<u>(\$2.98)</u>
32 Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$3.93)
33		<u>(\$7.86)</u>
34		
35		

1 Learning Assistance (per formula student) (\$1.18) (((\$1.18)))
 2 (\$2.36)

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

5 (2) ((~~\$44,188,000~~)) \$43,690,000 is provided for adjustments to
 6 insurance benefit allocations. The maintenance rate for insurance
 7 benefit allocations is \$732.00 per month for the 2009-10 and 2010-11
 8 school years. The appropriations in this section provide for a rate
 9 increase to \$745.00 per month for the 2009-10 school year and \$768.00
 10 per month for the 2010-11 school year. The adjustments to health
 11 insurance benefits are at the following rates:

	School Year	
	2009-10	2010-11
15 Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
16 Highly Capable (per formula student)	\$0.82	\$2.22
17 Transitional Bilingual Education (per eligible bilingual student)	\$2.10	\$5.83
18 Learning Assistance (per formula student)	\$0.54	\$1.49

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

21 **Sec. 505.** 2009 c 564 s 505 (uncodified) is amended to read as
 22 follows:

23 FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION	
24 General Fund--State Appropriation (FY 2010)	((\$307,357,000))
25	<u>\$316,574,000</u>
26 General Fund--State Appropriation (FY 2011)	((\$307,070,000))
27	<u>\$320,040,000</u>
28 TOTAL APPROPRIATION	((\$614,427,000))
29	<u>\$636,614,000</u>

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

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

4 (2) A maximum of \$878,000 of this fiscal year 2010 appropriation
5 and a maximum of (~~\$894,000~~) \$896,000 of the fiscal year 2011
6 appropriation may be expended for regional transportation coordinators
7 and related activities. The transportation coordinators shall ensure
8 that data submitted by school districts for state transportation
9 funding shall, to the greatest extent practical, reflect the actual
10 transportation activity of each district.

11 (3) Allocations for transportation of students shall be based on
12 reimbursement rates of \$48.15 per weighted mile in the 2009-10 school
13 year and (~~\$48.40~~) \$48.43 per weighted mile in the 2010-11 school year
14 exclusive of salary and benefit adjustments provided in section 504 of
15 this act. Allocations for transportation of students transported more
16 than one radius mile shall be based on weighted miles as determined by
17 superintendent of public instruction multiplied by the per mile
18 reimbursement rates for the school year pursuant to the formulas
19 adopted by the superintendent of public instruction. Allocations for
20 transportation of students living within one radius mile shall be based
21 on the number of enrolled students in grades kindergarten through five
22 living within one radius mile of their assigned school multiplied by
23 the per mile reimbursement rate for the school year multiplied by 1.29.

24 (4) The office of the superintendent of public instruction shall
25 provide reimbursement funding to a school district only after the
26 superintendent of public instruction determines that the school bus was
27 purchased from the list established pursuant to RCW 28A.160.195(2) or
28 a comparable competitive bid process based on the lowest price quote
29 based on similar bus categories to those used to establish the list
30 pursuant to RCW 28A.160.195.

31 (5) The superintendent of public instruction shall base
32 depreciation payments for school district buses on the five-year
33 average of lowest bids in the appropriate category of bus. In the
34 final year on the depreciation schedule, the depreciation payment shall
35 be based on the lowest bid in the appropriate bus category for that
36 school year.

37 (6) Funding levels in this section reflect reductions from the

1 implementation of Substitute House Bill No. 1292 (authorizing waivers
2 from the one hundred eighty-day school year requirement in order to
3 allow four-day school weeks).

4 **Sec. 506.** 2009 c 564 s 506 (uncodified) is amended to read as
5 follows:

6 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**
7 **PROGRAMS**

8	General Fund--State Appropriation (FY 2010)	\$3,159,000
9	General Fund--State Appropriation (FY 2011)	\$3,159,000
10	General Fund--Federal Appropriation	(\$281,988,000)
11		<u>\$391,988,000</u>
12	TOTAL APPROPRIATION	(\$288,306,000)
13		<u>\$398,306,000</u>

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

16 (1) \$3,000,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$3,000,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided for state matching money for federal
19 child nutrition programs.

20 (2) \$100,000 of the general fund--state appropriation for fiscal
21 year 2010 and \$100,000 of the 2011 fiscal year appropriation are
22 provided for summer food programs for children in low-income areas.

23 (3) \$59,000 of the general fund--state appropriation for fiscal
24 year 2010 and \$59,000 of the general fund--state appropriation for
25 fiscal year 2011 are provided solely to reimburse school districts for
26 school breakfasts served to students enrolled in the free or reduced
27 price meal program pursuant to chapter 287, Laws of 2005 (requiring
28 school breakfast programs in certain schools).

29 (4) \$1,588,000 of the general fund--federal appropriation of
30 American recovery and reinvestment act of 2009 (ARRA) funds is provided
31 solely for equipment assistance to school food authorities (SFAs)
32 participating in the national school lunch program (NSLP). Local SFAs
33 may apply to the office of the superintendent of public instruction to
34 receive grants in accordance with provisions of the ARRA. As
35 stipulated in the ARRA, priority will be given to SFAs for equipment
36 for schools in which at least 50 percent of the students are eligible
37 for free or reduced-priced meals.

1 (4) The superintendent of public instruction shall distribute state
2 funds to school districts based on two categories: (a) The first
3 category includes (i) children birth through age two who are eligible
4 for the optional program for special education eligible developmentally
5 delayed infants and toddlers, and (ii) students eligible for the
6 mandatory special education program and who are age three or four, or
7 five and not yet enrolled in kindergarten; and (b) the second category
8 includes students who are eligible for the mandatory special education
9 program and who are age five and enrolled in kindergarten and students
10 age six through 21.

11 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent
12 shall make allocations to each district based on the sum of:

13 (i) A district's annual average headcount enrollment of students
14 ages birth through four and those five year olds not yet enrolled in
15 kindergarten, as defined in subsection (4) of this section, multiplied
16 by the district's average basic education allocation per full-time
17 equivalent student, multiplied by 1.15; and

18 (ii) A district's annual average full-time equivalent basic
19 education enrollment multiplied by the funded enrollment percent
20 determined pursuant to subsection (6)(b) of this section, multiplied by
21 the district's average basic education allocation per full-time
22 equivalent student multiplied by 0.9309.

23 (b) For purposes of this subsection, "average basic education
24 allocation per full-time equivalent student" for a district shall be
25 based on the staffing ratios required by RCW 28A.150.260 and shall not
26 include enhancements, secondary vocational education, or small schools.

27 (6) The definitions in this subsection apply throughout this
28 section.

29 (a) "Annual average full-time equivalent basic education
30 enrollment" means the resident enrollment including students enrolled
31 through choice (RCW 28A.225.225) and students from nonhigh districts
32 (RCW 28A.225.210) and excluding students residing in another district
33 enrolled as part of an interdistrict cooperative program (RCW
34 28A.225.250).

35 (b) "Enrollment percent" means the district's resident special
36 education annual average enrollment, excluding the birth through age
37 four enrollment and those five year olds not yet enrolled in

1 kindergarten, as a percent of the district's annual average full-time
2 equivalent basic education enrollment.

3 Each district's general fund--state funded special education
4 enrollment shall be the lesser of the district's actual enrollment
5 percent or 12.7 percent.

6 (7) At the request of any interdistrict cooperative of at least 15
7 districts in which all excess cost services for special education
8 students of the districts are provided by the cooperative, the maximum
9 enrollment percent shall be calculated in accordance with subsection
10 (6)(b) of this section, and shall be calculated in the aggregate rather
11 than individual district units. For purposes of this subsection, the
12 average basic education allocation per full-time equivalent student
13 shall be calculated in the aggregate rather than individual district
14 units.

15 (8) To the extent necessary, \$73,668,000 of the general fund--state
16 appropriation and \$29,574,000 of the general fund--federal
17 appropriation are provided for safety net awards for districts with
18 demonstrated needs for special education funding beyond the amounts
19 provided in subsection (5) of this section. If the federal safety net
20 awards based on the federal eligibility threshold exceed the federal
21 appropriation in this subsection (8) in any fiscal year, the
22 superintendent shall expend all available federal discretionary funds
23 necessary to meet this need. Safety net funds shall be awarded by the
24 state safety net oversight committee subject to the following
25 conditions and limitations:

26 (a) The committee shall consider unmet needs for districts that can
27 convincingly demonstrate that all legitimate expenditures for special
28 education exceed all available revenues from state funding formulas.
29 In the determination of need, the committee shall also consider
30 additional available revenues from federal sources. Differences in
31 program costs attributable to district philosophy, service delivery
32 choice, or accounting practices are not a legitimate basis for safety
33 net awards. In the determination of need, the committee shall require
34 that districts demonstrate that they are maximizing their eligibility
35 for all state and federal revenues related to services for special
36 education-eligible students. Awards associated with (b) and (c) of
37 this subsection shall not exceed the total of a district's specific
38 determination of need.

1 (b) The committee shall then consider the extraordinary high cost
2 needs of one or more individual special education students.
3 Differences in costs attributable to district philosophy, service
4 delivery choice, or accounting practices are not a legitimate basis for
5 safety net awards.

6 (c) Using criteria developed by the committee, the committee shall
7 then consider extraordinary costs associated with communities that draw
8 a larger number of families with children in need of special education
9 services. The safety net awards to school districts shall be adjusted
10 to reflect amounts awarded under (b) of this subsection.

11 (d) The maximum allowable indirect cost for calculating safety net
12 eligibility may not exceed the federal restricted indirect cost rate
13 for the district plus one percent.

14 (e) Safety net awards must be adjusted for any audit findings or
15 exceptions related to special education funding.

16 (f) Safety net awards shall be adjusted based on the percent of
17 potential medicaid eligible students billed as calculated by the
18 superintendent in accordance with chapter 318, Laws of 1999. The state
19 safety net oversight committee shall ensure that safety net
20 documentation and awards are based on current medicaid revenue amounts.

21 (9) The superintendent of public instruction may adopt such rules
22 and procedures as are necessary to administer the special education
23 funding and safety net award process. Prior to revising any standards,
24 procedures, or rules, the superintendent shall consult with the office
25 of financial management and the fiscal committees of the legislature.

26 (10) The safety net oversight committee appointed by the
27 superintendent of public instruction shall consist of:

28 (a) One staff from the office of superintendent of public
29 instruction;

30 (b) Staff of the office of the state auditor who shall be nonvoting
31 members of the committee; and

32 (c) One or more representatives from school districts or
33 educational service districts knowledgeable of special education
34 programs and funding.

35 (11) The office of the superintendent of public instruction shall
36 review and streamline the application process to access safety net
37 funds, provide technical assistance to school districts, and annually
38 survey school districts regarding improvement to the process.

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

6 (13) The superintendent shall maintain the percentage of federal
7 flow-through to school districts at 85 percent. In addition to other
8 purposes, school districts may use increased federal funds for high-
9 cost students, for purchasing regional special education services from
10 educational service districts, and for staff development activities
11 particularly relating to inclusion issues.

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

16 (15) \$262,000 of the general fund--state appropriation for fiscal
17 year 2010 and \$251,000 of the general fund--state appropriation for
18 fiscal year 2011 are provided solely for two additional full-time
19 equivalent staff to support the work of the safety net committee and to
20 provide training and support to districts applying for safety net
21 awards.

22 (16) \$221,357,000 of the general fund--federal appropriation of
23 American recovery and reinvestment act of 2009 funds is provided solely
24 for the individuals with disabilities education act (IDEA), Part B, for
25 distribution to school districts. The funds' use is to be consistent
26 with the current IDEA, Part B statutory and regulatory requirements.

27 (17) \$50,000 of the general fund--state appropriation for fiscal
28 year 2010, \$50,000 of the general fund--state appropriation for fiscal
29 2011, and \$100,000 of the general fund--federal appropriation shall be
30 expended to support a special education ombudsman program within the
31 office of superintendent of public instruction.

32 **Sec. 508.** 2009 c 564 s 509 (uncodified) is amended to read as
33 follows:

34 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**
35 **ASSISTANCE**

36 General Fund--State Appropriation (FY 2010) (~~(\$42,921,000)~~)
37 \$73,900,000

1 General Fund--State Appropriation (FY 2011) (~~(\$209,997,000)~~)
2 \$282,843,000
3 General Fund--Federal Appropriation \$176,284,000
4 TOTAL APPROPRIATION (~~(\$429,202,000)~~)
5 \$533,027,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: \$176,284,000 of the general fund--federal
8 appropriation for fiscal year 2010 is provided solely for American
9 recovery and reinvestment act of 2009 (ARRA) fiscal stabilization funds
10 to restore state reductions for local effort assistance payments.

11 **Sec. 509.** 2009 c 564 s 510 (uncodified) is amended to read as
12 follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
14 **EDUCATION PROGRAMS**

15 General Fund--State Appropriation (FY 2010) (~~(\$18,943,000)~~)
16 \$19,369,000
17 General Fund--State Appropriation (FY 2011) (~~(\$17,992,000)~~)
18 \$18,563,000
19 TOTAL APPROPRIATION (~~(\$36,935,000)~~)
20 \$37,932,000

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

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

26 (2) State funding provided under this section is based on salaries
27 and other expenditures for a 220-day school year. The superintendent
28 of public instruction shall monitor school district expenditure plans
29 for institutional education programs to ensure that districts plan for
30 a full-time summer program.

31 (3) State funding for each institutional education program shall be
32 based on the institution's annual average full-time equivalent student
33 enrollment. Staffing ratios for each category of institution shall
34 remain the same as those funded in the 1995-97 biennium.

35 (4) The funded staffing ratios for education programs for juveniles
36 age 18 or less in department of corrections facilities shall be the
37 same as those provided in the 1997-99 biennium.

1 (5) (~~(\$329,000)~~) \$228,000 of the general fund--state appropriation
2 for fiscal year 2010 and (~~(\$329,000)~~) \$228,000 of the general fund--
3 state appropriation for fiscal year 2011 are provided solely to
4 maintain at least one certificated instructional staff and related
5 support services at an institution whenever the K-12 enrollment is not
6 sufficient to support one full-time equivalent certificated
7 instructional staff to furnish the educational program. The following
8 types of institutions are included: Residential programs under the
9 department of social and health services for developmentally disabled
10 juveniles, programs for juveniles under the department of corrections,
11 and programs for juveniles under the juvenile rehabilitation
12 administration.

13 (6) Ten percent of the funds allocated for each institution may be
14 carried over from one year to the next.

15 **Sec. 510.** 2009 c 564 s 511 (uncodified) is amended to read as
16 follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**
18 **CAPABLE STUDENTS**

19	General Fund--State Appropriation (FY 2010)	((\$9,430,000))
20		<u>\$9,439,000</u>
21	General Fund--State Appropriation (FY 2011)	((\$9,437,000))
22		<u>\$9,468,000</u>
23	TOTAL APPROPRIATION	((\$18,867,000))
24		<u>\$18,907,000</u>

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

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

30 (2) Allocations for school district programs for highly capable
31 students shall be distributed at a maximum rate of \$401.08 per funded
32 student for the 2009-10 school year and \$401.08 per funded student for
33 the 2010-11 school year, exclusive of salary and benefit adjustments
34 pursuant to section 504 of this act. The number of funded students
35 shall be a maximum of 2.314 percent of each district's full-time
36 equivalent basic education enrollment.

1 (3) \$90,000 of the fiscal year 2010 appropriation and \$90,000 of
2 the fiscal year 2011 appropriation are provided for the Washington
3 destination imagination network and future problem-solving programs.

4 (4) \$170,000 of the fiscal year 2010 appropriation and \$170,000 of
5 the fiscal year 2011 appropriation are provided for the centrum program
6 at Fort Worden state park.

7 **Sec. 511.** 2009 c 564 s 512 (uncodified) is amended to read as
8 follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS**
10 **PURPOSES UNDER THE ELEMENTARY AND SECONDARY SCHOOL IMPROVEMENT ACT AND**
11 **THE NO CHILD LEFT BEHIND ACT**

12 General Fund--Federal Appropriation ((~~\$43,450,000~~))
13 \$43,886,000

14 **Sec. 512.** 2009 c 564 s 513 (uncodified) is amended to read as
15 follows:

16 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
17 **PROGRAMS**

18 General Fund--State Appropriation (FY 2010) ((~~\$95,181,000~~))
19 \$93,655,000

20 General Fund--State Appropriation (FY 2011) ((~~\$102,512,000~~))
21 \$92,988,000

22 General Fund--Federal Appropriation \$152,626,000

23 Education Legacy Trust Account--State
24 Appropriation ((~~\$95,112,000~~))
25 \$97,147,000

26 TOTAL APPROPRIATION ((~~\$445,431,000~~))
27 \$436,416,000

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

30 (1) ((~~\$36,806,000~~)) \$35,734,000 of the general fund--state
31 appropriation for fiscal year 2010, \$34,516,000 of the general fund--
32 state appropriation for fiscal year 2011, \$1,350,000 of the education
33 legacy trust account--state appropriation, and \$15,868,000 of the
34 general fund-- federal appropriation are provided solely for
35 development and implementation of the Washington assessments of student
36 learning (WASL), including: (i) Development and implementation of

1 retake assessments for high school students who are not successful in
2 one or more content areas of the WASL; and (ii) development and
3 implementation of alternative assessments or appeals procedures to
4 implement the certificate of academic achievement. The superintendent
5 of public instruction shall report quarterly on the progress on
6 development and implementation of alternative assessments or appeals
7 procedures. Within these amounts, the superintendent of public
8 instruction shall contract for the early return of 10th grade student
9 WASL results, on or around June 10th of each year.

10 (2) \$3,249,000 of the general fund--state appropriation for fiscal
11 year 2010 and \$3,249,000 of the general fund--state appropriation for
12 fiscal year 2011 are provided solely for the design of the state
13 assessment system and the implementation of end of course assessments
14 for high school math.

15 (3) \$1,014,000 of the education legacy trust account appropriation
16 is provided solely for allocations to districts for salaries and
17 benefits for the equivalent of two additional professional development
18 days for fourth and fifth grade teachers during the 2008-2009 school
19 year. The allocations shall be made based on the calculations of
20 certificated instructional staff units for fourth and fifth grade
21 provided in section 502 of this act and on the calculations of
22 compensation provided in sections 503 and 504 of this act. Districts
23 may use the funding to support additional days for professional
24 development as well as job-embedded forms of professional development.

25 (4) \$3,241,000 of the education legacy trust fund appropriation is
26 provided solely for allocations to districts for salaries and benefits
27 for the equivalent of three additional professional development days
28 for middle and high school math and science teachers during the 2008-
29 2009 school year, as well as specialized training for one math and
30 science teacher in each middle school and high school during the 2008-
31 2009 school year. Districts may use the funding to support additional
32 days for professional development as well as job-embedded forms of
33 professional development.

34 (5) (~~(\$3,850,000)~~) \$3,773,000 of the education legacy trust
35 account--state appropriation is provided solely for a math and science
36 instructional coaches program pursuant to chapter 396, Laws of 2007.
37 Funding shall be used to provide grants to schools and districts to
38 provide salaries, benefits, and professional development activities for

1 up to twenty-five instructional coaches in middle and high school math
2 and twenty-five instructional coaches in middle and high school science
3 in each year of the biennium; and up to \$300,000 may be used by the
4 office of the superintendent of public instruction to administer and
5 coordinate the program.

6 (6) \$1,781,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$1,943,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely to allow approved middle and
9 junior high school career and technical education programs to receive
10 enhanced vocational funding. The office of the superintendent of
11 public instruction shall provide allocations to districts for middle
12 and junior high school students in accordance with the funding formulas
13 provided in section 502 of this act. If Second Substitute Senate Bill
14 No. 5676 is enacted the allocations are formula-driven, otherwise the
15 office of the superintendent shall consider the funding provided in
16 this subsection as a fixed amount, and shall adjust funding to stay
17 within the amounts provided in this subsection.

18 (7) \$139,000 of the general fund--state appropriation for fiscal
19 year 2010 and \$139,000 of the general fund--state appropriation for
20 fiscal year 2011 are provided solely for (a) staff at the office of the
21 superintendent of public instruction to coordinate and promote efforts
22 to develop integrated math, science, technology, and engineering
23 programs in schools and districts across the state; and (b) grants of
24 \$2,500 to provide twenty middle and high school teachers each year
25 professional development training for implementing integrated math,
26 science, technology, and engineering program in their schools.

27 (8) (~~(\$1,579,000)~~) \$1,473,000 of the general fund--state
28 appropriation for fiscal year 2010 and \$1,579,000 of the general fund--
29 state appropriation for fiscal year 2011 are provided solely for the
30 Washington state leadership and assistance for science education reform
31 (LASER) regional partnership activities coordinated at the Pacific
32 science center, including instructional material purchases, teacher and
33 principal professional development, and school and community engagement
34 events. Funding shall be distributed to the various LASER activities
35 in a manner proportional to LASER program spending during the 2007-2009
36 biennium.

37 (9) (~~(\$81,010,000)~~) \$83,126,000 of the education legacy trust
38 account--state appropriation is provided solely for grants for

1 voluntary full-day kindergarten at the highest poverty schools, as
2 provided in chapter 400, Laws of 2007. The office of the
3 superintendent of public instruction shall provide allocations to
4 districts for recipient schools in accordance with the funding formulas
5 provided in section 502 of this act. Each kindergarten student who
6 enrolls for the voluntary full-day program in a recipient school shall
7 count as one-half of one full-time equivalent student for the purpose
8 of making allocations under this subsection. Although the allocations
9 are formula-driven, the office of the superintendent shall consider the
10 funding provided in this subsection as a fixed amount, and shall limit
11 the number of recipient schools so as to stay within the amounts
12 appropriated each fiscal year in this subsection. The funding provided
13 in this subsection is estimated to provide full-day kindergarten
14 programs for 20 percent of kindergarten enrollment. Funding priority
15 shall be given to schools with the highest poverty levels, as measured
16 by prior year free and reduced priced lunch eligibility rates in each
17 school. Additionally, as a condition of funding, school districts must
18 agree to provide the full-day program to the children of parents who
19 request it in each eligible school. For the purposes of calculating a
20 school district levy base, funding provided in this subsection shall be
21 considered a state block grant program under RCW 84.52.0531.

22 (a) Of the amounts provided in this subsection, a maximum of
23 \$272,000 may be used for administrative support of the full-day
24 kindergarten program within the office of the superintendent of public
25 instruction.

26 (b) Student enrollment pursuant to this program shall not be
27 included in the determination of a school district's overall K-12 FTE
28 for the allocation of student achievement programs and other funding
29 formulas unless specifically stated.

30 (10) \$700,000 of the general fund--state appropriation for fiscal
31 year 2010 and \$900,000 of the general fund--state appropriation for
32 fiscal year 2011 are provided solely for the development of a
33 leadership academy for school principals and administrators. The
34 superintendent of public instruction shall contract with an independent
35 organization to design, field test, and implement a state-of-the-art
36 education leadership academy that will be accessible throughout the
37 state. Initial development of the content of the academy activities
38 shall be supported by private funds. Semiannually the independent

1 organization shall report on amounts committed by foundations and
2 others to support the development and implementation of this program.
3 Leadership academy partners, with varying roles, shall include the
4 state level organizations for school administrators and principals, the
5 superintendent of public instruction, the professional educator
6 standards board, and others as the independent organization shall
7 identify.

8 (11) \$105,754,000 of the general fund--federal appropriation is
9 provided for preparing, training, and recruiting high quality teachers
10 and principals under Title II of the no child left behind act.

11 (12) (~~(\$3,046,000)~~) \$1,960,000 of the general fund--state
12 appropriation for fiscal year 2010 and (~~(\$3,046,000)~~) \$1,523,000 of the
13 general fund--state appropriation for fiscal year 2011 are provided
14 solely to the office of the superintendent of public instruction for
15 focused assistance. The office of the superintendent of public
16 instruction shall conduct educational audits of low-performing schools
17 and enter into performance agreements between school districts and the
18 office to implement the recommendations of the audit and the community.
19 Funding in this subsection may be used for focused assistance programs
20 for individual schools as well as school districts.

21 (13) \$30,702,000 of the general fund--federal appropriation is
22 provided for the reading first program under Title I of the no child
23 left behind act.

24 (14) \$1,667,000 of the general fund--state appropriation for fiscal
25 year 2010 and \$1,667,000 of the general fund--state appropriation for
26 fiscal year 2011 are provided solely to eliminate the lunch co-pay for
27 students in grades kindergarten through third grade that are eligible
28 for reduced price lunch.

29 (15) \$5,285,000 of the general fund--state appropriation for fiscal
30 year 2010 and \$5,285,000 of the general fund--state appropriation for
31 fiscal year 2011 are provided solely for: (a) The meals for kids
32 program under RCW 28A.235.145 through 28A.235.155; (b) to eliminate the
33 breakfast co-pay for students eligible for reduced price lunch; and (c)
34 for additional assistance for school districts initiating a summer food
35 service program.

36 (16) (~~(\$1,056,000)~~) \$1,003,000 of the general fund--state
37 appropriation for fiscal year 2010 and \$1,056,000 of the general fund--
38 state appropriation for fiscal year 2011 are provided solely for the

1 Washington reading corps. The superintendent shall allocate reading
2 corps members to low-performing schools and school districts that are
3 implementing comprehensive, proven, research-based reading programs.
4 Two or more schools may combine their Washington reading corps
5 programs. Grants provided under this section may be used by school
6 districts for expenditures from September 2009 through August 31, 2011.

7 (17) (~~(\$3,594,000)~~) \$3,269,000 of the general fund--state
8 appropriation for fiscal year 2010 (~~(and \$3,594,000 of the general~~
9 ~~fund--state appropriation for fiscal year 2011 are))~~) is provided solely
10 for grants to school districts to provide a continuum of care for
11 children and families to help children become ready to learn. Grant
12 proposals from school districts shall contain local plans designed
13 collaboratively with community service providers. If a continuum of
14 care program exists in the area in which the school district is
15 located, the local plan shall provide for coordination with existing
16 programs to the greatest extent possible. Grant funds shall be
17 allocated pursuant to RCW 70.190.040.

18 (18) (~~(\$1,959,000)~~) \$1,861,000 of the general fund--state
19 appropriation for fiscal year 2010 and \$1,959,000 of the general fund--
20 state appropriation for fiscal year 2011 are provided solely for
21 improving technology infrastructure, monitoring and reporting on school
22 district technology development, promoting standards for school
23 district technology, promoting statewide coordination and planning for
24 technology development, and providing regional educational technology
25 support centers, including state support activities, under chapter
26 28A.650 RCW.

27 (19) \$225,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$225,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the operation of the center
30 for the improvement of student learning pursuant to RCW 28A.300.130.

31 (20) (~~(\$250,000)~~) \$246,000 of the education legacy trust account--
32 state appropriation is provided solely for costs associated with the
33 office of the superintendent of public instruction's statewide director
34 of technology position.

35 (21)(a) (~~(\$28,270,000)~~) \$28,797,000 of the general fund--state
36 appropriation for fiscal year 2010 and (~~(\$36,513,000)~~) \$37,204,000 of
37 the general fund--state appropriation for fiscal year 2011 are provided
38 solely for the following bonuses for teachers who hold valid, unexpired

1 certification from the national board for professional teaching
2 standards and who are teaching in a Washington public school, subject
3 to the following conditions and limitations:

4 (i) For national board certified teachers, a bonus of \$5,000 per
5 teacher beginning in the 2007-08 school year and adjusted for inflation
6 in each school year thereafter in which Initiative 732 cost of living
7 adjustments are provided. National board certified teachers who become
8 public school principals shall continue to receive this bonus for as
9 long as they are principals and maintain the national board
10 certification;

11 (ii) An additional \$5,000 annual bonus shall be paid to national
12 board certified teachers who teach in either: (A) High schools where
13 at least 50 percent of student headcount enrollment is eligible for
14 federal free or reduced price lunch, (B) middle schools where at least
15 60 percent of student headcount enrollment is eligible for federal free
16 or reduced price lunch, or (C) elementary schools where at least 70
17 percent of student headcount enrollment is eligible for federal free or
18 reduced price lunch;

19 (iii) The superintendent of public instruction shall adopt rules to
20 ensure that national board certified teachers meet the qualifications
21 for bonuses under (a)(ii) of this subsection for less than one full
22 school year receive bonuses in a pro-rated manner; and

23 (iv) During the 2009-10 and 2010-11 school years, and within the
24 available appropriation, certificated instructional staff who have met
25 the eligibility requirements and have applied for certification from
26 the national board for professional teaching standards may receive a
27 conditional two thousand dollars or the amount set by the office of the
28 superintendent of public instruction to contribute toward the current
29 assessment fee, not including the initial up-front candidacy payment.
30 The fee shall be an advance on the first annual bonus under RCW
31 28A.405.415. The assessment fee for national certification is provided
32 in addition to compensation received under a district's salary schedule
33 adopted in accordance with RCW 28A.405.200 and shall not be included in
34 calculations of a district's average salary and associated salary
35 limitation under RCW 28A.400.200. Recipients who fail to receive
36 certification after three years are required to repay the assessment
37 fee, not including the initial up-front candidacy payment, as set by
38 the national board for professional teaching standards and administered

1 by the office of the superintendent of public instruction. The office
2 of the superintendent of public instruction shall adopt rules to define
3 the terms for initial grant of the assessment fee and repayment,
4 including applicable fees.

5 (b) Included in the amounts provided in this subsection are amounts
6 for mandatory fringe benefits.

7 (22) (~~(\$2,750,000)~~) \$2,475,000 of the general fund--state
8 appropriation for fiscal year 2010 (~~(and \$2,750,000 of the general~~
9 ~~fund--state appropriation for fiscal year 2011 are))~~) is provided solely
10 for secondary career and technical education grants pursuant to chapter
11 170, Laws of 2008. This funding may additionally be used to support
12 FIRST Robotics programs.

13 (23) \$300,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$300,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the local farms-healthy kids
16 program as described in chapter 215, Laws of 2008.

17 (24) \$2,348,000 of the general fund--state appropriation for fiscal
18 year 2010 (~~(and \$2,348,000 of the general fund--state appropriation for~~
19 ~~fiscal year 2011 are))~~) is appropriated for a beginning educator support
20 program. School districts and/or regional consortia may apply for
21 grant funding beginning in the 2009-10 school year. The superintendent
22 shall implement this program in 5 to 15 school districts and/or
23 regional consortia. The program provided by a district and/or regional
24 consortia shall include: A paid orientation; assignment of a qualified
25 mentor; development of a professional growth plan for each beginning
26 teacher aligned with professional certification; release time for
27 mentors and new teachers to work together, and teacher observation time
28 with accomplished peers. \$250,000 may be used to provide state-wide
29 professional development opportunities for mentors and beginning
30 educators. The superintendent of public instruction shall adopt rules
31 to establish and operate a research-based beginning educator support
32 program no later than August 31, 2009. OSPI must evaluate the
33 program's progress and may contract for this work. A report to the
34 legislature about the beginning educator support program is due
35 November 1, 2010.

36 (25) \$4,400,000 of the education legacy trust account--state
37 appropriation is provided solely for the development and implementation

1 of diagnostic assessments, consistent with the recommendations of the
2 Washington assessment of student learning work group.

3 (26) \$70,000 of the general fund--state appropriation for fiscal
4 year 2010 is provided solely for implementation of Engrossed Substitute
5 Senate Bill No. 5414 (statewide assessments and curricula).

6 (27) \$530,000 of the general fund--state appropriation for fiscal
7 year 2010 and \$530,000 of the general fund--state appropriation for
8 fiscal year 2011 are provided solely for the leadership internship
9 program for superintendents, principals, and program administrators.

10 **Sec. 513.** 2009 c 564 s 514 (uncodified) is amended to read as
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
13 **BILINGUAL PROGRAMS**

14	General Fund--State Appropriation (FY 2010)	((\$77,994,000))
15		<u>\$76,151,000</u>
16	General Fund--State Appropriation (FY 2011)	((\$80,937,000))
17		<u>\$77,588,000</u>
18	General Fund--Federal Appropriation	((\$45,263,000))
19		<u>\$65,263,000</u>
20	TOTAL APPROPRIATION	((\$204,194,000))
21		<u>\$219,002,000</u>

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

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

27 (2) The superintendent shall distribute a maximum of \$901.46 per
28 eligible bilingual student in the 2009-10 school year and \$901.46 in
29 the 2010-11 school year, exclusive of salary and benefit adjustments
30 provided in section 504 of this act.

31 (3) The superintendent may withhold up to 1.5 percent of the school
32 year allocations to school districts in subsection (2) of this section,
33 and adjust the per eligible pupil rates in subsection (2) of this
34 section accordingly, solely for the central provision of assessments as
35 provided in RCW 28A.180.090 (1) and (2).

36 (4) \$70,000 of the amounts appropriated in this section are

1 provided solely to track current and former transitional bilingual
2 program students.

3 (5) The general fund--federal appropriation in this section is
4 provided for migrant education under Title I Part C and English
5 language acquisition, and language enhancement grants under Title III
6 of the elementary and secondary education act.

7 **Sec. 514.** 2009 c 564 s 515 (uncodified) is amended to read as
8 follows:

9 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
10 **ASSISTANCE PROGRAM**

11	General Fund--State Appropriation (FY 2010)	((\$101,067,000))
12		<u>\$103,457,000</u>
13	General Fund--State Appropriation (FY 2011)	((\$102,237,000))
14		<u>\$107,323,000</u>
15	General Fund--Federal Appropriation	((\$543,925,000))
16		<u>\$553,925,000</u>
17	Education Legacy Trust Account--State	
18	Appropriation	\$47,980,000
19	TOTAL APPROPRIATION	((\$795,209,000))
20		<u>\$812,685,000</u>

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

23 (1) The general fund--state appropriations in this section are
24 subject to the following conditions and limitations:

25 (a) The appropriations include such funds as are necessary to
26 complete the school year ending in the fiscal year and for prior fiscal
27 year adjustments.

28 (b) Funding for school district learning assistance programs shall
29 be allocated at maximum rates of \$281.71 per funded student for the
30 2009-10 school year and ((~~\$282.63~~)) \$282.70 per funded student for the
31 2010-11 school year exclusive of salary and benefit adjustments
32 provided under section 504 of this act.

33 (c) A school district's funded students for the learning assistance
34 program shall be the sum of the following as appropriate:

35 (i) The district's full-time equivalent enrollment in grades K-12
36 for the prior school year multiplied by the district's percentage of

1 October headcount enrollment in grades K-12 eligible for free or
2 reduced price lunch in the prior school year; and

3 (ii) If, in the prior school year, the district's percentage of
4 October headcount enrollment in grades K-12 eligible for free or
5 reduced price lunch exceeded forty percent, subtract forty percent from
6 the district's percentage and multiply the result by the district's K-
7 12 annual average full-time equivalent enrollment for the prior school
8 year.

9 (d) In addition to the amounts allocated in (b) and (c) of this
10 subsection, an additional amount shall be allocated to school districts
11 with high concentrations of poverty and English language learner
12 students, subject to the following rules and conditions:

13 (i) To qualify for additional funding under this subsection, a
14 district's October headcount enrollment in grades kindergarten through
15 grade twelve must have at least twenty percent enrolled in the
16 transitional bilingual instruction program based on an average of the
17 program headcount taken in October and May of the prior school year;
18 and must also have at least forty percent eligible for free or reduced
19 price lunch based on October headcount enrollment in grades
20 kindergarten through twelve in the prior school year.

21 (ii) Districts meeting the specifications in (d)(i) of this
22 subsection shall receive additional funded students for the learning
23 assistance program at the rates specified in subsection (1)(b) of this
24 section. The number of additional funded student units shall be
25 calculated by subtracting twenty percent from the district's percent
26 transitional bilingual instruction program enrollment as defined in
27 (d)(i) of this subsection, and the resulting percent shall be
28 multiplied by the district's kindergarten through twelve annual average
29 full-time equivalent enrollment for the prior school year.

30 (2) The general fund--federal appropriation in this section is
31 provided for Title I Part A allocations of the no child left behind act
32 of 2001.

33 (3) A school district may carry over from one year to the next up
34 to 10 percent of the general fund--state or education legacy trust
35 funds allocated under this program; however, carryover funds shall be
36 expended for the learning assistance program.

37 (4) School districts are encouraged to coordinate the use of these

1 funds with other federal, state, and local sources to serve students
2 who are below grade level and to make efficient use of resources in
3 meeting the needs of students with the greatest academic deficits.

4 (5) Within amounts appropriated in this section, funding is
5 provided for the implementation of extended learning programs required
6 in chapter 328, Laws of 2008.

7 (6) \$51,970,000 of the general fund--federal appropriation for
8 fiscal year 2010 and \$77,955,000 of the general fund--federal
9 appropriation for fiscal year 2011 of American recovery and
10 reinvestment act of 2009 (ARRA) Title I, Part A funds are in addition
11 to regular Title I, Part A allocations solely for allocation to
12 eligible school districts in accordance with the guidelines of ARRA.

13 (7) \$48,981,000 of the general fund--federal appropriation from the
14 American recovery and reinvestment act of 2009 (ARRA) is for school
15 improvement. This consists of 4 percent, or \$5,413,000 of the Title I,
16 Part A recovery funds which must be set aside for school improvement as
17 well as \$43,568,000 in additional school improvement funds.

18 **Sec. 515.** 2009 c 564 s 516 (uncodified) is amended to read as
19 follows:

20 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**
21 **PROGRAM**

22	<u>General Fund--State Appropriation (FY 2010)</u>	<u>. \$19,260,000</u>
23	General Fund--State Appropriation (FY 2011)	. . . . . ((\$104,101,000))
24		<u>\$25,730,000</u>
25	General Fund--Federal Appropriation	. . . . . ((\$200,295,000))
26		<u>\$181,054,000</u>
27	TOTAL APPROPRIATION	. . . . . ((\$304,396,000))
28		<u>\$226,044,000</u>

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

31 (1) Funding for school district student achievement programs shall
32 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-
33 10 school year and ((~~\$99.32~~)) \$0 per FTE student for the 2010-11 school
34 year. For the purposes of this section, FTE student refers to the
35 annual average full-time equivalent enrollment of the school district
36 in grades kindergarten through twelve for the prior school year, as

1 reported to the office of the superintendent of public instruction by
2 August 31st of the previous school year.

3 (2) The appropriation is allocated for the following uses as
4 specified in RCW 28A.505.210:

5 (a) To reduce class size by hiring certificated elementary
6 classroom teachers in grades K-4 and paying nonemployee-related costs
7 associated with those new teachers;

8 (b) To make selected reductions in class size in grades 5-12, such
9 as small high school writing classes;

10 (c) To provide extended learning opportunities to improve student
11 academic achievement in grades K-12, including, but not limited to,
12 extended school year, extended school day, before-and-after-school
13 programs, special tutoring programs, weekend school programs, summer
14 school, and all-day kindergarten;

15 (d) To provide additional professional development for educators
16 including additional paid time for curriculum and lesson redesign and
17 alignment, training to ensure that instruction is aligned with state
18 standards and student needs, reimbursement for higher education costs
19 related to enhancing teaching skills and knowledge, and mentoring
20 programs to match teachers with skilled, master teachers. The funding
21 shall not be used for salary increases or additional compensation for
22 existing teaching duties, but may be used for extended year and
23 extended day teaching contracts;

24 (e) To provide early assistance for children who need
25 prekindergarten support in order to be successful in school; or

26 (f) To provide improvements or additions to school building
27 facilities which are directly related to the class size reductions and
28 extended learning opportunities under (a) through (c) of this
29 subsection (2).

30 (3) The superintendent of public instruction shall distribute the
31 school year allocation according to the monthly apportionment schedule
32 defined in RCW 28A.510.250.

33 (4) (~~(\$200,295,000)~~) \$181,054,000 of the general fund--federal
34 appropriation for fiscal year 2010 is provided solely for American
35 recovery and reinvestment act of 2009 (ARRA) fiscal stabilization funds
36 to restore state reductions for the student achievement program.

1 appropriate legislative fiscal committees in writing prior to approving
2 any allotment modifications or transfers under this section.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2009 c 564 s 605 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2010)	((\$620,071,000))
	<u>\$592,422,000</u>
General Fund--State Appropriation (FY 2011)	((\$642,509,000))
	<u>\$609,613,000</u>
General Fund--Federal Appropriation	\$17,171,000
Education Legacy Trust Account--State Appropriation	\$95,125,000
<u>Community and Technical College Capital Projects</u>	
<u>Account Appropriation (FY 2010)</u>	<u>\$2,420,000</u>
<u>Community and Technical Colleges Capital Projects</u>	
<u>Account Appropriation (FY 2011)</u>	<u>\$4,412,000</u>
TOTAL APPROPRIATION	((\$1,374,876,000))
	<u>\$1,321,163,000</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 2010 and ((~~\$28,761,000~~)) \$40,294,000 of the general fund--state appropriation for fiscal year 2011 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 2010 and at least ((~~6,200~~)) 8,700 full-time equivalent students in fiscal year 2011. Including worker retraining slots funded through high demand pool appropriation, the state board shall provide at least 9,936 slots for the program in fiscal year 2011. The state board shall closely monitor the use of the slots at the local level and redistribute the funds as necessary to maximize the number of students served throughout the state.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2010 and \$2,725,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for administration and customized training contracts through the job skills program. The state board

1 shall make an annual report by January 1st of each year to the governor
2 and to the appropriate policy and fiscal committees of the legislature
3 regarding implementation of this section, listing the scope of grant
4 awards, the distribution of funds by educational sector and region of
5 the state, and the results of the partnerships supported by these
6 funds.

7 (3) Of the amounts appropriated in this section, \$3,500,000 is
8 provided solely for the student achievement initiative.

9 (4) When implementing the appropriations in this section, the state
10 board and the trustees of the individual community and technical
11 colleges shall minimize impact on academic programs, maximize
12 reductions in administration, and shall at least maintain, and endeavor
13 to increase, enrollment opportunities and degree and certificate
14 production in high employer-demand fields of study at their academic
15 year 2008-09 levels.

16 (5) Within the board's 2009-11 biennial budget allocation to
17 Bellevue College, and pursuant to RCW 28B.50.810, the college may
18 implement, on a tuition and fee basis, an additional applied
19 baccalaureate degree in interior design. This program is intended to
20 provide students with additional opportunities to earn baccalaureate
21 degrees and to respond to emerging job and economic growth
22 opportunities. The program reviews and approval decisions required by
23 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that
24 the degree may be offered during the 2009-10 academic year.

25 (6) In accordance with the recommendations of the higher education
26 coordinating board's 2008 *Kitsap region higher education center study*,
27 the state board shall facilitate development of university centers by
28 allocating thirty 2-year and 4-year partnership full-time enrollment
29 equivalencies to Olympic College and ten 2-year and 4-year partnership
30 full-time enrollment equivalencies to Peninsula College. The colleges
31 shall use the allocations to establish a partnership with a
32 baccalaureate university or universities for delivery of upper division
33 degree programs in the Kitsap region. The Olympic and Peninsula
34 Community College districts shall additionally work together to ensure
35 coordinated development of these and other future baccalaureate
36 opportunities through coordinated needs assessment, planning, and
37 scheduling.

1 (7) By September 1, 2009, the state board for community and
2 technical colleges, the higher education coordinating board, and the
3 office of financial management shall review and to the extent necessary
4 revise current 2009-11 performance measures and targets based on the
5 level of state, tuition, and other resources appropriated or authorized
6 in this act and in the omnibus 2009-11 omnibus capital budget act. The
7 boards and the office of financial management shall additionally
8 develop new performance targets for the 2011-13 and the 2013-15 biennia
9 that will guide and measure the community and technical college
10 system's contributions to achievement of the state's higher education
11 master plan goals.

12 (8) \$2,250,000 of the general fund--state appropriation for fiscal
13 year 2010 and \$2,250,000 of the general fund--state appropriation for
14 fiscal year 2011 are provided solely for the hospital employee
15 education and training program under which labor, management, and
16 college partnerships develop or expand and evaluate training programs
17 for incumbent hospital workers that lead to careers in nursing and
18 other high-demand health care occupations. The board shall report
19 student progress, outcomes, and costs to the relevant fiscal and policy
20 committees of the legislature by November 2009 and November 2010.

21 (9) Community and technical colleges are not required to send mass
22 mailings of course catalogs to residents of their districts. Community
23 and technical colleges shall consider lower cost alternatives, such as
24 mailing postcards or brochures that direct individuals to online
25 information and other ways of acquiring print catalogs.

26 (10) \$1,112,000 of the general fund--state appropriation for fiscal
27 year 2010 and \$1,113,000 of the general fund--state appropriation for
28 fiscal year 2011 are provided solely for the state board to enhance
29 online distance learning and open courseware technology. Funds shall
30 be used to support open courseware, open textbooks, open licenses to
31 increase access, affordability and quality of courses in higher
32 education. The state board for community and technical colleges shall
33 select the most appropriate courses to support open courseware based
34 solely upon criteria of maximizing the value of instruction and
35 reducing costs of textbooks and other instructional materials for the
36 greatest number of students in higher education, regardless of the type
37 of institution those students attend.

1 (11) \$2,420,000 of the community and technical college capital
2 projects account appropriation for fiscal year 2010 and \$4,412,000 of
3 the community and technical college capital projects account
4 appropriation for fiscal year 2011 are provided solely for debt service
5 payments for certificates of participation issued during the 2009-11
6 biennium for the Green River community college new classrooms facility
7 and Bellingham technical college instructional resource center.

8 **Sec. 602.** 2009 c 564 s 606 (uncodified) is amended to read as
9 follows:

10 **FOR THE UNIVERSITY OF WASHINGTON**

11	General Fund--State Appropriation (FY 2010)	((\$269,552,000))
12		<u>\$256,148,000</u>
13	General Fund--State Appropriation (FY 2011)	((\$297,130,000))
14		<u>\$251,016,000</u>
15	General Fund--Federal Appropriation	((\$24,730,000))
16		<u>\$43,971,000</u>
17	Education Legacy Trust Account--State	
18	Appropriation	((54,408,000))
19		<u>\$54,523,000</u>
20	Accident Account--State Appropriation	((\$6,712,000))
21		<u>\$6,420,000</u>
22	Medical Aid Account--State Appropriation	((\$6,524,000))
23		<u>\$6,239,000</u>
24	Biotoxin Account--State Appropriation	\$450,000
25	TOTAL APPROPRIATION	((\$659,506,000))
26		<u>\$618,767,000</u>

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

29 (1) In implementing the appropriations in this section, the
30 president and regents shall seek to minimize impacts on student
31 services and instructional programs by maximizing reductions in
32 administration and other non-instructional activities.

33 (2) Because higher education is an essential driver of economic
34 recovery and development, the university shall maintain, and endeavor
35 to increase, enrollment and degree production levels at or beyond their
36 academic year 2008-09 levels in the following high-demand fields:
37 Biological and biomedical sciences; computer and information sciences;

1 education with specializations in special education, math, or science;
2 engineering and engineering technology; health professions and related
3 clinical sciences; and mathematics and statistics.

4 (3) \$75,000 of the general fund--state appropriation for fiscal
5 year 2010 and \$75,000 of the general fund--state appropriation for
6 fiscal year 2011 are provided solely for forestry research by the
7 Olympic natural resources center.

8 (4) \$150,000 of the general fund--state appropriation for fiscal
9 year 2010 is provided solely for the William D. Ruckelshaus center for
10 facilitation, support, and analysis to support the nurse staffing
11 steering committee in its work to apply best practices related to
12 patient safety and nurse staffing.

13 (5) \$54,000 of the general fund--state appropriation for fiscal
14 year 2010 and \$54,000 of the general fund--state appropriation for
15 fiscal year 2011 are provided solely for the University of Washington
16 geriatric education center to provide a voluntary adult family home
17 certification program. In addition to the minimum qualifications
18 required under RCW 70.128.120, individuals participating in the
19 voluntary adult family home certification program shall complete fifty-
20 two hours of class requirements as established by the University of
21 Washington geriatric education center. Individuals completing the
22 requirements of RCW 70.128.120 and the voluntary adult family home
23 certification program shall be issued a certified adult family home
24 license by the department of social and health services. The
25 department of social and health services shall adopt rules implementing
26 the provisions of this subsection.

27 (6) \$50,000 of the general fund--state appropriation for fiscal
28 year 2010 and \$52,000 of the general fund--state appropriation for
29 fiscal year 2011 are provided solely for the center for international
30 trade in forest products in the college of forest resources.

31 **Sec. 603.** 2009 c 564 s 607 (uncodified) is amended to read as
32 follows:

33 **FOR WASHINGTON STATE UNIVERSITY**

34	General Fund--State Appropriation (FY 2010)	((\$178,578,000))
35		<u>\$169,155,000</u>
36	General Fund--State Appropriation (FY 2011)	((\$196,163,000))
37		<u>\$176,490,000</u>

1	General Fund--Federal Appropriation	\$15,772,000
2	Education Legacy Trust Account--State Appropriation	\$34,696,000
3	TOTAL APPROPRIATION	(\$425,209,000)
4		<u>\$396,113,000</u>

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

7 (1) In implementing the appropriations in this section, the
8 president and regents shall seek to minimize impacts on student
9 services and instructional programs by maximizing reductions in
10 administration and other non-instructional activities.

11 (2) Because higher education is an essential driver of economic
12 recovery and development, the university shall maintain, and endeavor
13 to increase, enrollment and degree production levels at or beyond their
14 academic year 2008-09 levels in the following high-demand fields:
15 Biological and biomedical sciences; computer and information sciences;
16 education with specializations in special education, math, or science;
17 engineering and engineering technology; health professions and related
18 clinical sciences; and mathematics and statistics.

19 (3) When implementing reductions for fiscal year 2010 and fiscal
20 year 2011, Washington State University shall minimize reductions to
21 extension services and agriculture extension services. Agriculture
22 extension includes:

23 (a) Faculty with extension appointments working within the
24 following departments in the college of agricultural, human, and
25 natural resource sciences with extension appointments: Animal
26 sciences, crop and soil sciences, entomology, horticulture, and plant
27 pathology;

28 (b) The portion of county extension educators' appointments
29 assigned to the "agricultural programs" area;

30 (c) Staff with extension appointments and extension operating
31 allocations located at the irrigated agriculture research and extension
32 center (Prosser), northwest Washington research and extension center
33 (Mt. Vernon), and tree fruit research and extension center (Wenatchee);
34 and

35 (d) Extension contributions to the center for precision
36 agricultural systems, center for sustaining agriculture and natural
37 resources, and the agriculture weather network.

1 (4) \$75,000 of the general fund--state appropriation for fiscal
2 year 2010 and \$75,000 of the general fund--state appropriation for
3 fiscal year 2011 are provided solely for research related to honeybee
4 colony collapse disease.

5 **Sec. 604.** 2009 c 564 s 608 (uncodified) is amended to read as
6 follows:

7 **FOR EASTERN WASHINGTON UNIVERSITY**

8	General Fund--State Appropriation (FY 2010)	((\$34,685,000))
9		<u>\$33,318,000</u>
10	General Fund--State Appropriation (FY 2011)	((\$40,796,000))
11		<u>\$37,151,000</u>
12	General Fund--Federal Appropriation	\$5,522,000
13	Education Legacy Trust Account--State Appropriation	\$16,087,000
14	TOTAL APPROPRIATION	((\$97,090,000))
15		<u>\$92,078,000</u>

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

18 (1) In implementing the appropriations in this section, the
19 president and governing board shall seek to minimize impacts on student
20 services and instructional programs by maximizing reductions in
21 administration and other non-instructional activities.

22 (2) Because higher education is an essential driver of economic
23 recovery and development, the university shall maintain, and endeavor
24 to increase, enrollment and degree production levels at or beyond their
25 academic year 2008-09 levels in the following high-demand fields:
26 Biological and biomedical sciences; computer and information sciences;
27 education with specializations in special education, math, or science;
28 engineering and engineering technology; health professions and related
29 clinical sciences; and mathematics and statistics.

30 (3) At least \$200,000 of the general fund--state appropriation for
31 fiscal year 2010 and at least \$200,000 of the general fund--state
32 appropriation for fiscal year 2011 shall be expended on the northwest
33 autism center.

34 **Sec. 605.** 2009 c 564 s 609 (uncodified) is amended to read as
35 follows:

1 (1) In implementing the appropriations in this section, the
2 president and governing board shall seek to minimize impacts on student
3 services and instructional programs by maximizing reductions in
4 administration and other non-instructional activities.

5 (2) Because higher education is an essential driver of economic
6 recovery and development, the college shall maintain, and endeavor to
7 increase, enrollment and degree production levels at or beyond their
8 academic year 2008-09 levels in the following high-demand fields:
9 Biological and biomedical sciences; computer and information sciences;
10 education with specializations in special education, math, or science;
11 engineering and engineering technology; health professions and related
12 clinical sciences; and mathematics and statistics.

13 (3) At least \$100,000 of the general fund--state appropriation for
14 fiscal year 2010 and at least \$100,000 of the general fund--state
15 appropriation for fiscal year 2011 shall be expended on the labor
16 education and research center.

17 (4) \$100,000 of the general fund--state appropriation for fiscal
18 year 2010 and \$100,000 of the general fund--state appropriation for
19 fiscal year 2011 are provided solely for the Washington state institute
20 for public policy to report to the legislature regarding efficient and
21 effective programs and policies. The report shall calculate the return
22 on investment to taxpayers from evidence-based prevention and
23 intervention programs and policies that influence crime, K-12 education
24 outcomes, child maltreatment, substance abuse, mental health, public
25 health, public assistance, employment, and housing. The institute for
26 public policy shall provide the legislature with a comprehensive list
27 of programs and policies that improve these outcomes for children and
28 adults in Washington and result in more cost-efficient use of public
29 resources. The institute shall submit interim reports by December 15,
30 2009, and October 1, 2010, and a final report by June 30, 2011. The
31 institute may receive additional funds from a private organization for
32 the purpose of conducting this study.

33 (5) To the extent federal or private funding is available for this
34 purpose, the Washington state institute for public policy and the
35 center for reinventing public education at the University of Washington
36 shall examine the relationship between participation in pension systems
37 and teacher quality and mobility patterns in the state. The department
38 of retirement systems shall facilitate researchers' access to necessary

1 individual-level data necessary to effectively conduct the study. The
2 researchers shall ensure that no individually identifiable information
3 will be disclosed at any time. An interim report on project findings
4 shall be completed by November 15, 2010, and a final report shall be
5 submitted to the governor and to the relevant committees of the
6 legislature by October 15, 2011.

7 (6) At least \$200,000 of the general fund--state appropriation for
8 fiscal year 2010 and at least \$200,000 of the general fund--state
9 appropriation for fiscal year 2011 shall be expended on the Washington
10 center for undergraduate education.

11 (7) \$15,000 of the general fund--state appropriation for fiscal
12 year 2010 is provided solely for the Washington state institute for
13 public policy to examine the need for and methods to increase the
14 availability of nonfood items, such as personal hygiene supplies,
15 soaps, paper products, and other items, to needy persons in the state.
16 The study shall examine existing private and public programs that
17 provide such products, and develop recommendations for the most cost-
18 effective incentives for private and public agencies to increase local
19 distribution outlets and local and regional networks of supplies. A
20 final report shall be delivered to the legislature and the governor by
21 December 1, 2009.

22 (8) \$17,000 of the general fund--state appropriation for fiscal
23 year 2010 and \$42,000 of the general fund--state appropriation for
24 fiscal year 2011 are provided to the Washington state institute for
25 public policy to implement Second Substitute House Bill No. 2106 (child
26 welfare outcomes). If the bill is not enacted by June 30, 2009, the
27 amounts provided in this subsection shall lapse.

28 (9) \$54,000 of the general fund--state appropriation for fiscal
29 year 2010 and \$23,000 of the general fund--state appropriation for
30 fiscal year 2011 are provided solely to implement Substitute Senate
31 Bill No. 5882 (racial disproportionality). If the bill is not enacted
32 by June 30, 2009, the amounts provided in this subsection shall lapse.

33 (10) \$75,000 of the general fund--state appropriation for fiscal
34 year 2010 is provided solely for the Washington state institute of
35 public policy to evaluate the adequacy of and access to financial aid
36 and independent living programs for youth in foster care. The
37 examination shall include opportunities to improve efficiencies within

1 these programs. The institute shall report its findings by December 1,
2 2009.

3 (11) \$75,000 of the general fund--state appropriation for fiscal
4 year 2010 is provided solely for the Washington state institute for
5 public policy to conduct an assessment of the general assistance
6 unemployable program and other similar programs. The assessment shall
7 include a review of programs in other states that provide similar
8 services and will include recommendations on promising approaches that
9 both improve client outcomes and reduce state costs. A report is due
10 by December 1, 2009.

11 (12) To the extent funds are available, the Washington state
12 institute for public policy is encouraged to continue the longitudinal
13 analysis of long-term mental health outcomes directed in chapter 334,
14 Laws of 2001 (mental health performance audit), to build upon the
15 evaluation of the impacts of chapter 214, Laws of 1999 (mentally ill
16 offenders); and to assess program outcomes and cost effectiveness of
17 the children's mental health pilot projects as required by chapter 372,
18 Laws of 2006.

19 **Sec. 607.** 2009 c 564 s 611 (uncodified) is amended to read as
20 follows:

21 **FOR WESTERN WASHINGTON UNIVERSITY**

22	General Fund--State Appropriation (FY 2010)	((\$43,141,000))
23		<u>\$40,783,000</u>
24	General Fund--State Appropriation (FY 2011)	((\$52,752,000))
25		<u>\$47,703,000</u>
26	General Fund--Federal Appropriation	\$8,885,000
27	Education Legacy Trust Account--State Appropriation	\$13,036,000
28	TOTAL APPROPRIATION	((\$117,814,000))
29		<u>\$110,407,000</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 non-instructional activities.

36 (2) Because higher education is an essential driver of economic
37 recovery and development, the university shall maintain, and endeavor

1 to increase, enrollment and degree production levels at or beyond their
2 academic year 2008-09 levels in the following high-demand fields:
3 Biological and biomedical sciences; computer and information sciences;
4 education with specializations in special education, math, or science;
5 engineering and engineering technology; health professions and related
6 clinical sciences; and mathematics and statistics.

7 **Sec. 608.** 2009 c 564 s 612 (uncodified) is amended to read as
8 follows:

9 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**
10 **ADMINISTRATION**

11	General Fund--State Appropriation (FY 2010)	((\$6,611,000))
12		<u>\$6,512,000</u>
13	General Fund--State Appropriation (FY 2011)	((\$6,203,000))
14		<u>\$5,228,000</u>
15	General Fund--Federal Appropriation	((\$4,352,000))
16		<u>\$4,355,000</u>
17	TOTAL APPROPRIATION	((\$17,166,000))
18		<u>\$16,095,000</u>

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

21 (1) Within the funds appropriated in this section, the higher
22 education coordinating board shall complete a system design planning
23 project that defines how the current higher education delivery system
24 can be shaped and expanded over the next ten years to best meet the
25 needs of Washington citizens and businesses for high quality and
26 accessible post-secondary education. The board shall propose policies
27 and specific, fiscally feasible implementation recommendations to
28 accomplish the goals established in the *2008 strategic master plan for*
29 *higher education*. The project shall specifically address the roles,
30 missions, and instructional delivery systems both of the existing and
31 of proposed new components of the higher education system; the extent
32 to which specific academic programs should be expanded, consolidated,
33 or discontinued and how that would be accomplished; the utilization of
34 innovative instructional delivery systems and pedagogies to reach both
35 traditional and nontraditional students; and opportunities to
36 consolidate institutional administrative functions. The study
37 recommendations shall also address the proposed location, role,

1 mission, academic program, and governance of any recommended new
2 campus, institution, or university center. During the planning
3 process, the board shall inform and actively involve the chairs from
4 the senate and house of representatives committees on higher education,
5 or their designees. The board shall report the findings and
6 recommendations of this system design planning project to the governor
7 and the appropriate committees of the legislature by December 1, 2009.

8 (2) \$146,000 of the general fund--state appropriation for fiscal
9 year 2010 and \$65,000 of the general fund--state appropriation for
10 fiscal year 2011 are provided solely for the higher education
11 coordinating board to administer Engrossed Second Substitute House Bill
12 No. 2021 (revitalizing student financial aid). If the bill is not
13 enacted by June 30, 2009, the amounts provided in this subsection shall
14 lapse.

15 (3) \$227,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$11,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely to implement Engrossed Second
18 Substitute House Bill No. 1946 (regarding higher education online
19 technology). If the bill is not enacted by June 30, 2009, the amounts
20 provided in this subsection shall lapse.

21 (4) \$400,000 of the general fund--state appropriation for fiscal
22 year 2010 (~~and \$400,000 of the general fund--state appropriation for~~
23 ~~fiscal year 2011 are~~) is provided solely for the higher education
24 coordinating board to contract with the Pacific Northwest university of
25 health sciences to conduct training and education of health care
26 professionals to promote osteopathic physician services in rural and
27 underserved areas of the state.

28 **Sec. 609.** 2009 c 564 s 613 (uncodified) is amended to read as
29 follows:

30 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**
31 **PROGRAMS**

32	General Fund--State Appropriation (FY 2010)	\$204,332,000
33	General Fund--State Appropriation (FY 2011)	((\$229,711,000))
34		<u>\$193,095,000</u>
35	General Fund--Federal Appropriation	((\$13,124,000))
36		<u>\$13,129,000</u>
37	Education Legacy Trust Account--State	

1	Appropriation	((\$88,062,000))
2		<u>\$83,826,000</u>
3	TOTAL APPROPRIATION	((\$535,229,000))
4		<u>\$494,322,000</u>

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

7 (1) \$191,704,000 of the general fund--state appropriation for
8 fiscal year 2010, (~~(\$232,929,000)~~) \$185,704,000 of the general fund--
9 state appropriation for fiscal year 2011, \$80,190,000 of the education
10 legacy trust account appropriation, and \$2,446,000 of the general
11 fund--federal appropriation are provided solely for student financial
12 aid payments under the state need grant; the state work study program
13 including up to a four percent administrative allowance; the Washington
14 scholars program; (~~and~~) the Washington award for vocational
15 excellence in fiscal year 2010; and the state need grant in fiscal year
16 2011. State need grant, Washington award for vocational excellence,
17 and state work study awards shall be adjusted to offset the cost of the
18 resident undergraduate tuition increases authorized under this act.
19 (~~The Washington scholars program shall provide awards sufficient to~~
20 ~~offset ninety percent of the total tuition and fee award.~~

21 (~~2)(a) Within the funds appropriated in this section, eligibility~~
22 ~~for the state need grant shall include students with family incomes at~~
23 ~~or below 70 percent of the state median family income (MFI), adjusted~~
24 ~~for family size. Awards for all students shall be adjusted by the~~
25 ~~estimated amount by which Pell grant increases exceed projected~~
26 ~~increases in the noninstructional costs of attendance. Awards for~~
27 ~~students with incomes between 51 and 70 percent of the state median~~
28 ~~shall be prorated at the following percentages of the award amount~~
29 ~~granted to those with incomes below 51 percent of the MFI: 70 percent~~
30 ~~for students with family incomes between 51 and 55 percent MFI; 65~~
31 ~~percent for students with family incomes between 56 and 60 percent MFI;~~
32 ~~60 percent for students with family incomes between 61 and 65 percent~~
33 ~~MFI; and 50 percent for students with family incomes between 66 and 70~~
34 ~~percent MFI.~~

35 (~~b) Grant awards for students at private four-year colleges shall~~
36 ~~be set at the same level as the student would receive if attending one~~
37 ~~of the public research universities.~~

1 ~~(3) \$1,000,000 of the education legacy trust account state~~
2 ~~appropriation is provided solely to encourage more students to teach~~
3 ~~secondary mathematics and science. \$500,000 of this amount is for the~~
4 ~~future teacher scholarship and conditional loan program. \$500,000 of~~
5 ~~this amount is provided to support state work study positions for~~
6 ~~students to intern in secondary schools and classrooms.~~

7 ~~(4) (\$3,872,000))~~ Due to declining state revenues, the Washington
8 award for vocational excellence, the Washington scholars program and
9 the state work study program are suspended for fiscal year 2011.

10 (2) \$500,000 of the education legacy trust account--state
11 appropriation is provided solely to encourage more students to teach
12 secondary mathematics and science. \$250,000 of this amount is for the
13 future teacher scholarship and conditional loan program. \$250,000 of
14 this amount is provided to support state work study positions for
15 students to intern in secondary schools and classrooms. Due to
16 declining state revenues, this program is suspended for fiscal year
17 2011.

18 (3) \$1,536,000 of the education legacy trust account--state
19 appropriation is provided solely for the passport to college
20 scholarship program pursuant to chapter 28B.117 RCW. The higher
21 education coordinating board shall contract with a college scholarship
22 organization with expertise in managing scholarships for low-income,
23 high-potential students and foster care children and young adults to
24 administer the program. Of the amount in this subsection, \$39,000 is
25 provided solely for the higher education coordinating board for
26 administration of the contract and the remaining shall be contracted
27 out to the organization for the following purposes:

28 (a) \$384,000 is provided solely for program administration, and

29 (b) ~~(((\$3,449,000))~~ \$1,152,000 is provided solely for student
30 financial aid for ~~((up to 151))~~ students and to fund student support
31 services in fiscal year 2010 only. ~~((Funds are provided for student~~
32 ~~scholarships, provider training, and for incentive payments to the~~
33 ~~colleges they attend for individualized student support services which~~
34 ~~may include, but are not limited to, college and career advising,~~
35 ~~counseling, tutoring, costs incurred for students while school is not~~
36 ~~in session, personal expenses, health insurance, and emergency~~
37 ~~services.~~

1 ~~(5))~~ Due to declining state revenues, this program is suspended in
2 fiscal year 2011.

3 (4) \$1,250,000 of the general fund--state appropriation for fiscal
4 year 2010 (~~and \$1,250,000 of the general fund--state appropriation for~~
5 ~~fiscal year 2011~~) are provided solely for the health professional
6 scholarship and loan program. The funds provided in this subsection
7 shall be: (a) Prioritized for health care deliver sites demonstrating
8 a commitment to serving the uninsured; and (b) allocated between loan
9 repayments and scholarships proportional to current program
10 allocations.

11 ~~((6))~~ (5) For fiscal year 2010 and fiscal year 2011, the board
12 shall defer loan or conditional scholarship repayments to the future
13 teachers conditional scholarship and loan repayment program for up to
14 one year for each participant if the participant has shown evidence of
15 efforts to find a teaching job but has been unable to secure a teaching
16 job per the requirements of the program.

17 ~~((7))~~ (6) \$246,000 of the general fund--state appropriation for
18 fiscal year 2010 and \$246,000 of the general fund--state appropriation
19 for fiscal year 2011 are for community scholarship matching grants and
20 its administration. To be eligible for the matching grant, nonprofit
21 groups organized under section 501(c)(3) of the federal internal
22 revenue code must demonstrate they have raised at least \$2,000 in new
23 moneys for college scholarships after the effective date of this
24 section. Groups may receive no more than one \$2,000 matching grant per
25 year and preference shall be given to groups affiliated with
26 scholarship America. Up to a total of \$46,000 per year of the amount
27 appropriated in this section may be awarded to a nonprofit community
28 organization to administer scholarship matching grants, with preference
29 given to an organization affiliated with scholarship America.

30 ~~((8))~~ (7) \$500,000 of the general fund--state appropriation for
31 fiscal year 2010 and \$500,000 of the general fund--state appropriation
32 for fiscal year 2011 are provided solely for state need grants provided
33 to students enrolled in three to five credit-bearing quarter credits,
34 or the equivalent semester credits. Total state expenditures on this
35 program shall not exceed the amounts provided in this subsection.

36 ~~((9) \$3,000,000)~~ (8) \$1,500,000 of the education legacy trust
37 account--state appropriation is provided solely for the gaining early

1 awareness and readiness for undergraduate programs project for fiscal
2 year 2010. This service expansion is suspended for fiscal year 2011.

3 ((+10)) (9) \$75,000 of the general fund--state appropriation for
4 fiscal year 2010 ((and \$75,000 of the general fund--state appropriation
5 for fiscal year 2011 are)) is provided solely for higher education
6 student child care matching grants under chapter 28B.135 RCW.

7 **Sec. 610.** 2009 c 564 s 614 (uncodified) is amended to read as
8 follows:

9 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

10	General Fund--State Appropriation (FY 2010)	(((\$1,587,000))
11		<u>\$1,460,000</u>
12	General Fund--State Appropriation (FY 2011)	(((\$1,556,000))
13		<u>\$1,480,000</u>
14	General Fund--Federal Appropriation	(((\$54,262,000))
15		<u>\$54,037,000</u>
16	TOTAL APPROPRIATION	(((\$57,405,000))
17		<u>\$56,977,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations: ((+2)) \$60,000 of the general fund--state
20 appropriation for fiscal year 2010 and \$60,000 of the general fund--
21 state appropriation for fiscal year 2011 are provided solely for
22 implementation of Engrossed Second Substitute House Bill No. 2227
23 (evergreen jobs act). If the bill is not enacted by June 30, 2009, the
24 amounts provided in this subsection shall lapse.

25 **Sec. 611.** 2009 c 564 s 615 (uncodified) is amended to read as
26 follows:

27 **FOR THE SPOKANE INTERCOLLEGIATE RESEARCH AND TECHNOLOGY INSTITUTE**

28	General Fund--State Appropriation (FY 2010)	(((\$1,598,000))
29		<u>\$1,573,000</u>
30	General Fund--State Appropriation (FY 2011)	(((\$1,611,000))
31		<u>\$1,381,000</u>
32	TOTAL APPROPRIATION	(((\$3,209,000))
33		<u>\$2,954,000</u>

34 **Sec. 612.** 2009 c 564 s 616 (uncodified) is amended to read as
35 follows:

1 **FOR THE DEPARTMENT OF EARLY LEARNING**

2	General Fund--State Appropriation (FY 2010)	((\$60,478,000))
3		<u>\$59,629,000</u>
4	General Fund--State Appropriation (FY 2011)	((\$61,045,000))
5		<u>\$61,013,000</u>
6	General Fund--Federal Appropriation	((\$244,859,000))
7		<u>\$248,922,000</u>
8	TOTAL APPROPRIATION	((\$366,382,000))
9		<u>\$369,564,000</u>

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

12 (1) ((~~\$55,696,000~~)) \$54,878,000 of the general fund--state
13 appropriation for fiscal year 2010 and ((~~\$55,696,000~~)) \$54,878,000 of
14 the general fund--state appropriation for fiscal year 2011 are provided
15 solely for early childhood education and assistance program services.
16 This appropriation temporarily reduces the number of slots for the
17 2009-11 fiscal biennium for the early childhood education and
18 assistance program. The department shall reduce slots where providers
19 serve both federal headstart and early childhood education and
20 assistance program children, to the greatest extent possible, in order
21 to achieve no reduction of slots across the state. The amounts in this
22 subsection also reflect reductions to the administrative expenditures
23 for the early childhood education and assistance program. The
24 department shall reduce administrative expenditures, to the greatest
25 extent possible, prior to reducing early childhood education and
26 assistance program slots. Of these amounts, \$10,284,000 is a portion
27 of the biennial amount of state matching dollars required to receive
28 federal child care and development fund grant dollars.

29 (2) \$1,000,000 of the general fund--federal appropriation is
30 provided to the department to contract with Thrive by Five, Washington
31 for a pilot project for a quality rating and improvement system to
32 provide parents with information they need to choose quality child care
33 and education programs and to improve the quality of early care and
34 education programs. The department in collaboration with Thrive by
35 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,
36 and Kitsap counties. The department shall use child care development
37 fund quality money for this purpose.

1 (3) \$425,000 of the general fund--state appropriation for fiscal
2 year 2010(~~(, \$425,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2011,)) and \$850,000 of the general fund--federal
4 appropriation are provided solely for child care resource and referral
5 network services. The general fund--federal funding represents moneys
6 from the American recovery and reinvestment act of 2009 (child care
7 development block grant).~~

8 (4) (~~(\$750,000 of the general fund--state appropriation for fiscal~~
9 ~~year 2010, \$750,000 of the general fund--state appropriation for fiscal~~
10 ~~year 2011, and)) \$1,500,000 of the general fund--federal appropriation
11 ((are)) is provided solely for the career and wage ladder program
12 created by chapter 507, Laws of 2005. The general fund--federal
13 funding represents moneys from the American recovery and reinvestment
14 act of 2009 (child care development block grant).~~

15 (5) \$50,000 of the general fund--state appropriation for fiscal
16 year 2010 and \$50,000 of the general fund--state appropriation for
17 fiscal year 2011 are provided solely for the department to work with
18 stakeholders and the office of the superintendent of public instruction
19 to identify and test a kindergarten assessment process and tools in
20 geographically diverse school districts. School districts may
21 participate in testing the kindergarten assessment process on a
22 voluntary basis. The department shall report to the legislature on the
23 kindergarten assessment process not later than January 15, 2011.
24 Expenditure of amounts provided in this subsection is contingent on
25 receipt of an equal match from private sources. As matching funds are
26 made available, the department may expend the amounts provided in this
27 subsection.

28 (6) \$1,600,000 of the general fund--federal appropriation is
29 provided solely for the department to fund programs to improve the
30 quality of infant and toddler child care through training, technical
31 assistance, and child care consultation.

32 (7) \$200,000 of the general fund--state appropriation for fiscal
33 year 2010 and \$200,000 of the general fund--state appropriation for
34 fiscal year 2011 are provided solely to develop and provide culturally
35 relevant supports for parents, family, and other caregivers.

36 ((+9)) (8) The department is the lead agency for and recipient of
37 the federal child care and development fund grant. Amounts within this
38 grant shall be used to fund child care licensing, quality initiatives,

1 agency administration, and other costs associated with child care
2 subsidies. The department shall transfer a portion of this grant to
3 the department of social and health services to partially fund the
4 child care subsidies paid by the department of social and health
5 services on behalf of the department of early learning.

6 ~~((+10))~~ (9) The department shall use child care development fund
7 money to satisfy the federal audit requirement of the improper payments
8 act (IPIA) of 2002. In accordance with the IPIA's rules, the money
9 spent on the audits will not count against the five percent state limit
10 on administrative expenditures.

11 ~~((+11))~~ (10) Within available amounts, the department in
12 consultation with the office of financial management and the department
13 of social and health services shall report quarterly enrollments and
14 active caseload for the working connections child care program to the
15 legislative fiscal committees. The report shall also identify the
16 number of cases participating in both temporary assistance for needy
17 families and working connections child care.

18 ~~((+12))~~ (11) The appropriations in this section reflect reductions
19 in the appropriations for the department's administrative expenses. It
20 is the intent of the legislature that these reductions shall be
21 achieved, to the greatest extent possible, by reducing those
22 administrative costs that do not affect direct client services or
23 direct service delivery or program.

24 **Sec. 613.** 2009 c 564 s 617 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE SCHOOL FOR THE BLIND**

27	General Fund--State Appropriation (FY 2010)	\$5,902,000
28	((General Fund--State Appropriation (FY 2011)	(\$5,908,000))
29	General Fund--Private/Local Appropriation	(\$1,928,000))
30		<u>\$954,000</u>
31	TOTAL APPROPRIATION	(\$13,738,000))
32		<u>\$6,856,000</u>

33 (1) The appropriations in this section are subject to the following
34 conditions and limitations: \$271,000 of the general fund--
35 private/local appropriation is provided solely for the school for the
36 blind to offer short course programs, allowing students the opportunity
37 to leave their home schools for short periods and receive intensive

1 training. The school for the blind shall provide this service to the
2 extent that it is funded by contracts with school districts and
3 educational services districts.

4 (2) Beginning July 1, 2010, the functions of the school for the
5 blind are transferred to the office of the superintendent of public
6 instruction. Funding for these activities for fiscal year 2011 is
7 appropriated to the office of the superintendent of public instruction.

8 **Sec. 614.** 2009 c 564 s 618 (uncodified) is amended to read as
9 follows:

10 **FOR THE ((STATE SCHOOL FOR THE DEAF)) WASHINGTON STATE CENTER FOR**
11 **CHILDHOOD DEAFNESS AND HEARING LOSS**

12	General Fund--State Appropriation (FY 2010)	((\$8,592,000))
13		<u>\$8,593,000</u>
14	((General Fund--State Appropriation (FY 2011)	\$8,656,000))
15	General Fund--Private/Local Appropriation	((\$526,000))
16		<u>\$242,000</u>
17	TOTAL APPROPRIATION	((\$17,774,000))
18		<u>\$8,835,000</u>

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

21 (1) \$210,000 of the general fund--private/local appropriation is
22 provided solely for the operation of the shared reading video outreach
23 program. The school for the deaf shall provide this service to the
24 extent it is funded by contracts with school districts and educational
25 service districts.

26 (2) \$25,000 of the general fund--state appropriation for fiscal
27 year 2010 ((~~and \$25,000 of the general fund--state appropriation for~~
28 ~~fiscal year 2011 are~~)) is provided solely for implementation of
29 Engrossed Second Substitute House Bill No. 1879 (deaf and hard of
30 hearing). If the bill is not enacted by June 30, 2009, the amounts
31 provided in this subsection shall lapse.

32 (3) Beginning July 1, 2010, the functions of the Washington state
33 center for childhood deafness and hearing loss are transferred to the
34 office of the superintendent of public instruction. Funding for these
35 activities for fiscal year 2011 is appropriated to the office of the
36 superintendent of public instruction.

1 (2) The Washington state historical society shall negotiate and
2 enter into an interagency agreement with the eastern Washington state
3 historical society to consolidate or share certain administrative and
4 programmatic functions currently being performed by each agency
5 independently and shall proportionately share the costs of such shared
6 functions. Examples of shared functions may include, but are not
7 limited to, exhibit planning and display, educational programming,
8 financial services, information technology, and digital archives.

9 **Sec. 617.** 2009 c 564 s 621 (uncodified) is amended to read as
10 follows:

11 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

12	General Fund--State Appropriation (FY 2010)	\$1,612,000
13	General Fund--State Appropriation (FY 2011)	(\$1,655,000)
14		<u>\$1,520,000</u>
15	TOTAL APPROPRIATION	(\$3,267,000)
16		<u>\$3,132,000</u>

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

19 (1) It is the intent of the legislature that the reductions in
20 appropriations in this section shall be achieved, to the greatest
21 extent possible, by reducing those administrative costs that do not
22 affect direct client services or direct service delivery or programs.
23 The agency shall, to the greatest extent possible, reduce spending in
24 those areas that shall have the least impact on implementing its
25 mission.

26 (2) The eastern Washington state historical society shall negotiate
27 and enter into an interagency agreement with the Washington state
28 historical society to consolidate or share certain administrative and
29 programmatic functions currently being performed by each agency
30 independently and shall proportionately share the costs of such shared
31 functions. Examples of shared functions may include, but are not
32 limited to, exhibit planning and display, educational programming,
33 financial services, information technology, and digital archives.

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2009 c 564 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2010)	(((\$854,991,000)))
	<u>\$844,351,000</u>
General Fund--State Appropriation (FY 2011)	(((\$901,265,000)))
	<u>\$894,269,000</u>
State Building Construction Account--State	
Appropriation	\$11,707,000
Columbia River Basin Water Supply Development Account--	
State Appropriation	(((\$92,000)))
	<u>\$117,000</u>
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$11,000
State Taxable Building Construction Account--State	
Appropriation	\$1,136,000
Gardner-Evans Higher Education Construction Account--	
State Appropriation	\$260,000
Debt-Limit Reimbursable Bond Retirement Account--State	
Appropriation	(((\$2,619,000)))
	<u>\$2,612,000</u>
TOTAL APPROPRIATION	(((\$1,772,081,000)))
	<u>\$1,754,463,000</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 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

Sec. 702. 2009 c 564 s 703 (uncodified) is amended to read as follows:

1 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 2 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**
 3 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

4	General Fund--State Appropriation (FY 2010)	((\$26,463,000))
5		<u>\$26,436,000</u>
6	General Fund--State Appropriation (FY 2011)	((\$27,811,000))
7		<u>\$27,773,000</u>
8	School Construction and Skill Centers Building	
9	Account--State Appropriation	\$477,000
10	Nondebt-Limit Reimbursable Bond Retirement Account--	
11	State Appropriation	((\$141,507,000))
12		<u>\$140,872,000</u>
13	TOTAL APPROPRIATION	((\$196,258,000))
14		<u>\$195,558,000</u>

15 The appropriations in this section are subject to the following
 16 conditions and limitations: The general fund appropriation is for
 17 expenditure into the nondebt-limit general fund bond retirement
 18 account. The entire general fund--state appropriation for fiscal year
 19 2010 shall be expended into the nondebt-limit general fund bond
 20 retirement account by June 30, 2010.

21 **Sec. 703.** 2009 c 564 s 704 (uncodified) is amended to read as
 22 follows:

23 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 24 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

25	General Fund--State Appropriation (FY 2010)	\$1,357,000
26	General Fund--State Appropriation (FY 2011)	\$1,357,000
27	State Building Construction Account--State	
28	Appropriation	\$1,273,000
29	Columbia River Basin Water Supply Development	
30	Account--State Appropriation	((\$6,000))
31		<u>\$9,000</u>
32	Hood Canal Aquatic Rehabilitation Bond Account--	
33	State Appropriation	\$1,000
34	State Taxable Building Construction Account--State	
35	Appropriation	\$72,000
36	Gardner-Evans Higher Education Construction	
37	Account--State Appropriation	\$18,000

1 School Construction and Skill Centers Building
 2 Account--State Appropriation \$30,000
 3 TOTAL APPROPRIATION ((~~\$4,114,000~~)
 4 \$4,117,000

5 **Sec. 704.** 2009 c 564 s 708 (uncodified) is amended to read as
 6 follows:

7 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
 8 **COMMERCE--COUNTY PUBLIC HEALTH ASSISTANCE**

9 General Fund--State Appropriation (FY 2010) \$24,000,000
 10 ((General Fund--State Appropriation (FY 2011) \$24,000,000
 11 TOTAL APPROPRIATION \$48,000,000))

12 The appropriations in this section are subject to the following
 13 conditions and limitations: The director of the department of
 14 ((community, trade, and economic development)) commerce shall
 15 distribute the appropriations to the following counties and health
 16 districts in the amounts designated to support public health services,
 17 including public health nursing:

18 Health District	FY 2010	((FY 2011	FY 2010-11
			Biennium
20 Adams County Health District	\$30,951	\$30,951	\$61,902
21 Asotin County Health District	\$67,714	\$67,714	\$135,428
22 Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
23 Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
24 Clallam County Health and Human Services Department	\$141,752	\$141,752	\$283,504
25 Southwest Washington Health District	\$1,084,473	\$1,084,473	\$2,168,946
26 Columbia County Health District	\$40,529	\$40,529	\$81,058
27 Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
28 Garfield County Health District	\$15,028	\$15,028	\$30,056
29 Grant County Health District	\$118,595	\$118,596	\$237,191
30 Grays Harbor Health Department	\$183,870	183,870	\$367,740
31 Island County Health Department	\$91,892	\$91,892	\$183,784
32 Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
33 Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
34 Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338

1	Kittitas County Health Department	\$92,499	\$92,499	\$184,998
2	Klickitat County Health Department	\$62,402	\$62,402	\$124,804
3	Lewis County Health Department	\$105,801	\$105,801	\$211,602
4	Lincoln County Health Department	\$29,705	\$29,705	\$59,410
5	Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
6	Okanogan County Health District	\$63,458	\$63,458	\$126,916
7	Pacific County Health Department	\$77,427	\$77,427	\$154,854
8	Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
9	San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
10	Skagit County Health Department	\$223,927	\$223,927	\$447,854
11	Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
12	Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
13	Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
14	Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
15	Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
16	Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124
17	Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
18	Whitman County Health Department	\$78,733	\$78,733	\$157,466
19	Yakima Health District	\$623,797	\$623,797	\$1,247,594
20	TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000))

21 NEW SECTION. **Sec. 705.** A new section is added to 2009 c 564
22 (uncodified) to read as follows:

23 **FOR THE DEPARTMENT OF HEALTH--COUNTY PUBLIC HEALTH ASSISTANCE**

24 General Fund--State Appropriation (FY 2011) \$24,000,000

25 The appropriations in this section are subject to the following
26 conditions and limitations: The director of the department of health
27 shall distribute the appropriations to the following counties and
28 health districts in the amounts designated to support public health
29 services, including public health nursing:

30	Health District	FY 2011
31	Adams County Health District	\$30,951
32	Asotin County Health District	\$67,714
33	Benton-Franklin Health District	\$1,165,612
34	Chelan-Douglas Health District	\$184,761

1	Clallam County Health and Human Services Department	\$141,752
2	Southwest Washington Health District	\$1,084,473
3	Columbia County Health District	\$40,529
4	Cowlitz County Health Department	\$278,560
5	Garfield County Health District	\$15,028
6	Grant County Health District	\$118,596
7	Grays Harbor Health Department	183,870
8	Island County Health Department	\$91,892
9	Jefferson County Health and Human Services	\$85,782
10	Seattle-King County Department of Public Health	\$9,531,747
11	Bremerton-Kitsap County Health District	\$554,669
12	Kittitas County Health Department	\$92,499
13	Klickitat County Health Department	\$62,402
14	Lewis County Health Department	\$105,801
15	Lincoln County Health Department	\$29,705
16	Mason County Department of Health Services	\$95,988
17	Okanogan County Health District	\$63,458
18	Pacific County Health Department	\$77,427
19	Tacoma-Pierce County Health Department	\$2,820,590
20	San Juan County Health and Community Services	\$37,531
21	Skagit County Health Department	\$223,927
22	Snohomish Health District	\$2,258,207
23	Spokane County Health District	\$2,101,429
24	Northeast Tri-County Health District	\$110,454
25	Thurston County Health Department	\$600,419
26	Wahkiakum County Health Department	\$13,772
27	Walla Walla County-City Health Department	\$172,062
28	Whatcom County Health Department	\$855,863
29	Whitman County Health Department	\$78,733
30	Yakima Health District	\$623,797
31	TOTAL APPROPRIATIONS	\$24,000,000

32 **Sec. 706.** 2009 c 564 s 710 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**
35 **SYSTEMS.** The appropriations in this section are subject to the
36 following conditions and limitations: The appropriations for the law
37 enforcement officers' and firefighters' retirement system shall be made

1 on a monthly basis beginning July 1, 2009, consistent with chapter
2 41.45 RCW, and the appropriations for the judges and judicial
3 retirement systems shall be made on a quarterly basis consistent with
4 chapters 2.10 and 2.12 RCW.

5 (1) There is appropriated for state contributions to the law
6 enforcement officers' and firefighters' retirement system:

7	General Fund--State Appropriation (FY 2010)	\$51,500,000
8	General Fund--State Appropriation (FY 2011)	\$54,300,000
9	TOTAL APPROPRIATION	\$105,800,000

10 (2) There is appropriated for contributions to the judicial
11 retirement system:

12	General Fund--State Appropriation (FY 2010)	\$11,570,000
13	General Fund--State Appropriation (FY 2011)	(\$12,860,000)
14		<u>\$10,860,000</u>
15	TOTAL APPROPRIATION	(\$24,430,000)
16		<u>\$22,430,000</u>

17 **Sec. 707.** 2009 c 564 s 712 (uncodified) is amended to read as
18 follows:

19 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--WATER POLLUTION CONTROL**
20 **REVOLVING ACCOUNT**

21	General Fund--State Appropriation (FY 2010)	\$4,600,000
22	General Fund--State Appropriation (FY 2011)	(\$4,600,000)
23		<u>\$6,500,000</u>
24	TOTAL APPROPRIATION	(\$9,200,000)
25		<u>\$11,100,000</u>

26 The appropriations in this section are subject to the following
27 conditions and limitations: The appropriations are provided solely for
28 expenditure into the water pollution control revolving account.

29 **Sec. 708.** 2009 c 564 s 717 (uncodified) is amended to read as
30 follows:

31 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**
32 **ACCOUNT**

33	General Fund--State Appropriation (FY 2010)	(\$2,312,000)
34		<u>\$2,612,000</u>
35	General Fund--State Appropriation (FY 2011)	\$3,615,000
36	TOTAL APPROPRIATION	(\$5,927,000)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the capitol building construction account.

NEW SECTION. **Sec. 709.** 2009 c 564 s 720 (uncodified) is repealed.

NEW SECTION. **Sec. 710.** A new section is added to 2009 c 564 (uncodified) to read as follows:

FOR SUNDRY CLAIMS. The following sums, or so much thereof as may be necessary, are appropriated from the general fund, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110:

- (a) Gerald S. Morrow, claim number 99970006 \$20,567
- (b) Darrell R. Baumgart, claim number 99970007 \$4,528
- (c) William Davis, claim number 99970008 \$8,093
- (d) Gene T. Strader, claim number 99970009 \$33,875
- (e) Cecilio Cortez, claim number 99970012 \$17,055
- (f) Alexander D. Coble, claim number 99970013 \$302,110
- (g) James W. Jolly, claim number 99970017 \$28,884
- (h) James Jay Olsen, claim number 99970018 \$97,220
- (i) Todd E. Miller, claim number 99970019 \$6,957
- (j) Sean S. DeHart, claim number 99970021 \$52,062
- (k) Thomas L. Raglin, Jr., claim number 99970022 \$4,360

(2) Payment of death benefit, pursuant to RCW 41.04.017: Estate of Erik Anderson, claim number 99970014 \$150,000

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2009 c 564 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$8,268,000~~)) \$7,572,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$48,771,000~~)) \$47,003,000

General Fund Appropriation for prosecuting attorney distributions ((~~\$6,281,000~~)) \$6,280,000

General Fund Appropriation for boating safety and education distributions \$4,854,000

General Fund Appropriation for other tax distributions \$50,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,544,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$170,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((~~\$69,288,000~~)) \$36,555,000

County Criminal Justice Assistance Appropriation \$66,374,000

Municipal Criminal Justice Assistance Appropriation \$25,622,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((~~\$28,564,000~~)) \$27,547,000

Liquor Excise Tax Account Appropriation for liquor excise tax distribution ((~~\$50,950,000~~)) \$50,380,000

Streamline Sales and Use Tax Account Appropriation for

1 distribution to local taxing jurisdictions to mitigate
2 the unintended revenue redistribution effect of the
3 sourcing law changes ((~~\$65,038,000~~))
4 \$55,038,000

5 Columbia River Water Delivery Account Appropriation for the
6 Confederated Tribes of the Colville Reservation \$7,308,000
7 Columbia River Water Delivery Account Appropriation for the
8 Spokane Tribe of Indians \$4,676,000
9 Liquor Revolving Account Appropriation for liquor
10 profits distribution \$80,435,000
11 Liquor Revolving Account Appropriation for additional
12 liquor profits distribution to local
13 governments \$18,677,000
14 TOTAL APPROPRIATION ((~~\$490,870,000~~))
15 \$444,085,000

16 The total expenditures from the state treasury under the
17 appropriations in this section shall not exceed the funds available
18 under statutory distributions for the stated purposes.

19 **Sec. 802.** 2009 c 564 s 805 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE TREASURER--TRANSFERS.**

22 State Treasurer's Service Account: For transfer to the
23 state general fund, ((~~\$10,400,000~~)) \$16,400,000
24 for fiscal year 2010 and ((~~\$10,400,000~~))
25 \$16,400,000 for fiscal year 2011 ((~~\$20,800,000~~))
26 \$32,800,000

27 Waste Reduction, Recycling and Litter Control
28 Account: For transfer to the state general fund,
29 ((~~\$2,000,000~~)) \$3,000,000 for fiscal year 2010
30 and ((~~\$2,000,000~~)) \$3,000,000 for fiscal
31 year 2011 ((~~\$4,000,000~~))
32 \$6,000,000

33 State Toxics Control Account: For transfer to the
34 state general fund, ((~~\$15,340,000~~)) \$33,240,000
35 for fiscal year 2010 and ((~~\$14,400,000~~))
36 \$33,100,000 for fiscal year 2011 ((~~\$29,740,000~~))
37 \$66,340,000

1 Local Toxics Control Account: For transfer to the
2 state general fund, (~~(\$37,060,000)~~) \$59,660,000
3 for fiscal year 2010 and (~~(\$36,000,000)~~)
4 \$58,600,000 for fiscal year 2011 (~~(\$73,060,000)~~)
5 \$118,260,000
6 Education Construction Account: For transfer to the state
7 general fund, (~~(\$93,362,000)~~) \$105,228,000 for fiscal
8 year 2010 and (~~(\$100,401,000)~~) \$102,951,000 for
9 fiscal year 2011 (~~(\$193,763,000)~~)
10 \$208,179,000
11 Aquatics Lands Enhancement Account: For transfer to the
12 state general fund, (~~(\$5,050,000)~~) \$7,520,000 for
13 fiscal year 2010 and \$5,050,000 for fiscal
14 year 2011 (~~(\$10,100,000)~~)
15 \$12,570,000
16 Drinking Water Assistance Account: For transfer to the
17 drinking water assistance repayment account \$28,600,000
18 Economic Development Strategic Reserve Account: For
19 transfer to the state general fund, \$2,500,000 for
20 fiscal year 2010 and \$2,500,000 for fiscal
21 year 2011 \$5,000,000
22 Tobacco Settlement Account: For transfer to the state
23 general fund, in an amount not to exceed by more
24 than \$26,000,000 the actual amount of the annual
25 payment to the tobacco settlement account \$204,098,000
26 Tobacco Settlement Account: For transfer to the life
27 sciences discovery fund, in an amount not to exceed
28 \$26,000,000 less than the actual amount of the strategic
29 contribution supplemental payment to the tobacco
30 settlement account \$39,170,000
31 General Fund: For transfer to the streamline sales and
32 use tax account, (~~(\$31,447,000)~~) \$24,853,000 for
33 fiscal year 2010 and (~~(\$33,591,000)~~) \$28,591,000
34 for fiscal year 2011 (~~(\$65,038,000)~~)
35 \$53,444,000
36 State Convention and Trade Center Account: For transfer
37 to the state convention and trade center operations
38 account, \$1,000,000 for fiscal year 2010 and \$3,100,000

1 state general fund, \$278,000 for fiscal year 2011 \$278,000
2 Outdoor Education and Recreation Program Account: For
3 transfer to the state general fund, \$12,000 for
4 fiscal year 2010 \$12,000
5 GET Ready for Math and Science Account: For transfer
6 to the state general fund, \$1,650,000 for fiscal
7 year 2010 \$1,650,000
8 Skeletal Human Remains Assistance Account: For transfer
9 to the state general fund, \$50,000 for fiscal
10 year 2010 \$50,000
11 Savings Incentive Account: For transfer to the state
12 general fund, \$10,117,000 for fiscal year 2010 \$10,117,000
13 Education Savings Account: For transfer to the state
14 general fund, \$90,690,211 for fiscal year 2010 \$90,690,211
15 Washington Graduate Fellowship Trust Account: For
16 transfer to the state general fund, \$1,713,037
17 for fiscal year 2010 \$1,713,037
18 Washington Distinguished Professorship Trust Account:
19 For transfer to the state general fund, \$5,038,345
20 for fiscal year 2010 \$5,038,345
21 College Faculty Awards Trust Account: For transfer to
22 the state general fund, \$3,325,308 for fiscal
23 year 2010 \$3,325,308
24 Public Facility Construction Loan Revolving Account:
25 For transfer to the state general fund, \$8,500,000
26 for fiscal year 2011 \$8,500,000

(End of part)

1 point-of-service cost sharing, the implementation of managed
2 competition, or make other changes to benefits consistent with RCW
3 41.05.065. During the 2009-11 fiscal biennium, the board may only
4 authorize benefit plans and premium contributions for an employee and
5 the employee's dependents that are the same, regardless of an
6 employee's status as represented or nonrepresented under the personnel
7 system reform act of 2002.

8 (c) The health care authority shall deposit any moneys received on
9 behalf of the uniform medical plan as a result of rebates on
10 prescription drugs, audits of hospitals, subrogation payments, or any
11 other moneys recovered as a result of prior uniform medical plan claims
12 payments, into the public employees' and retirees' insurance account to
13 be used for insurance benefits. Such receipts shall not be used for
14 administrative expenditures.

15 (d) The conditions in this section apply to benefits for
16 nonrepresented employees, employees represented by the super coalition,
17 and represented employees outside of the super coalition, including
18 employees represented under chapter 47.64 RCW.

19 (2) The health care authority, subject to the approval of the
20 public employees' benefits board, shall provide subsidies for health
21 benefit premiums to eligible retired or disabled public employees and
22 school district employees who are eligible for medicare, pursuant to
23 RCW 41.05.085. From January 1, 2010, through the remainder of the
24 2009-11 fiscal biennium, the subsidy shall be \$182.89.

25 (3) Technical colleges, school districts, and educational service
26 districts shall remit to the health care authority for deposit into the
27 public employees' and retirees' insurance account established in RCW
28 41.05.120 the following amounts:

29 (a) For each full-time employee, \$59.59 per month beginning
30 September 1, 2009, and \$64.90 beginning September 1, 2010;

31 (b) For each part-time employee, who at the time of the remittance
32 is employed in an eligible position as defined in RCW 41.32.010 or
33 41.40.010 and is eligible for employer fringe benefit contributions for
34 basic benefits, \$59.59 each month beginning September 1, 2009, and
35 \$64.90 beginning September 1, 2010, prorated by the proportion of
36 employer fringe benefit contributions for a full-time employee that the
37 part-time employee receives. The remittance requirements specified in

1 this subsection shall not apply to employees of a technical college,
2 school district, or educational service district who purchase insurance
3 benefits through contracts with the health care authority.

4 **Sec. 904.** RCW 15.76.115 and 2001 2nd sp.s. c 16 s 1 are each
5 amended to read as follows:

6 The fair fund is created in the custody of the state treasury. All
7 moneys received by the department of agriculture for the purposes of
8 this fund and from RCW 67.16.105(4) shall be deposited into the fund.
9 ~~((At the beginning of fiscal year 2002 and))~~ Except for the fiscal year
10 2011, each fiscal year ~~((thereafter))~~, the state treasurer shall
11 transfer into the fair fund from the general fund the sum of two
12 million dollars. Expenditures from the fund may be used only for
13 assisting fairs in the manner provided in this chapter. Only the
14 director of agriculture or the director's designee may authorize
15 expenditures from the fund. The fund is subject to allotment
16 procedures under chapter 43.88 RCW, but no appropriation is required
17 for expenditures.

18 **Sec. 905.** RCW 28A.300.380 and 2000 c 84 s 2 are each amended to
19 read as follows:

20 (1) The superintendent of public instruction shall maintain support
21 for statewide coordination for career and technical student
22 organizations by providing program staff support that is available to
23 assist in meeting the needs of career and technical student
24 organizations and their members and students. ~~((The superintendent~~
25 ~~shall provide at least one full-time equivalent program staff for~~
26 ~~purposes of implementing this section.))~~ The superintendent may
27 provide additional support to the organizations through contracting
28 with independent coordinators.

29 (2) Career and technical student organizations eligible for
30 technical assistance and other support services under this section are
31 organizations recognized as career and technical student organizations
32 by:

33 (a) The United States department of education; or

34 (b) The superintendent of public instruction, if such recognition
35 is recommended by the Washington association for career and technical
36 education.

1 (3) Career and technical student organizations eligible for
2 technical assistance and other support services under this section
3 include, but are not limited to: The national FFA organization;
4 family, career, and community leaders of America; skillsUSA;
5 distributive education clubs of America; future business leaders of
6 America; and the technology student association.

7 **Sec. 906.** RCW 28A.510.250 and 1990 c 33 s 426 are each amended to
8 read as follows:

9 (1) Except for the 2009-10 school year, on or before the last
10 business day of September 1969 and each month thereafter, the
11 superintendent of public instruction shall apportion from the state
12 general fund to the several educational service districts of the state
13 the proportional share of the total annual amount due and apportionable
14 to such educational service districts for the school districts thereof
15 as follows:

16	September	.....	9%
17	October	.....	9%
18	November	.....	5.5%
19	December	.....	9%
20	January	.....	9%
21	February	.....	9%
22	March	.....	9%
23	April	.....	9%
24	May	.....	5.5%
25	June	.....	6.0%
26	July	.....	10.0%
27	August	.....	10.0%

28 (2) Subject to the payment process set forth in subsection (1) of
29 this section, for the 2009-10 school year, the superintendent of public
30 instruction shall apportion from the state general fund on the
31 following schedule:

1	<u>On or before the last business day of September</u>	<u>.....</u>	<u>9%</u>
2	<u>On or before the last business day of October</u>	<u>.....</u>	<u>9%</u>
3	<u>On or before the last business day of November</u>	<u>.....</u>	<u>5.5%</u>
4	<u>On or before the last business day of December</u>	<u>.....</u>	<u>9%</u>
5	<u>On or before the last business day of January</u>	<u>.....</u>	<u>9%</u>
6	<u>On or before the last business day of February</u>	<u>.....</u>	<u>9%</u>
7	<u>On or before the last business day of March</u>	<u>.....</u>	<u>9%</u>
8	<u>On or before the last business day of April</u>	<u>.....</u>	<u>9%</u>
9	<u>On or before the last business day of May</u>	<u>.....</u>	<u>5.5%</u>
10	<u>On or before the last business day of June for all</u>		
11	<u>programs, except general fund--state allocations</u>		
12	<u>from general apportionment, special education,</u>		
13	<u>learning assistance, transitional bilingual</u>		
14	<u>instructional, highly capable, and pupil</u>		
15	<u>transportation programs</u>	<u>.....</u>	<u>6%</u>
16	<u>On the first business day of July, general</u>		
17	<u>fund--state allocations from the following</u>		
18	<u>programs:</u>		
19	<u>General apportionment, special education, learning</u>		
20	<u>assistance, transitional bilingual instructional,</u>		
21	<u>highly capable, and pupil transportation</u>	<u>.....</u>	<u>6%</u>
22	<u>On or before the last business day of July</u>	<u>.....</u>	<u>10%</u>
23	<u>On or before the last business day of August</u>	<u>.....</u>	<u>10%</u>

24 (3) The annual amount due and apportionable shall be the amount
25 apportionable for all apportionment credits estimated to accrue to the
26 schools during the apportionment year beginning September first and
27 continuing through August thirty-first. Appropriations made for school
28 districts for each year of a biennium shall be apportioned according to
29 the schedule set forth in this section for the fiscal year starting
30 September 1st of the then calendar year and ending August 31st of the
31 next calendar year. The apportionment from the state general fund for
32 each month shall be an amount which will equal the amount due and
33 apportionable to the several educational service districts during such
34 month: PROVIDED, That any school district may petition the
35 superintendent of public instruction for an emergency advance of funds

1 which may become apportionable to it but not to exceed ten percent of
2 the total amount to become due and apportionable during the school
3 districts apportionment year. The superintendent of public instruction
4 shall determine if the emergency warrants such advance and if the funds
5 are available therefor. If the superintendent determines in the
6 affirmative, he or she may approve such advance and, at the same time,
7 add such an amount to the apportionment for the educational service
8 district in which the school district is located: PROVIDED, That the
9 emergency advance of funds and the interest earned by school districts
10 on the investment of temporary cash surpluses resulting from obtaining
11 such advance of state funds shall be deducted by the superintendent of
12 public instruction from the remaining amount apportionable to said
13 districts during that apportionment year in which the funds are
14 advanced.

15 **Sec. 907.** RCW 28B.12.040 and 2009 c 560 s 21 are each amended to
16 read as follows:

17 To the extent funds are appropriated for this purpose, the higher
18 education coordinating board shall develop and administer the state
19 work-study program. The board shall be authorized to enter into
20 agreements with employers and eligible institutions for the operation
21 of the program. These agreements shall include such provisions as the
22 higher education coordinating board may deem necessary or appropriate
23 to carry out the purposes of this chapter.

24 With the exception of off-campus community service placements, the
25 share from moneys disbursed under the state work-study program of the
26 compensation of students employed under such program in accordance with
27 such agreements shall not exceed eighty percent of the total such
28 compensation paid such students.

29 By rule, the board shall define community service placements and
30 may determine any salary matching requirements for any community
31 service employers.

32 **Sec. 908.** RCW 28B.12.050 and 1994 c 130 s 5 are each amended to
33 read as follows:

34 To the extent funds are appropriated for this purpose, the higher
35 education coordinating board shall disburse state work-study funds. In
36 performing its duties under this section, the board shall consult

1 eligible institutions and post-secondary education advisory and
2 governing bodies. The board shall establish criteria designed to
3 achieve such distribution of assistance under this chapter among
4 students attending eligible institutions as will most effectively carry
5 out the purposes of this chapter.

6 **Sec. 909.** RCW 28B.12.055 and 2009 c 215 s 12 are each amended to
7 read as follows:

8 (1) (~~Within existing resources~~) To the extent funds are
9 appropriated for this purpose, the higher education coordinating board
10 shall establish the work-study opportunity grant for high-demand
11 occupations, a competitive grant program to encourage job placements in
12 high-demand fields. The board shall award grants to eligible
13 institutions of higher education that have developed a partnership with
14 a proximate organization willing to host work-study placements.
15 Partner organizations may be nonprofit organizations, for-profit firms,
16 or public agencies. Eligible institutions of higher education must
17 verify that all job placements will last for a minimum of one academic
18 quarter or one academic semester, depending on the system used by the
19 eligible institution of higher education.

20 (2) The board may adopt rules to identify high-demand fields for
21 purposes of this section. The legislature recognizes that the high-
22 demand fields identified by the board may differ in different regions
23 of the state.

24 (3) The board may award grants to eligible institutions of higher
25 education that cover both student wages and program administration.

26 (4) The board shall develop performance benchmarks regarding
27 program success including, but not limited to, the number of students
28 served, the amount of employer contributions, and the number of
29 participating high-demand employers.

30 **Sec. 910.** RCW 28B.105.110 and 2009 c 564 s 1807 and 2009 c 564 s
31 920 are each reenacted and amended to read as follows:

32 (1) The GET ready for math and science scholarship account is
33 created in the custody of the state treasurer.

34 (2) The board shall deposit into the account all money received for
35 the GET ready for math and science scholarship program from

1 appropriations and private sources. The account shall be
2 self-sustaining.

3 (3) Expenditures from the account shall be used for scholarships to
4 eligible students and for purchases of GET units. Purchased GET units
5 shall be owned and held in trust by the board. Expenditures from the
6 account shall be an equal match of state appropriations and private
7 funds raised by the program administrator. During the 2009-2011 fiscal
8 biennium, expenditures from the account not to exceed five percent may
9 be used by the program administrator to carry out the provisions of RCW
10 28B.105.090.

11 (4) With the exception of the operating costs associated with the
12 management of the account by the treasurer's office as authorized in
13 chapter 43.79A RCW, the account shall be credited with all investment
14 income earned by the account.

15 (5) Disbursements from the account are exempt from appropriations
16 and the allotment provisions of chapter 43.88 RCW.

17 (6) Disbursements from the account shall be made only on the
18 authorization of the board.

19 (7) During the 2007-2009 fiscal biennium, the legislature may
20 transfer state appropriations to the GET ready for math and science
21 scholarship account that have not been matched by private contributions
22 to the state general fund.

23 (8) During the 2009-2011 fiscal biennium, the legislature may
24 transfer from the GET ready for math and science scholarship account to
25 the state general fund such amounts as reflect the excess fund balance
26 of the account.

27 **Sec. 911.** RCW 43.20A.725 and 2004 c 254 s 1 are each amended to
28 read as follows:

29 (1) The department, through the sole authority of the office or its
30 successor organization, shall maintain a program whereby an individual
31 of school age or older who possesses a hearing or speech impairment is
32 provided with telecommunications equipment, software, and/or peripheral
33 devices, digital or otherwise, that is determined by the office to be
34 necessary for such a person to access and use telecommunications
35 transmission services effectively.

36 (2) The department, through the sole authority of the office or its
37 successor organization, shall maintain a program where

1 telecommunications relay services of a human or electronic nature will
2 be provided to connect hearing impaired, deaf-blind, or speech impaired
3 persons with persons who do not have a hearing or speech impairment.
4 Such telecommunications relay services shall provide the ability for an
5 individual who has a hearing or speech impairment to engage in voice,
6 tactile, or visual communication by wire or radio with a hearing
7 individual in a manner that is functionally equivalent to the ability
8 of an individual who does not have a hearing or speech impairment to
9 communicate using voice or visual communication services by wire or
10 radio subject to subsection (4)(b) of this section.

11 (3) The telecommunications relay service and equipment distribution
12 program may operate in such a manner as to provide communications
13 transmission opportunities that are capable of incorporating new
14 technologies that have demonstrated benefits consistent with the intent
15 of this chapter and are in the best interests of the citizens of this
16 state.

17 (4) The office shall administer and control the award of money to
18 all parties incurring costs in implementing and maintaining
19 telecommunications services, programs, equipment, and technical support
20 services according to this section. The relay service contract shall
21 be awarded to an individual company registered as a telecommunications
22 company by the utilities and transportation commission, to a group of
23 registered telecommunications companies, or to any other company or
24 organization determined by the office as qualified to provide relay
25 services, contingent upon that company or organization being approved
26 as a registered telecommunications company prior to final contract
27 approval. The relay system providers and telecommunications equipment
28 vendors shall be selected on the basis of cost-effectiveness and
29 utility to the greatest extent possible under the program and technical
30 specifications established by the office.

31 (a) To the extent funds are available under the then-current rate
32 and not otherwise held in reserve or required for other purposes
33 authorized by this chapter, the office may award contracts for
34 communications and related services and equipment for hearing impaired
35 or speech impaired individuals accessing or receiving services provided
36 by, or contracted for, the department to meet access obligations under
37 Title 2 of the federal Americans with disabilities act or related
38 federal regulations.

1 (b) The office shall perform its duties under this section with the
2 goal of achieving functional equivalency of access to and use of
3 telecommunications services similar to the enjoyment of access to and
4 use of such services experienced by an individual who does not have a
5 hearing or speech impairment only to the extent that funds are
6 available under the then-current rate and not otherwise held in reserve
7 or required for other purposes authorized by this chapter.

8 (5) The program shall be funded by a telecommunications relay
9 service (TRS) excise tax applied to each switched access line provided
10 by the local exchange companies. The office shall determine, in
11 consultation with the office's program advisory committee, the budget
12 needed to fund the program on an annual basis, including both
13 operational costs and a reasonable amount for capital improvements such
14 as equipment upgrade and replacement. The budget proposed by the
15 office, together with documentation and supporting materials, shall be
16 submitted to the office of financial management for review and
17 approval. The approved budget shall be given by the department in an
18 annual budget to the department of revenue no later than March 1st
19 prior to the beginning of the fiscal year. The department of revenue
20 shall then determine the amount of telecommunications relay service
21 excise tax to be placed on each switched access line and shall inform
22 local exchange companies and the utilities and transportation
23 commission of this amount no later than May 1st. The department of
24 revenue shall determine the amount of telecommunications relay service
25 excise tax to be collected in the following fiscal year by dividing the
26 total of the program budget, as submitted by the office, by the total
27 number of switched access lines in the prior calendar year, as reported
28 to the department of revenue under chapter 82.14B RCW, and shall not
29 exercise any further oversight of the program under this subsection
30 other than administering the collection of the telecommunications relay
31 service excise tax as provided in RCW 82.72.010 through 82.72.090. The
32 telecommunications relay service excise tax shall not exceed nineteen
33 cents per month per access line. The telecommunications relay service
34 excise tax shall be separately identified on each ratepayer's bill with
35 the following statement: "Funds federal ADA requirement." All
36 proceeds from the telecommunications relay service excise tax shall be
37 put into a fund to be administered by the office through the
38 department. During the 2009-2011 fiscal biennium, the funds may also

1 be used to provide individualized employment services and employment-
2 related counseling to people with disabilities, and technical
3 assistance to employers about the employment of people with
4 disabilities. "Switched access line" has the meaning provided in RCW
5 82.14B.020.

6 (6) The telecommunications relay service program and equipment
7 vendors shall provide services and equipment consistent with the
8 requirements of federal law for the operation of both interstate and
9 intrastate telecommunications services for the hearing impaired or
10 speech impaired. The department and the utilities and transportation
11 commission shall be responsible for ensuring compliance with federal
12 requirements and shall provide timely notice to the legislature of any
13 legislation that may be required to accomplish compliance.

14 (7) The department shall adopt rules establishing eligibility
15 criteria, ownership obligations, financial contributions, and a program
16 for distribution to individuals requesting and receiving such
17 telecommunications devices distributed by the office, and other rules
18 necessary to administer programs and services consistent with this
19 chapter.

20 **Sec. 912.** RCW 43.60A.185 and 2006 c 343 s 8 are each amended to
21 read as follows:

22 The veterans innovations program account is created in the state
23 treasury. Moneys in the account may be spent only after appropriation.
24 Expenditures from the account may be used only for purposes of the
25 veterans innovations program. During the 2009-2011 fiscal biennium,
26 the legislature may transfer from the veterans innovations program
27 account to the general fund such amounts as reflect the excess fund
28 balance of the account.

29 **Sec. 913.** RCW 43.131.406 and 2006 c 343 s 11 are each amended to
30 read as follows:

31 The following acts or parts of acts, as now existing or hereafter
32 amended, are each repealed, effective June 30, 2017:

- 33 (1) 2006 c 343 § 1 (uncodified);
34 (2) RCW 43.60A.160 and 2006 c 343 § 3;
35 (3) RCW 43.60A.165 and 2006 c 343 § 4;
36 (4) RCW 43.60A.170 and 2006 c 343 § 5;

- 1 (5) RCW 43.60A.175 and 2006 c 343 § 6;
2 (6) RCW 43.60A.180 and 2006 c 343 § 7; and
3 (7) RCW 43.60A.185 and section 912 of this act & 2006 c 343 § 8.

4 **Sec. 914.** RCW 43.79.460 and 2009 c 518 s 21 are each amended to
5 read as follows:

6 (1) The savings incentive account is created in the custody of the
7 state treasurer. The account shall consist of all moneys appropriated
8 to the account by the legislature. The account is subject to the
9 allotment procedures under chapter 43.88 RCW, but no appropriation is
10 required for expenditures from the account.

11 (2) Within the savings incentive account, the state treasurer may
12 create subaccounts to be credited with incentive savings attributable
13 to individual state agencies, as determined by the office of financial
14 management in consultation with the legislative fiscal committees.
15 Moneys deposited in the subaccounts may be expended only on the
16 authorization of the agency's executive head or designee and only for
17 the purpose of one-time expenditures to improve the quality,
18 efficiency, and effectiveness of services to customers of the state,
19 such as one-time expenditures for employee training, employee
20 incentives, technology improvements, new work processes, or performance
21 measurement. Funds may not be expended from the account to establish
22 new programs or services, expand existing programs or services, or
23 incur ongoing costs that would require future expenditures.

24 (3) For purposes of this section, "incentive savings" means state
25 general fund appropriations that are unspent as of June 30th of a
26 fiscal year, excluding any amounts included in across-the-board
27 reductions under RCW 43.88.110 and excluding unspent appropriations
28 for:

29 (a) Caseload and enrollment in entitlement programs, except to the
30 extent that an agency has clearly demonstrated that efficiencies have
31 been achieved in the administration of the entitlement program.
32 "Entitlement program," as used in this section, includes programs for
33 which specific sums of money are appropriated for pass-through to third
34 parties or other entities;

35 (b) Enrollments in state institutions of higher education;

36 (c) A specific amount contained in a condition or limitation to an

1 appropriation in the biennial appropriations act, if the agency did not
2 achieve the specific purpose or objective of the condition or
3 limitation;

4 (d) Debt service on state obligations; and

5 (e) State retirement system obligations.

6 (4) The office of financial management, after consulting with the
7 legislative fiscal committees, shall report the amount of savings
8 incentives achieved.

9 (5) For fiscal year 2009, the legislature may transfer from the
10 savings incentive account to the state general fund such amounts as
11 reflect the fund balance of the account attributable to unspent state
12 general fund appropriations for fiscal year 2008. For fiscal year
13 2010, the legislature may transfer from the savings incentive account
14 to the state general fund such amounts as reflect the fund balance of
15 the account attributable to unspent state general fund appropriations
16 for fiscal year 2009.

17 **Sec. 915.** RCW 43.79.465 and 2009 c 4 s 903 are each amended to
18 read as follows:

19 The education savings account is created in the state treasury.
20 The account shall consist of all moneys appropriated to the account by
21 the legislature.

22 (1) Ten percent of legislative appropriations to the education
23 savings account shall be distributed as follows: (a) Fifty percent to
24 the distinguished professorship trust fund under RCW 28B.76.565; (b)
25 seventeen percent to the graduate fellowship trust fund under RCW
26 28B.76.610; and (c) thirty-three percent to the college faculty awards
27 trust fund under RCW 28B.50.837.

28 (2) The remaining moneys in the education savings account may be
29 appropriated solely for (a) common school construction projects that
30 are eligible for funding from the common school construction account,
31 (b) technology improvements in the common schools, (c) during the 2001-
32 03 fiscal biennium, technology improvements in public higher education
33 institutions, (~~and~~) (d) during the 2007-2009 fiscal biennium, the
34 legislature may transfer from the education savings account to the
35 state general fund such amounts as reflect the excess fund balance of
36 the account attributable to unspent state general fund appropriations
37 for fiscal year 2008, and (e) for fiscal year 2010, the legislature may

1 transfer from the education savings account to the state general fund
2 such amounts as reflect the fund balance of the account attributable to
3 unspent general fund appropriations for fiscal year 2009.

4 **Sec. 916.** RCW 43.155.050 and 2009 c 564 s 940 are each amended to
5 read as follows:

6 (1) The public works assistance account is hereby established in
7 the state treasury. Money may be placed in the public works assistance
8 account from the proceeds of bonds when authorized by the legislature
9 or from any other lawful source. Money in the public works assistance
10 account shall be used to make loans and to give financial guarantees to
11 local governments for public works projects. Moneys in the account may
12 also be appropriated to provide for state match requirements under
13 federal law for projects and activities conducted and financed by the
14 board under the drinking water assistance account. Not more than
15 fifteen percent of the biennial capital budget appropriation to the
16 public works board from this account may be expended or obligated for
17 preconstruction loans, emergency loans, or loans for capital facility
18 planning under this chapter; of this amount, not more than ten percent
19 of the biennial capital budget appropriation may be expended for
20 emergency loans and not more than one percent of the biennial capital
21 budget appropriation may be expended for capital facility planning
22 loans. During the 2009-2011 fiscal biennium, the legislature may
23 transfer from the public works assistance account to the general fund
24 and the city-county assistance account such amounts as reflect the
25 excess fund balance of the account.

26 (2) The job development fund is hereby established in the state
27 treasury. Moneys in the job development fund may be spent only after
28 appropriation. During the 2009-2011 fiscal biennium, the legislature
29 may transfer from the job development fund to the general fund such
30 amounts as reflect the excess fund balance of the fund.

31 **Sec. 917.** RCW 43.320.110 and 2005 c 518 s 932 are each amended to
32 read as follows:

33 There is created a local fund known as the "financial services
34 regulation fund" which shall consist of all moneys received by the
35 divisions of the department of financial institutions, except for the
36 division of securities which shall deposit thirteen percent of all

1 moneys received, except as provided in RCW 43.320.115, and which shall
2 be used for the purchase of supplies and necessary equipment; the
3 payment of salaries, wages, and utilities; the establishment of
4 reserves; and other incidental costs required for the proper regulation
5 of individuals and entities subject to regulation by the department.
6 The state treasurer shall be the custodian of the fund. Disbursements
7 from the fund shall be on authorization of the director of financial
8 institutions or the director's designee. In order to maintain an
9 effective expenditure and revenue control, the fund shall be subject in
10 all respects to chapter 43.88 RCW, but no appropriation is required to
11 permit expenditures and payment of obligations from the fund.

12 During the ((2005-2007)) 2009-2011 fiscal biennium, the legislature
13 may transfer from the financial services regulation fund to the state
14 general fund such amounts as reflect the excess fund balance of the
15 fund.

16 **Sec. 918.** RCW 43.334.077 and 2008 c 275 s 7 are each amended to
17 read as follows:

18 The skeletal human remains assistance account is created in the
19 custody of the state treasurer. All appropriations provided by the
20 legislature for this purpose as well as any reimbursement for services
21 provided pursuant to chapter 275, Laws of 2008 must be deposited in the
22 account. Expenditures from the account may be used only for
23 archaeological determinations and excavations of inadvertently
24 discovered skeletal human remains, and removal and reinterment of such
25 remains when necessary. Only the director or the director's designee
26 may authorize expenditures from the account. The account is subject to
27 the allotment procedures under chapter 43.88 RCW, but an appropriation
28 is not required for expenditures.

29 During the 2009-2011 fiscal biennium, the legislature may transfer
30 from the skeletal human remains account to the state general fund such
31 amounts as reflect the excess fund balance of the account.

32 **Sec. 919.** RCW 67.70.044 and 2009 c 576 s 1 are each amended to
33 read as follows:

34 (1) Pursuant to RCW 67.70.040(1)(a), the commission may enter into
35 the multistate agreement establishing a shared game lottery known as

1 "The Big Game," that was entered into by party state lotteries in
2 August 1996 and subsequently amended and a shared game lottery known as
3 "Powerball."

4 (2) The shared game lottery account is created as a separate
5 account outside the state treasury. The account is managed,
6 maintained, and controlled by the commission and consists of all
7 revenues received from the sale of shared game lottery tickets or
8 shares, and all other moneys credited or transferred to it from any
9 other fund or source under law. The account is allotted according to
10 chapter 43.88 RCW. During the 2009-2011 fiscal biennium, the
11 legislature may transfer from the shared game lottery account to the
12 state general fund such amounts as reflect the excess fund balance of
13 the account.

14 **Sec. 920.** RCW 67.70.230 and 1985 c 375 s 4 are each amended to
15 read as follows:

16 There is hereby created and established a separate account, to be
17 known as the state lottery account. Such account shall be managed,
18 maintained, and controlled by the commission and shall consist of all
19 revenues received from the sale of lottery tickets or shares, and all
20 other moneys credited or transferred thereto from any other fund or
21 source pursuant to law. The account shall be a separate account
22 outside the state treasury. No appropriation is required to permit
23 expenditures and payment of obligations from the account. During the
24 2009-2011 fiscal biennium, the legislature may transfer from the state
25 lottery account to the state general fund such amounts as reflect the
26 excess fund balance of the account.

27 **Sec. 921.** RCW 70.93.180 and 2009 c 564 s 950 are each amended to
28 read as follows:

29 (1) There is hereby created an account within the state treasury to
30 be known as the "waste reduction, recycling, and litter control
31 account". Moneys in the account may be spent only after appropriation.
32 Expenditures from the waste reduction, recycling, and litter control
33 account shall be used as follows:

34 (a) Fifty percent to the department of ecology, for use by the
35 departments of ecology, natural resources, revenue, transportation, and
36 corrections, and the parks and recreation commission, for use in litter

1 collection programs, to be distributed under RCW 70.93.220. The amount
2 to the department of ecology shall also be used for a central
3 coordination function for litter control efforts statewide, for the
4 biennial litter survey under RCW 70.93.200(8), and for statewide public
5 awareness programs under RCW 70.93.200(7). The amount to the
6 department shall also be used to defray the costs of administering the
7 funding, coordination, and oversight of local government programs for
8 waste reduction, litter control, and recycling, so that local
9 governments can apply one hundred percent of their funding to achieving
10 program goals. The amount to the department of revenue shall be used
11 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

12 (b) Twenty percent to the department for local government funding
13 programs for waste reduction, litter control, and recycling activities
14 by cities and counties under RCW 70.93.250, to be administered by the
15 department of ecology; and

16 (c) Thirty percent to the department of ecology for waste reduction
17 and recycling efforts.

18 (2) All taxes imposed in RCW 82.19.010 and fines and bail
19 forfeitures collected or received pursuant to this chapter shall be
20 deposited in the waste reduction, recycling, and litter control account
21 and used for the programs under subsection (1) of this section.

22 (3) Not less than five percent and no more than ten percent of the
23 amount appropriated into the waste reduction, recycling, and litter
24 control account every biennium shall be reserved for capital needs,
25 including the purchase of vehicles for transporting crews and for
26 collecting litter and solid waste. Capital funds shall be distributed
27 among state agencies and local governments according to the same
28 criteria provided in RCW 70.93.220 for the remainder of the funds, so
29 that the most effective waste reduction, litter control, and recycling
30 programs receive the most funding. The intent of this subsection is to
31 provide funds for the purchase of equipment that will enable the
32 department to account for the greatest return on investment in terms of
33 reaching a zero litter goal.

34 (4) During the 2009-2011 fiscal biennium, the legislature may
35 transfer from the waste reduction, recycling, and litter control
36 account to the state general fund such amounts as reflect the excess
37 fund balance of the account. (~~For purposes of subsection (1) of this~~

1 ~~section, this transfer shall be treated as an expenditure for litter~~
2 ~~collection.))~~ Additionally, during the 2009-2011 fiscal biennium,
3 subsection (1) of this section is suspended.

4 **Sec. 922.** RCW 70.105D.070 and 2009 c 564 s 951 and 2009 c 187 s 5
5 are each reenacted and amended to read as follows:

6 (1) The state toxics control account and the local toxics control
7 account are hereby created in the state treasury.

8 (2) The following moneys shall be deposited into the state toxics
9 control account: (a) Those revenues which are raised by the tax
10 imposed under RCW 82.21.030 and which are attributable to that portion
11 of the rate equal to thirty-three one-hundredths of one percent; (b)
12 the costs of remedial actions recovered under this chapter or chapter
13 70.105A RCW; (c) penalties collected or recovered under this chapter;
14 and (d) any other money appropriated or transferred to the account by
15 the legislature. Moneys in the account may be used only to carry out
16 the purposes of this chapter, including but not limited to the
17 following activities:

18 (i) The state's responsibility for hazardous waste planning,
19 management, regulation, enforcement, technical assistance, and public
20 education required under chapter 70.105 RCW;

21 (ii) The state's responsibility for solid waste planning,
22 management, regulation, enforcement, technical assistance, and public
23 education required under chapter 70.95 RCW;

24 (iii) The hazardous waste cleanup program required under this
25 chapter;

26 (iv) State matching funds required under the federal cleanup law;

27 (v) Financial assistance for local programs in accordance with
28 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

29 (vi) State government programs for the safe reduction, recycling,
30 or disposal of hazardous wastes from households, small businesses, and
31 agriculture;

32 (vii) Hazardous materials emergency response training;

33 (viii) Water and environmental health protection and monitoring
34 programs;

35 (ix) Programs authorized under chapter 70.146 RCW;

36 (x) A public participation program, including regional citizen
37 advisory committees;

1 (xi) Public funding to assist potentially liable persons to pay for
2 the costs of remedial action in compliance with cleanup standards under
3 RCW 70.105D.030(2)(e) but only when the amount and terms of such
4 funding are established under a settlement agreement under RCW
5 70.105D.040(4) and when the director has found that the funding will
6 achieve both (A) a substantially more expeditious or enhanced cleanup
7 than would otherwise occur, and (B) the prevention or mitigation of
8 unfair economic hardship;

9 (xii) Development and demonstration of alternative management
10 technologies designed to carry out the hazardous waste management
11 priorities of RCW 70.105.150; ~~((and))~~

12 (xiii) During the 2009-2011 fiscal biennium, shoreline update
13 technical assistance; and

14 (xiv) During the 2009-11 fiscal biennium, multijurisdictional
15 permitting teams.

16 (3) The following moneys shall be deposited into the local toxics
17 control account: Those revenues which are raised by the tax imposed
18 under RCW 82.21.030 and which are attributable to that portion of the
19 rate equal to thirty-seven one-hundredths of one percent.

20 (a) Moneys deposited in the local toxics control account shall be
21 used by the department for grants or loans to local governments for the
22 following purposes in descending order of priority:

23 (i) Remedial actions;

24 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

25 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
26 70.95I, and 70.105 RCW;

27 (iv) Funds for a program to assist in the assessment and cleanup of
28 sites of methamphetamine production, but not to be used for the initial
29 containment of such sites, consistent with the responsibilities and
30 intent of RCW 69.50.511; and

31 (v) Cleanup and disposal of hazardous substances from abandoned or
32 derelict vessels, defined for the purposes of this section as vessels
33 that have little or no value and either have no identified owner or
34 have an identified owner lacking financial resources to clean up and
35 dispose of the vessel, that pose a threat to human health or the
36 environment.

37 (b) Funds for plans and programs shall be allocated consistent with
38 the priorities and matching requirements established in chapters

1 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
2 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
3 project that is referenced in the action agenda developed by the Puget
4 Sound partnership under RCW 90.71.310, shall, except as conditioned by
5 RCW 70.105D.120, receive priority for any available funding for any
6 grant or funding programs or sources that use a competitive bidding
7 process. During the 2007-2009 fiscal biennium, moneys in the account
8 may also be used for grants to local governments to retrofit public
9 sector diesel equipment and for storm water planning and implementation
10 activities.

11 (c) To expedite cleanups throughout the state, the department shall
12 partner with local communities and liable parties for cleanups. The
13 department is authorized to use the following additional strategies in
14 order to ensure a healthful environment for future generations:

15 (i) The director may alter grant-matching requirements to create
16 incentives for local governments to expedite cleanups when one of the
17 following conditions exists:

18 (A) Funding would prevent or mitigate unfair economic hardship
19 imposed by the clean-up liability;

20 (B) Funding would create new substantial economic development,
21 public recreational, or habitat restoration opportunities that would
22 not otherwise occur; or

23 (C) Funding would create an opportunity for acquisition and
24 redevelopment of vacant, orphaned, or abandoned property under RCW
25 70.105D.040(5) that would not otherwise occur;

26 (ii) The use of outside contracts to conduct necessary studies;

27 (iii) The purchase of remedial action cost-cap insurance, when
28 necessary to expedite multiparty clean-up efforts.

29 (4) Except for unanticipated receipts under RCW 43.79.260 through
30 43.79.282, moneys in the state and local toxics control accounts may be
31 spent only after appropriation by statute.

32 (5) Except during the 2009-2011 fiscal biennium, one percent of the
33 moneys deposited into the state and local toxics control accounts shall
34 be allocated only for public participation grants to persons who may be
35 adversely affected by a release or threatened release of a hazardous
36 substance and to not-for-profit public interest organizations. The
37 primary purpose of these grants is to facilitate the participation by
38 persons and organizations in the investigation and remedying of

1 releases or threatened releases of hazardous substances and to
2 implement the state's solid and hazardous waste management priorities.
3 No grant may exceed sixty thousand dollars. Grants may be renewed
4 annually. Moneys appropriated for public participation from either
5 account which are not expended at the close of any biennium shall
6 revert to the state toxics control account.

7 (6) No moneys deposited into either the state or local toxics
8 control account may be used for solid waste incinerator feasibility
9 studies, construction, maintenance, or operation, or, after January 1,
10 2010, for projects designed to address the restoration of Puget Sound,
11 funded in a competitive grant process, that are in conflict with the
12 action agenda developed by the Puget Sound partnership under RCW
13 90.71.310.

14 (7) The department shall adopt rules for grant or loan issuance and
15 performance.

16 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the
17 legislature may transfer from the local toxics control account to
18 either the state general fund or the oil spill prevention account, or
19 both such amounts as reflect excess fund balance in the account.

20 (9) During the 2009-2011 fiscal biennium, the local toxics control
21 account may also be used for a standby rescue tug at Neah Bay, local
22 government shoreline update grants, private and public sector diesel
23 equipment retrofit, and oil spill prevention, preparedness, and
24 response activities.

25 (10) During the 2009-2011 fiscal biennium, the legislature may
26 transfer from the state toxics control account to the state general
27 fund such amounts as reflect the excess fund balance in the account.

28 **Sec. 923.** RCW 70.146.100 and 2007 c 233 s 1 are each amended to
29 read as follows:

30 (1) The water quality capital account is created in the state
31 treasury. Moneys in the water quality capital account may be spent
32 only after appropriation.

33 (2) Expenditures from the water quality capital account may only be
34 used: (a) To make grants or loans to public bodies, including grants
35 to public bodies as cost-sharing moneys in any case where federal,
36 local, or other moneys are made available on a cost-sharing basis, for
37 the capital component of water pollution control facilities and

1 activities; (b) for purposes of assisting a public body to obtain an
2 ownership interest in water pollution control facilities; or (c) to
3 defray any part of the capital component of the payments made by a
4 public body to a service provider under a service agreement entered
5 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the
6 legislature may transfer from the water quality capital account to the
7 state general fund such amounts as reflect the excess fund balance of
8 the account.

9 **Sec. 924.** RCW 74.31.060 and 2007 c 356 s 7 are each amended to
10 read as follows:

11 The traumatic brain injury account is created in the state
12 treasury. Two dollars of the fee imposed under RCW 46.63.110(7)(c)
13 must be deposited into the account. Moneys in the account may be spent
14 only after appropriation, and may be used only to provide a public
15 awareness campaign and services relating to traumatic brain injury
16 under RCW 74.31.040 and 74.31.050, for information and referral
17 services, and for costs of required department staff who are providing
18 support for the council and information and referral services under RCW
19 74.31.020 and 74.31.030. During the 2009-2011 fiscal biennium, money
20 in the account may also be spent on long term care services. The
21 secretary of the department of social and health services has the
22 authority to administer the funds.

23 **Sec. 925.** RCW 79.105.150 and 2009 c 564 s 959 are each amended to
24 read as follows:

25 (1) After deduction for management costs as provided in RCW
26 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
27 received by the state from the sale or lease of state-owned aquatic
28 lands and from the sale of valuable material from state-owned aquatic
29 lands shall be deposited in the aquatic lands enhancement account which
30 is hereby created in the state treasury. After appropriation, these
31 funds shall be used solely for aquatic lands enhancement projects; for
32 the purchase, improvement, or protection of aquatic lands for public
33 purposes; for providing and improving access to the lands; and for
34 volunteer cooperative fish and game projects. During the 2009-2011
35 fiscal biennium, the aquatic lands enhancement account may also be used
36 for scientific research as part of the adaptive management process.

1 During the 2009-11 fiscal biennium, the legislature may transfer from
2 the aquatic lands enhancement account to the state general fund such
3 amounts as reflect excess fund balance of the account.

4 (2) In providing grants for aquatic lands enhancement projects, the
5 recreation and conservation funding board shall:

6 (a) Require grant recipients to incorporate the environmental
7 benefits of the project into their grant applications;

8 (b) Utilize the statement of environmental benefits, consideration,
9 except as provided in RCW 79.105.610, of whether the applicant is a
10 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
11 referenced in the action agenda developed by the Puget Sound
12 partnership under RCW 90.71.310, and except as otherwise provided in
13 RCW 79.105.630, and effective one calendar year following the
14 development and statewide availability of model evergreen community
15 management plans and ordinances under RCW 35.105.050, whether the
16 applicant is an entity that has been recognized, and what gradation of
17 recognition was received, in the evergreen community recognition
18 program created in RCW 35.105.030 in its prioritization and selection
19 process; and

20 (c) Develop appropriate outcome-focused performance measures to be
21 used both for management and performance assessment of the grants.

22 (3) To the extent possible, the department should coordinate its
23 performance measure system with other natural resource-related agencies
24 as defined in RCW 43.41.270.

25 (4) The department shall consult with affected interest groups in
26 implementing this section.

27 (5) After January 1, 2010, any project designed to address the
28 restoration of Puget Sound may be funded under this chapter only if the
29 project is not in conflict with the action agenda developed by the
30 Puget Sound partnership under RCW 90.71.310.

31 **Sec. 926.** RCW 79A.05.351 and 2007 c 176 s 2 are each amended to
32 read as follows:

33 (1) The outdoor education and recreation grant program is hereby
34 created, subject to the availability of funds in the outdoor education
35 and recreation account. The commission shall establish and implement
36 the program by rule to provide opportunities for public agencies,
37 private nonprofit organizations, formal school programs, nonformal

1 after-school programs, and community-based programs to receive grants
2 from the account. Programs that provide outdoor education
3 opportunities to schools shall be fully aligned with the state's
4 essential academic learning requirements.

5 (2) The program shall be phased in beginning with the schools and
6 students with the greatest needs in suburban, rural, and urban areas of
7 the state. The program shall focus on students who qualify for free
8 and reduced-price lunch, who are most likely to fail academically, or
9 who have the greatest potential to drop out of school.

10 (3) The director shall set priorities and develop criteria for the
11 awarding of grants to outdoor environmental, ecological, agricultural,
12 or other natural resource-based education and recreation programs
13 considering at least the following:

14 (a) Programs that contribute to the reduction of academic failure
15 and dropout rates;

16 (b) Programs that make use of research-based, effective
17 environmental, ecological, agricultural, or other natural resource-
18 based education curriculum;

19 (c) Programs that contribute to healthy life styles through outdoor
20 recreation and sound nutrition;

21 (d) Various Washington state parks as venues and use of the
22 commission's personnel as a resource;

23 (e) Programs that maximize the number of participants that can be
24 served;

25 (f) Programs that will commit matching and in-kind resources;

26 (g) Programs that create partnerships with public and private
27 entities;

28 (h) Programs that provide students with opportunities to directly
29 experience and understand nature and the natural world; and

30 (i) Programs that include ongoing program evaluation, assessment,
31 and reporting of their effectiveness.

32 (4) The director shall create an advisory committee to assist and
33 advise the commission in the development and administration of the
34 outdoor education and recreation program. The director should solicit
35 representation on the committee from the office of the superintendent
36 of public instruction, the department of fish and wildlife, the
37 business community, outdoor organizations with an interest in
38 education, and any others the commission deems sufficient to ensure a

1 cross section of stakeholders. When the director creates such an
2 advisory committee, its members shall be reimbursed from the outdoor
3 education and recreation program account for travel expenses as
4 provided in RCW 43.03.050 and 43.03.060.

5 (5) The outdoor education and recreation program account is created
6 in the custody of the state treasurer. Funds deposited in the outdoor
7 education and recreation program account shall be transferred only to
8 the commission to be used solely for the commission's outdoor education
9 and recreation program purposes identified in this section including
10 the administration of the program. The director may accept gifts,
11 grants, donations, or moneys from any source for deposit in the outdoor
12 education and recreation program account. Any public agency in this
13 state may develop and implement outdoor education and recreation
14 programs. The director may make grants to public agencies and contract
15 with any public or private agency or person to develop and implement
16 outdoor education and recreation programs. The outdoor education and
17 recreation program account is subject to allotment procedures under
18 chapter 43.88 RCW, but an appropriation is not required for
19 expenditures. During the 2009-2011 fiscal biennium, the legislature
20 may transfer from the outdoor education and recreation program account
21 to the state general fund such amounts as reflect the excess fund
22 balance of the account.

23 **Sec. 927.** RCW 80.01.080 and 2006 c 3 s 2 are each amended to read
24 as follows:

25 There is created in the state treasury a public service revolving
26 fund. Regulatory fees payable by all types of public service companies
27 shall be deposited to the credit of the public service revolving fund.
28 Except for expenses payable out of the pipeline safety account, all
29 expense of operation of the Washington utilities and transportation
30 commission shall be payable out of the public service revolving fund.

31 During the ((2003-2005)) 2009-2011 fiscal biennium, the legislature
32 may transfer from the public service revolving fund to the state
33 general fund such amounts as reflect the excess fund balance of the
34 fund.

35 Due to the extraordinarily high winter energy costs, during the
36 2005-2007 fiscal biennium, no more than seven million six hundred
37 thousand dollars, as appropriated in section 1, chapter 3, Laws of

1 2006, shall be payable out of the public service revolving fund to
2 provide energy assistance to customers in accordance with the
3 low-income energy assistance program.

4 **Sec. 928.** RCW 82.14.495 and 2009 c 4 s 907 are each amended to
5 read as follows:

6 (1) The streamlined sales and use tax mitigation account is created
7 in the state treasury. The state treasurer shall transfer into the
8 account from the general fund amounts as directed in RCW 82.14.500.
9 Expenditures from the account may be used only for the purpose of
10 mitigating the negative fiscal impacts to local taxing jurisdictions as
11 a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to
12 RCW 82.14.020. During the ((2007-2009)) 2009-2011 fiscal biennium, the
13 legislature may transfer from the streamlined sales and use tax
14 mitigation account to the state general fund such amounts as reflect
15 the excess fund balance of the account.

16 (2) Beginning July 1, 2008, the state treasurer, as directed by the
17 department, shall distribute the funds in the streamlined sales and use
18 tax mitigation account to local taxing jurisdictions in accordance with
19 RCW 82.14.500.

20 (3) The definitions in this subsection apply throughout this
21 section and RCW 82.14.390 and 82.14.500.

22 (a) "Agreement" means the same as in RCW 82.32.020.

23 (b) "Local taxing jurisdiction" means counties, cities,
24 transportation authorities under RCW 82.14.045, public facilities
25 districts under chapters 36.100 and 35.57 RCW, public transportation
26 benefit areas under RCW 82.14.440, and regional transit authorities
27 under chapter 81.112 RCW, that impose a sales and use tax.

28 (c) "Loss" or "losses" means the local sales and use tax revenue
29 reduction to a local taxing jurisdiction resulting from the sourcing
30 provisions in RCW 82.14.490 and the chapter 6, Laws of 2007 amendments
31 to RCW 82.14.020.

32 (d) "Net loss" or "net losses" means a loss offset by any voluntary
33 compliance revenue.

34 (e) "Voluntary compliance revenue" means the local sales tax
35 revenue gain to each local taxing jurisdiction reported to the
36 department from persons registering through the central registration
37 system authorized under the agreement.

1 (f) "Working day" has the same meaning as in RCW 82.45.180.

2 **Sec. 929.** RCW 83.100.230 and 2008 c 329 s 924 are each amended to
3 read as follows:

4 The education legacy trust account is created in the state
5 treasury. Money in the account may be spent only after appropriation.
6 Expenditures from the account may be used only (~~for deposit into the~~
7 ~~student achievement fund and~~) for expanding access to higher education
8 through funding for new enrollments and financial aid, and other
9 educational improvement efforts. During the (~~2007-2009~~) 2009-2011
10 fiscal biennium, moneys in the account may also be transferred into the
11 state general fund.

12 NEW SECTION. **Sec. 930.** Sections 905, 907 through 909, and 916 of
13 this act expire June 30, 2011.

14 NEW SECTION. **Sec. 931.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 932.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of the
20 state government and its existing public institutions, and takes effect
21 immediately.

(End of part)

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